

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	03.12.2019	<p style="text-align: center;"><u>BEFORE THE YBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>At Camp Court, Swat.</u> Service Appeal No. 662/2019</p> <p style="text-align: right;">Date of Institution 21.05.2019 Date of Decision 03.12.2019</p> <p>Mst. Mehnaz Rahim, Subject Specialist (Biology) (BPS-17), GGHSS No.2 Saidu Sharif Swat under transfer to, GGHSS Totano Banda, Swat.</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <ol style="list-style-type: none"> 1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar. 2. The Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. 3. The Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. 4. Mst. Robina, Subject Specialist (Biology) (BPS-17), GGHSS Totano Banda, Swat under transfer to GGHSS No.2, Saidu Sharif Swat. <p style="text-align: right;">Respondents</p> <p>Mr. Muhammad Hamid Mughal -----Member(J) Mr. Ahmad Hassan-----Member(E)</p> <p style="text-align: center;"><u>JUDGMENT</u> <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Learned counsel for the appellant present. Learned counsel for private respondent No.4 present. Mr. Riaz Paindakheil learned Assistant Advocate General for official respondents present.</p>

3.12.2019

2. The appellant (Subject Specialist Biology) has filed the present service appeal being aggrieved against her transfer from GGHSS No.2 Saidu Sharif Swat, posting at GGHSS Totano Banda Swat and the posting of private respondent No.4 in her place at GGHSS No.2 Saidu Sharif Swat, vide order dated 25.01.2019.

3. Learned counsel for the appellant mainly assailed the impugned posting transfer order on the ground that the appellant was posted at GGHSS No.2 Saidu Sharif Swat vide order dated 13.04.2018, hence the transfer of the appellant from the said school before the completion of normal tenure of two years, is premature and in violation of transfer posting policy. Further argued that private respondent No 4 was posted at GGHSS Totano Banda on 04.11.2017 and as such her tenure at the said school is also not complete; that the impugned posting transfer order is against spouse policy.

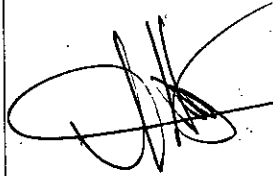
4. As against that learned AAG assisted by learned counsel for private respondent No.4 argued that the private respondent No.4 had completed her normal tenure at GGHSS Totano Banda Swat, hence she was rightly transferred from the said school. Further argued that the post of Subject Specialist (BS-17) is a provincial cadre post and U/S-10 of Khyber Pakhtunkhwa Civil Servants Act, 1973 the appellant is liable to serve anywhere in the province; that the appellant has been posted in the same district where her husband is employed, thus both the appellant and her husband are stationed at the same district; that the impugned posting transfer

3.12.2019

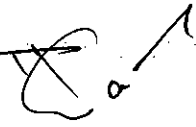
order was issued in the public interest.

5. Arguments heard: File perused.

6. Both the appellant and private respondent No.4 had not yet completed their normal tenure of two years in their respective schools when the impugned posting transfer order dated 25.01.2019 was issued. Consequently while keeping in view the circumstances of the case, the present service appeal is accepted and the impugned posting transfer order dated 25.01.2019 in relation to the appellant Mst. Mehnaz Rahim and private respondent No.4 Mst. Robina, is set aside and the respondent department is directed to allow the appellant to complete her remaining normal tenure at GGHSS No.2 Saidu Sharif Swat. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member



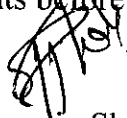
(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

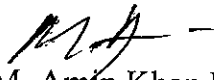
ANNOUNCED
03.12.2019

Service Appeal No. 662/2019

06.11.2019

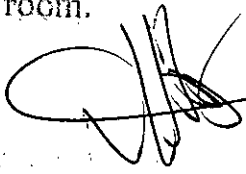
Counsel for the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant AG for official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Learned counsel for private respondent No. 4 submitted application for placing on file additional documents alongwith additional documents. The same are placed on record. Learned counsel for the appellant requested for adjournment. Adjourned to 03.12.2019 for rejoinder and arguments before D.B at Camp Court Swat.

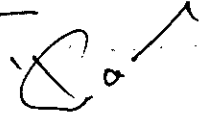

(Hussain Shah)
Member
Camp Court Swat


(M. Amin Khan Kundi)
Member
Camp Court Swat

03.12.2019

Learned counsel for the appellant present. Learned counsel for private respondent No.4 present. Mr. Riaz Paindakheil learned Assistant Advocate General for official respondents present. Vide our separate judgment of today of this Tribunal placed on file, the present service appeal is accepted and the impugned posting transfer order dated 25.01.2019 in relation to the appellant Mst. Mehnaz Rahim and private respondent No.4 Mst. Robina, is set aside and the respondent department is directed to allow the appellant to complete her remaining normal tenure at GGHSS No.2 Saidu Sharif Swat. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member
Camp Court, Swat

ANNOUNCED.
03.12.2019

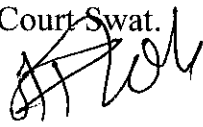
03.09.2019


Learned counsel for the appellant present. Mr. Mian Amir Qadir learned Deputy District Attorney alongwith Fazal Subhan SO for official respondents present. Learned counsel for private respondent No.4 also present. Written reply on behalf of official respondents i.e. respondents No.1 to 3 submitted. Learned counsel for private respondent No.4 seeks adjournment for reply to which learned counsel for the appellant and learned DDA raised serious observations. Since posting transfer order has been made impugned in the present service appeal, hence the present case is assigned to D.B. Adjourn. To come up for arguments on 08.10.2019 before D.B at Camp Court, Swat. Private respondent No.4 may however submit her reply on the date fixed before D.B at Camp Court, Swat and to this effect last opportunity is granted to private respondent No.4 for reply.


Member
Camp Court, Swat.

08.10.2019

Counsel for the appellant present. Mian Ameer Qadir, Deputy District Attorney alongwith Mr. Fazle Subhan, Section Officer for official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Learned counsel for private respondent No. 4 submitted written reply which is placed on record. Learned counsel for the appellant seeks adjournment. Adjourned to 06.11.2019 for rejoinder if any and arguments before D.B at Camp Court Swat.


(Hussain Shah)
Member
Camp Court Swat


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

662/2019

Mehnaz Rahim vs Govt

04.07.2019

Counsel for the appellant and Addl. AG present. No representative is present on behalf of the respondents. Fresh notices be issued to them. To come up for written reply/comments on 18.07.2019 before S.B.


Member

18.07.2019

Counsel for the appellant, Mr. Muhammad Riaz Khan Paindakhel Asstt. AG alongwith Fazle Subhan, S.O for the official respondents and Dr. Asad Ali, Special Attorney for respondent No. 4 present.

The attorney for respondent No. 4 and representative of official respondents request for further time to submit written reply/comments to the appeal.

The respondent No. 4 has submitted an application for transfer of appeal from Principal Seat of the Tribunal to Camp Court, Swat. The reasons noted in the application are to the effect that the appellant as well as private respondent No. 4 are residing at Swat. That, respondent No. 4 is a parda nasheen lady while her husband/attorney is posted at Hazara University Mansehra. In the circumstances it is highly inconvenient for the said respondent to pursue the case or appear before the Tribunal on the dates of hearing.

The application is allowed in view of the grounds noted therein and instant appeal is transferred to Camp Court Swat for hearing on 03.09.2019. The official as well as private respondents shall positively submit their respective reply on the date fixed. Being a matter pertaining to transfer further adjournment will not be allowed.


Chairman

17.06.2019

Counsel for the appellant Mehnaz Rahim present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant is serving as Subject Specialist (Biology) in Education Department. She was transferred from Government Girls High School Chail Shagai to Government Girls High Secondary School No. 2 Saidu Sharif Swat vide order dated 13.04.2018 but after a period of nine months she was again transferred from Government Girls High Secondary School No. 2 Saidu Sharif Swat to Government Girls High Secondary School Totano Banda Swat vide order dated 25.01.2019 before completion of her normal tenure. It was further contended that the transfer posting order of the appellant is in violation of transfer posting policy. It was further contended that the husband of the appellant is also serving as Assistant Director in the Commissioner Office therefore, the transfer posting order of the appellant is also against the spouse policy therefore, the impugned order is illegal and liable to be set-aside.

The contentions raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 04.07.2019 before S.B. Learned counsel for the appellant has also submitted application for suspension of the impugned order. Notice of the same be also issued to the respondents for the date fixed.

Appellant Deposited
Security & Process Fee

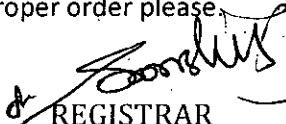


19/6/19


(Muhammad Amin Khan Kundi)
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 662/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/05/2019	<p>The appeal of Mst. Mehnaz Rahim presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	22/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29/05/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	29.05.2019	<p>Notice be issued to appellant/counsel for preliminary hearing on 17.06.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 662 /2019

MEHNAZ RAHIM

VS

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 3.
2	Stay application	4.
3.	Order dated 13.4.2018	A	5- 9.
4.	Order dated 14.11.2017	B	10- 12.
5.	Impugned order	C	13- 14.
6.	CNIC's & service certificate	D & E	15- 17.
7.	Departmental appeal	F	18.
8.	Transfer/posting Policy	G	19- 21.
9.	Vakalat nama	22.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK,
ADVOCATE

Flat No. 3, Upper Floor,
Islamia Club Building,
Khyber Bazar, Peshawar
0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 662 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 789

Dated 21/5/19

Mst: Mehnaz Rahim, Subject Specialist (Biology) (BPS-17),
GGHSS No.2, Saidu Sharif Swat under transfer to,
GGHSS Totano Banda, Swat

APPELLANT

VERSUS

- 1- The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 4- Mst: Robina, Subject Specialist (Biology) (BPS-17), GGHSS Totano Banda, Swat under transfer to GGHSS No.2, Saidu Sharif, Swat

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 25.01.2019 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM GGHSS NO.2 SAIDU SHARIF, SWAT TO GGHSS TOTANO BANDA, SWAT PRE-MATURELY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned Notification dated 25.01.2019 may very kindly be set aside and the respondents may be directed not to transfer the appellant from GGHSS No.2, Saidu Sharif, Swat till completion of her normal tenure. 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 the respondent Department and initially was appointed as Secondary School Teacher (BPS-16) and since from appointment till date the appellant is serving the respondents quite efficiently and up to the entire satisfaction of her superiors.
- 2- That during service the appellant was promoted to the post of subject specialist (BPS-17) vide Notification dated 13.4.2019 and accordingly the appellant was posted at GGHSS No.2 Saidu Sharif, Swat. That in response to the said Notification the appellant

Filed to
Registrar
21/5/19

submitted her arrival report and started performing her duty quite efficiently. Copy of the order is attached as annexure.....**A.**

3- That similarly the private responder No.4 (Mst: Robina) was also promoted to the post of Subject Specialist (Biology) (BPS-17) and was posted at GGHSS Totano Banda, Swat vide Notification dated 14.11.2017. Copy of the order dated 14.11.2017 is attached as annexure.....**B.**

4- That astonishingly the respondent Department issued the impugned Notification dated 25.01.2019 whereby the appellant was prematurely transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat vice private responder No.4. Copy of the impugned order dated 25.01.2019 is attached as annexure.....**C.**

5- That it is pertinent to mention that husband of the appellant is also a Civil servant and is serving as Assistant Director in the P&D Department at Saidu Sharif, Swat. That under the spouse policy the petitioner is entitle to be posted at the station where her husband is posted but the respondents inspite of knowing the fact transfer the appellant from GGHSS No.2, Saidu Sharif Swat to GGHSS Totano Banda, swat. Copies of the CNIC's and Service Certificate are attached as annexure **D & E.**

6- That appellant feeling aggrieved from the impugned order dated 25.01.2019 filed Departmental appeal before the respondent No.1 but no reply has been received so far. Hence the appellant having no other remedy filed the instant service appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....**F.**

GROUND:

A- That the impugned Notification dated 25.01.2019 issued by the respondent No.2 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

B- That the appellant has not been treated by the 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 respondent Department acted in arbitrary and malafide manner while issuing the impugned Notification dated 25.01.2019 by giving reason of desire of the appellant to the said impugned order which is against the fact and the same is not tenable in the eyes of law and liable to be set aside to the extent of appellant and private responder No.4.

- D- That the impugned Notification dated 25.01.2019 is violative of Clause-II, IV & IX of the transfer/posting policy promulgated by the Government of Khyber Pakhtunkhwa. Copy of the transfer/posting policy is attached as annexure.....**G.**
- E- That the private respondent (Mst: Robina) who has been transferred vice the appellant to GGHSS No.2, Saidu Sharif, Swat has also not completed her normal tenure at GGHSS Totanu Banda.
- F- That the impugned Notification dated 25.1.2019 is violative of the spouse policy of the provincial Government, therefore not tenable and liable to be set aside.
- G- That the impugned Notification dated 25.01.2019 has not been passed in interest of public interest nor in exigencies of public service, hence not tenable and liable to be set aside.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

Dated: 20.05.2019

APPELLANT



MEHNAZ RAHIM

THROUGH:



NOOR MOHAMMAD KHATTAK

&



MIR ZAMAN SAFI
ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. _____/2019

MEHNAZ RAHIM

VS

EDUCATION DEPTT:

APPLICATION FOR SUSPENSION OF
OPERATION OF THE IMPUGNED ORDER DATED
25.01.2019 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 25.01.2019 whereby the appellant has been transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 25.01.2019 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 impugned order dated 25.01.2019 may very kindly be suspended till the disposal of this service appeal.

Dated: 20.05.2019.

APPLICANT



MEHNAZ RAHIM

THROUGH:


NOOR MOHAMMAD KHATTAK

&


MIR ZAMAN SAFI
ADVOCATES



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

A-5

NOTIFICATION

Dated Peshawar the April 13th 2018

NO. SO(S/F)E&SED/4-16/2018/DPC/Promotion/BS-16 to BS-17

Consequent upon

promotion of Female SSTs (BS-16) to Subject Specialists (BS-17) of Elementary & Secondary Education Department vide this department notification No. SO(PE)2-6/DPC Meeting/SST-SS/2018 dated 15/03/2018, the Competent Authority is pleased to adjust them as follows:

S#	Name of Officer and School Address	Proposed place of Posting	Remarks
English			
1	Farkhanda Aisha SST MA/BED GMGHS Haripur	SS BS-17 English GGHS Kota Swabi	A.V.P.
2	Mst. Rani Jaweria SST GGHS Shinkirai Manshra	SS English BS-17 GGHS Ogi Manshra	A.V.P.
3	Mst. Saima Afzal SST GGHS Chitta Batta Manshra	SS English BS-17 GGHS Kalabat Swabi	A.V.P.
4	Mst. Fozia Gul SST GGHS Tajazai Lakki	SS English BS-17 GGHS Titar Khel Lakki Marwat	A.V.P.
5	Mst. Zainab Wazir SST GGMS Nar Sahibdad Maidad Khel Lakki	SS English BS-17 GGHS Nar Jaffar Bannu	A.V.P.
6	Mst. Farzana Bibi SST GGHS Ghazni Khel Lakki	Inst: RITE (F) Bannu	A.V.P.
7	Shakila Naz MA English GGHS, ASC Centre.	SS English BS-17 GGHS Dheri Kati Khel Nowshera	A.V.P.
8	Sadaf Nousheen GGMS Boza Khel Bannu	SS English BS-17 GGHS Kotka Bilawar Khan Bannu	A.V.P.
9	Mst. Gul Jabeen SST (G) GGHS Usterzai Kohat	SS English BS-17 GGHS Teri Karak	A.V.P.
10	Mst. Benazira SST GGMS Karim Khan Bairsti Khel Bannu	SS English BS-17 GGHS Ismiali Mama Khel Bannu	A.V.P.
11	Mst. Farzana Younis SST GGHS A/Abad	SS English BS-17 GGHS Behali Manshra	A.V.P.
12	Mst. Shagufta Yousaf SST GGHS Peshawar	SS English BS-17 GGHS Comp Peshawar	A.V.P.
13	Mst. Rehana Kausar SST GGHS Havelian Village A/Abad	SS English BS-17 GGHS Kalu Khan Swabi	A.V.P.
14	Mst. Khadija Samar SST GGHS Comp Peshawar	SS English BS-17 GGHS BSD Peshawar	A.V.P.
15	Mst. Saima Ilyas SST GGHS Nishitar Abad Peshawar	SS Eng BS-17 GGHS Nishitarabad Peshawar	A.V.P.
16	Mst. Muqadus Jabeen SST GGHS Chapra Haripur	SS English BS-17 GGHS Shamansoor Swabi	A.V.P.
17	Mst. Noor Afshan SST GGHS KTS No.2 Haripur	SS English BS-17 GGHS Gulshan Abad Manshra Swabi	A.V.P.
18	Mst. Humaira Bibi SST GGHS Serai Saleh Haripur	SS English BS-17 GGHS Adina Swabi	A.V.P.
Urdu			
19	Mst. Saeeda Kaniz SST GGHS Peshawar	SS Urdu BS-17 GGHS Lady Griffith Peshawar	A.V.P.

Name of Officer and School Address	Proposed place of Posting	
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]
[Faint text]	[Faint text]	[Faint text]

Handwritten signature and initials on the left margin of the page.

History

64	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
65	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
66	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
67	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
68	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
69	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
70	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
71	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP
72	Mst. Nuzhatun Nisa SSI GGHS	SS History BS-17 GGHS	AVP

Pak Study

73	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
74	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
75	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
76	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
77	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
78	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
79	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
80	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
81	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP
82	Mst. Nuzhatun Nisa SSI GGHS	SS Pak Study BS-17 GGHS	AVP

Economics

83	Mst. Rumana Bibi SSI GGMS	SS Econ: BS-17 GGHS	AVP
----	---------------------------	---------------------	-----


Remarks	Name of Officer and School Address	Proposed place of Posting	Remarks
	Mst. Zasia Begum GGHSS Baja Swabi	SS Biology BS-17 GGHSS Kunda Swabi	
98	Mst. Nahced Akhtar GGHSS Surati Killa Karak	SS Biology BS-17 GGHSS Esak Chountra Karak	A.V.P
99	Mst. Shameela Akhtar SST GGHSS Hayatabad Peshawar	SS Biology BS-17 GGHSS Lady Griffin Peshawar	A.V.P You are noted as per the management provided to BS-17
100	Mst. Sarwat Jehan SST GGHSS Sara Shah Mohmand Agency	Services placed at the disposal of FATA	
101	Mst. Salma Kifayat SST GGHSS Bakri Banda Mardan	SS Biology BS-17 GGHSS Par Hoti Mardan	A.V.P
102	Mst. Sarwat Ifakhar SST GGHSS Wazir Bagh Peshawar	SS Biology BS-17 GGHSS Akbarpura Nowshera	A.V.P
103	Mst. Minhas Aman SST GGHSS Tambulak Mardan	SS Biology BS-17 GGHSS Khazana Dheri Mardan	A.V.P
104	Mst. Perveen Bang SST GGHSS Garam Cheshma Chitral	SS Biology BS-17 GGHSS Garam Cheshma Chitral	A.V.P
105	Mst. Ameer Bibi SST GGHSS Garam Cheshma Chitral	SS Biology BS-17 GGHSS Warijun Chitral	A.V.P

2. No TA/DA will be allowed for joining their duties.

SECRETARY

Endst: of even No. & date:

- Copy forwarded to the:
1. Accountant General Khyber Pakhtunkhwa, Peshawar.
 2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
 3. Director Education (FATA) FATA Secretariat Warsak Road Peshawar.
 4. Director DCTE Abbottabad.
 5. Director PITF, Khyber Pakhtunkhwa.
 6. Director RITE (F) Khyber Pakhtunkhwa.
 7. District Education Officers (Female) concerned.
 8. District Accounts Officers concerned.
 9. PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
 10. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
 11. PS to Minister E&SE Khyber Pakhtunkhwa Peshawar.
 12. PS to Secretary E&SE Department.
 13. PS to Special Secretary, E&SE Department.
 14. Incharge EMISE, E&SE Department for uploading at official website at the earliest.
 15. Subject Specialists concerned.
 16. Office order file.


(ANEELA FAHIM)

SECTION OFFICER (SCHOOLS FEMALE)





GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the 14-11-2017

B - 10

NOTIFICATION

No.SO(PE)/2-6/DPCMeeting/SST-SS (03-10-2017): On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Three Hundred and Fifty Five (355) Female, SSTs (BS-16) to the post of Subject Specialist (BS-17) on regular basis with immediate effect:-

1. English

S#	Serial No.	Name of Officer and School Address	Proposed place of Posting	Remarks
1.	523	Riasat M.A M.ed GGHS Panr	SS English BS-17 GGHS Gwalerai Swat.	Against the vacant post
2.	715	Jannat Zahir M.A M.Ed GGHS Guligram	SS English BS-17 GGHS No. 2 Mangora	Against the vacant post
3.	956	Fazilat Ayub MA.M.ED GGHS NO.02 DIKhan	SS English BS-17 GGHS No. 9 DIKhan	Against the vacant post
4.	1143	Nazneen Akram GGHS No.4 Bannu City	SS English BS-17 GGHS Kotka Bilawal Khan Bannu	Against the vacant post
5.	1179	Mst. Zain-ul-Haram SST (Sc) GGHS Kundi Sherawal Haripur	SS English BS-17 GGHS Topi Swabi	Against the vacant post
6.	1182	Mst. Hussan Taj SST GGMS Amanullah Jan Kot NWA	Services placed at the disposal of FATA	Against the vacant post
7.	1230	Rizwana Gui MA/M.Ed GGHS Sangar Mansehra	SS English BS-17 GGHS Oghi Mansehra	Against the vacant post
8.	1238	Seema Saifdar M.Phil B.Ed GGHS Kabal	SS English BS-17 GGHS Manglawar Swat	Against the vacant post
9.	1260	Nahed Khalil M.A B.Ed GGHS Abaha Swat	SS English BS-17 GGHS Badkheh Malakand	Against the vacant post
10.	1274	Saima MA English GGHS, Dak Ismail Khel	SS English BS-17 GGHS Dak Ismail Khel Nowshera	Against the vacant post
11.	1282	Sadia Saleem MA GGHS Maho Dheri Mardan	SS English BS-17 GGHS Ghailadher Mardan	Against the vacant post
12.	1287	Atia Naz GGMS Jica Model School Mardan	SS English BS-17 GGHS Rustam Khel Mardan	Against the vacant post
13.	1298	Nusrat Jabeen/ MA,LLB,M.Ed GGMS Essa Khel	SS English BS-17 GGHS B.S.D. Peshawar	Against the vacant post
14.	1301	Shafiqun Bibi MA/M.Ed GGHS Mohayian Mansehra	SS English BS-17 GGHS Shergarh Mansehra	Against the vacant post
15.	1316	Mst. Gul Nasreen SST (G) GGHS Behzadi Chakar Kot Kohat	SS English BS-17 GGHS Lachi Kohat	Against the vacant post
16.	1326	Syeda Ume Salma SST GGHS Kurez Orakzai Agency	Services placed at the disposal of FATA	Against the vacant post
17.	1329	Shehnaz Anjum MA. M.Ed GGMS Kazim Killi Mardan	SS English BS-17 GGHS Takhtbhai Mardan	Against the vacant post
18.	1390	Javeria Arshad MA/MED CGMGHS Haripur	SS English BS-17 GGHS Beer Haripur	Against the vacant post
19.	1391	Sadia Masroor Naqvi MA / BED GGHS Sarai Namat Khan	SS English BS-17 GGHS Baja Swabi	Against the vacant post
20.	1413	Sumaira Iqbal MA/M.Ed GGMS No.1 Mansehra	SS English BS-17 GGHS Lessan Nawab Mansehra	Against the vacant post
21.	1423	Mst. Uzma Saifdar SST (G) GGHS Kharmatoo Kohat	SS English BS-17 GGHS Togh Bala Kohat	Against the vacant post
22.	1452	Lubna Jabeen GGMS Kala Khel Masti Khan Bannu	SS English BS-17 GGHS Qamarzaman Mandew Bannu	Against the vacant post
23.	1453	Mst. Meher Taj SST GGHS Sabir Abad Karak	SS English BS-17 GGHS Esak Chuntral Karak	Against the vacant post
24.	1525	Gul-e-Rehana MA/MED GGHS Sirikote Haripur	SS English BS-17 GGHS Sari Kot Haripur	Against the vacant post

ATTESTED

[Handwritten signature]

		GGHS, #1 Pabbi	Pabbi Nowshera	post
320.	1292	Saima Sultan/ MSc,Med GGHSS Nishtarabad	SS Biology BS-17 GGHSS Badber Peshawar	Against the vacant post
321.	1295	Robina MSc, M.Ed. GGHS Bamsi Swat	SS Biology BS-17 GGHSS Badber Peshawar	Against the vacant post
322.	1297	Shakira Aziz GGCMHSS Canal Road Mardan	SS Biology BS-17 GGHSS Ghala Dher Mardan	Against the vacant post
323.	1309	Rafaqat Ara MSC Botny GGHSS, Shaidu	SS Biology BS-17 GGHSS Shaidu Nowshera	Against the vacant post
324.	1318	Neelam MSc, M.Ed GGHS Jamal Garhi Mardan	SS Biology BS-17 GGHSS Jandhar Par Mardan	Against the vacant post
325.	1427	Bushra Jehan GGHS Ghundi Killa Karak	SS Biology BS-17 GGHSS Terri Karak	Against the vacant post
326.	1432	Sajida GGHS Ghundi Killa Karak	SS Biology BS-17 GGHSS Esak Chountra Karak	Against the vacant post
327.	1469	Rahat Maheen, SST (Science), GGHS, Dalo Khel Lakki	SS Biology BS-17 GGHSS Titter Khel-Lakki Marwat	Against the vacant post
328.	1501	Gul Naz GGHS Kalu Khan Swabi	SS Biology BS-17 GGHSS Shewa Swabi	Against the vacant post
329.	1547	Mst Khadija Bibi SST Gen. GGHS Broze Chitral	SS Biology BS-17 GGHSS Shevaqotak Chitral	Against the vacant post
330.	1595	Uzma Zeb MA/M.Ed GGHSS No 2 Mansehra	SS Biology BS-17 GGHSS Shinkiani Mansehra	Against the vacant post
331.	1629	Aminah Khatoon MSc, M.Ed GGHSS, Kabal Swat	SS Biology BS-17 GGHSS, Kala Kallay Swat	Against the vacant post
332.	1652	Zeenat Jehan MSc, B.Ed, M.Ed GGHSS, Takht Bhai	SS Biology BS-17 GGHSS Parkho Dheri Mardan	Against the vacant post
333.	1688	Mst. Ishrat Farid SST (Sc) GGHSS, Saidu Sharif Swat	SS Biology BS-17 GGHSS Odigram Swat	Against the vacant post
334.	1698	Tabassum Naz MSc GGHSS Sawal Dher	SS Biology BS-17 GGHSS Shahbaz Garhi Mardan	Against the vacant post
335.	1720	Hajra Bibi MSc/ MED GGHS Sangian	SS Biology BS-17 GGHSS Lora Abbottabad	Against the vacant post
336.	1723	Miss Jamila Salah Uddin SST (Sc Biology) GGHS Behlola Charsadda	SS Biology BS-17 GGHSS Dhakki Charsadda	Against the vacant post
337.	1749	RAISA NAZ GGCMMS HAMZA DHER Swabi	SS Biology BS-17 GGHSS Dagai Swabi	Against the vacant post
338.	1767	SALMA NAZ GGHS MADI BABA Mardan	SS Biology BS-17 GGHSS Takht Bhai Mardan	Against the vacant post
339.	1770	Samra Bibi MSc/MED GGHS Mang	SS Biology BS-17 GGHSS	Against the vacant post
340.	1772	Seema Rani GGHS Ghumawan	SS Biology BS-17 GGHSS Rich Bhen Abbottabad	Against the vacant post
341.	1819	Sharafat MSc, B.Ed, M.Ed GGCMHSS Kailang	SS Biology BS-17 GGHSS Baghicha Dheri Mardan	Against the vacant post
342.	1829	Shamsun Nihar GGHS Ganderi Khatak Karak	SS Biology BS-17 GGHSS Lachi Kohat	Against the vacant post
343.	1852	Bibi Amina GGHS Sard Cheena	SS Biology BS-17 GGHSS Gulshanabad Munerai Payan Swabi	Against the vacant post
344.	1862	Bayina MSc, B.Ed GGCMHSS Kailang	SS Biology BS-17 GGHSS Kati Garhi Mardan	Against the vacant post
345.	1888	Lubna Siraj M.Sc M.Ed GGHS No. 1 Mingora	SS Biology BS-17 GGHSS Patch Pur Swat	Against the vacant post
346.	1910	Akhtar M.sc, M.EDGGMS Munir DIKhan Khaki	SS Biology BS-17 GGHSS No.9 DIKhan	Against the vacant post
347.	1997	Naveeda Tariq SST (Sc) GGHSS Jogiwara Peshawar	SS Biology BS-17 GGHSS Jogiwara Peshawar	Against the vacant post
348.	2017	Mst. Sadia Bibi SST (Sc) GGHS Ashanr Dir Lower	SS Biology BS-17 GGHSS Ashanr Dir Lower	Against the vacant post
349.	2032	Mst. Bushra Saleem SST (Sc) GGMHSS Haripur	SS Biology BS-17 GGHSS Sherwan Abbottabad	Against the vacant post
350.	2047	Mst. Sara Ihsan SST GGHS Zarbab Garhi Charsadda	SS Biology BS-17 GGHSS Turangzai Charsadda	Against the vacant post
351.	2048	Mst. Sara Faiz SST GGHS Wadpaga Peshawar	SS Biology BS-17 GGHSS Khyber Colony Peshawar	Against the vacant post

ATTESTED

g

11

352	2097	Mst. Nosheen Khan SST GGHS Shahdara Swat	SS: Biology BS-17 GGHSS Gwalerai Swat	Against the vacant post
353	2184	Nosheen Bibi SST GGHS Manki Swabi	SS Biology BS-17 GGHSS Misri Banda Nowshera	Against the vacant post
354	2213	Mst. Robina Nazli SST GGHS Sambal Swat	SS: Biology BS-17 GGHSS Matta Swat	Against the vacant post
355	2236	Mst. Parveen Nisa SST (Sc) GGHS Kalpani Bunir	SS Biology BS-17 GGHSS Kalpani Bunir	Against the vacant post

12

Consequential Posting/Transfer

S#	Name of Officer and School Address	Proposed place of Posting	Remarks
356.	Mst. Zahida Jabeen FIM working as SS Urdu GGHSS No. 2 Peshawar Cantt.	SS Urdu BS-17 GGHSS Aza Khel Payan Nowshera	Against Vacant Post
357.	Mst. Sabiha Begum SS Islamiyat GGHSS Paroa DI Khan (Belongs to Kohat)	Instructor RITE (F) Kohat	Against Vacant Post. In her own pay & scale
358.	Mst. Askara Bibi SS Pashto GGHSS Chamkani Peshawar	SS Pashto BS-17 GGHSS Sufaid Sang Peshawar	Against Vacant Post
359.	Mst. Sabiha Ihsan MA (Political Science) working as SS Pak Study. GGHSS Bihari Colony DI Khan	SS His-cum-civics BS-17 GGHSS Bihari Colony DI Khan	Against Vacant Post
360.	Mst. Rakhshanda Mehndi, SS English, GGHSS No. 2 Peshawar Cantt.	SS English BS-17, GGHSS University Town Peshawar	Against Vacant Post

2. On their promotion, the Subject Specialist concerned will be on probation for a period of one year in terms of Section 6(2) of NWFP Civil Servant Act, 1973 read with Rule 15(1) of the NWFP Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.

3. No. TA /DA allowed.

SECRETARY**Endst. No. & date as above.**

Copy to:

1. The Additional Chief Secretary (FATA), FATA Secretariat Warsak Road Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education FATA, Warsak Road, Peshawar.
8. The Director Curriculum & Teachers Education, Abbottabad.
9. The Director ESRU, Khyber Pakhtunkhwa.
10. The Deputy Director (EMIS), E&SE Department, with the request to upload the notification on E&SE Department website (www.kpese.gov.pk)
11. The District Education Officers, Elementary & Secondary Education concerned.
12. The District Accounts Officers concerned.
13. PS to Secretary E&SE Department.
14. Subject Specialist concerned.
15. Office File.

(NAIK MUHAMMAD)
SECTION OFFICER (PRIMARY)

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211419

Dated Peshawar the January 25th, 2019

NOTIFICATION

No. SO(S/F)E&SED/4-16/2019/General/Posting/Transfer: Posting/ transfer in respect of the following Female Subject Specialist Headmistress & Instructor Physical Education (BS-17) of Elementary & Secondary Education Department are hereby ordered against the mentioned posts in the public interest with immediate effect:

S#	Name & Designation	Desired Station	Remarks
1	Mst. Shaista, HM (BS-17) under adjustment at GGHS Reerh Mansehra	HM (BS-17) GGHS Baidra Mansehra	A.V.P
2	Mst. Nusrat Shaheen, HM (BS-17) under adjustment at GGHS Parmoli Swabi upon her promotion	HM (BS-17) GGHS Pharari Haripur	A.V.P
3	Mst. Lubna Shaheen, HM (BS-17) under adjustment at GGHS Gandaf Swabi upon her promotion	HM (BS-17) GGHS Ghandian Haripur	A.V.P
4	Mst. Ismat Begum, HM (BS-17) GGHS Pir Abad Mardan	HM (BS-17) GGHS Takhtbhai Mardan	A.V.P
5	Mst. Haliza Bibi HM (BS-17) working against SDEO (F) BS-17 Wari Dir Upper (TC)	Headmistress (BS-17) GGHS Akhagram Dir Upper	A.V.P
6	Mst. Bibi Kibria, HM (BS-17) GGHS Muldeh Chitral	HM (BS-17) GGHS Warijune Chitral	Vice Sr. No. 7
7	Mst. Fakhru Nisa, HM (BS-17) GGHS Warijune Chitral	HM (BS-17) GGHS Muldeh Chitral	Vice Sr. No. 6
8	Mst. Shamim Ijaz, HM (BS-17) under adjustment at GGHS Breep Chitral upon her promotion	HM (BS-17) GGHS Koshit Chitral	A.V.P
9	Mst. Saima, HM (BS-17) GGHS Hazarkhawani Peshawar	HM (BS-17) GGHS Turlandi Charsadda	Vice Sr. No. 10
10	Mst. Azra Kazmi, HM (BS-17) GGHS Turlandi Charsadda	HM (BS-17) GGHS Hazarkhawani Peshawar	Vice Sr. No. 09
11	Mst. Romana Naik Nawaz, SS (Stat) BS-18 working as Principal GGHS Domel Bannu	SS (Stat) BS-18 GGHS No. 2 Bannu	A.V.P
12	Mst. Naila, SS (Maths) BS-17 working against BS-18 post at RITE (F) Swat (in OPS)	SS (Maths) BS-17 GGHS Odigram Swat	A.V.P
13	Mst. Ramiza Khalid, SS (Physics) BS-17 GGHS Rustam Khel Mardan	SS (Physics) BS-17 GGHS Wadpaga Peshawar	A.V.P
14	Mst. Amara Fida (BS-17) SS (Physics) GGHS Garhi Habibullah Mansehra working against BS-18 post (wrong posting)	SS (Physics) BS-17 GGHS Shinkari Mansehra	A.V.P
15	Mst. Farrukh Huma, SS (Chem) BS-17 GGHS Badrashi Nowshera	SS (Chem) BS-17 GGHS Mian Gujar Peshawar	A.V.P
16	Mst. Mehnaz Ranim, SS (Bio) BS-17 GGHS Saidu Sharif Swat	SS (Bio) BS-17 GGHS Totano Banda Swat	Vice Sr. No. 17

ATTACHED

17	Mst. Robina, SS (Bio) BS-17 GGHSS Totano Banda Swat	SS (Bio) BS-17 GGHSS No. 2 Saidu Sharif Swat	Vice Sr. No. 16
18	Mst. Rani Jaweria, SS (English) BS-17 GGHSS Ogi Mansehra	HM (BS-17) GGHS Dharyal Mansehra	A.V.P
19	Miss Samia Khan, SS (Econ) BS-17 GGHSS Baja Swabi	SS (Econ) BS-17 GGHSS Gulshan Abad Swabi	A.V.P
20	Miss Shagufta Ashraf, SSS (Econ) BS-18 working as SS (Urdu) GGHSS No. 2 Bannu	SSS (Econ) BS-18 GGHSS No. 2 Bannu	A.V.P
21	Mst. Bakht Shahida, SS (Pashto) BS-17 GGHSS Shawa Dir Lower	SS (Pashto) BS-17 GGHSS Aladhand Dheri Malakand	A.V.P
22	Mst. Saira Daud, IPE (BS-17) GGHSS Misri Banda Nowshehra	IPE (BS-17) GGHSS Ama Khel Tank	A.V.P
23	Mst. Maryam Bibi, IPE (BS-17) GGHSS Shakardara Kohat	SIPE (BS-18) GGHSS Ismail Mamakhel Bannu	A.V.P (in OPS)
24	Mst. Irum Shaheen, SS (Civics) BS-17 GGHSS Shabqadar Fort Charsadda	Principal (BS-18) GGHSS Sufaid Sung Peshawar	A.V.P (in OPS)
25	Mst. Jannat Khatoon (BS-18) SSS (Chemistry) GGHSS Ziarat Talash Dir Lower	Principal (BS-18) GGHSS Ouch Dir Lower	A.V.P
26	Mst. Rizwana Ishrat, SS (Chemistry) BS-17 GGHSS Shah Mansoor Swabi	HM (BS-17) GGHS Aloomi Haripur	A.V.P
27	Mst. Iffat Nasir, Instructor (BS-18) RITE (F) Barikot Swat	Principal (BS-18) GGHS Kokarai Swat	A.V.P
28	Miss Hasina, SS (Pak Study) BS-17 working as Instructor RITE (F) Swabi	SS (Pak Study) BS-17 GGHSS Kunda Swabi	A.V.P
29	Mst. Yasmeen Bano, SS (Urdu) BS-17 GGHSS No. 1 Nowsheera Kalan	SS (Urdu) BS-17 GGHSS Sufaid Sung Peshawar	Vice Sr. No. 30
30	Mst. Rozia Bashir, SS (Urdu) BS-17 GGHSS Sufaid Sang Peshawar	SS (Urdu) BS-17 GGHSS Mian Gujar Peshawar	A.V.P

2. The above orders will be effective subject to the condition that the officers at Sr. No. 23 & 24 will give an undertaking /Affidavit on legal /stamp paper to Secretary E&SE /Directorate E&SE, Peshawar to the effect that they will not claim benefits of graded pay and seniority of the higher pay scale.

3. No TA/DA allowed.

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned.
4. District Accounts Officers concerned.
5. In charge EMIS, E&SE Department for uploading at official website.
6. PS to Secretary E&SE Department.
7. Subject Specialist/ Headmistress & Instructor Physical Education concerned.
8. Office order file.

(SHABIR KHAN)

SECTION OFFICER (SCHOOLS FEMALE)

ATTENDED

[Handwritten signature]



PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name: **Mahnaz Rahim**



Husband Name: **Khurshaid Alam**



Gender: **F** Country of State: **Pakistan**

Identity Number: **15401-0677370-8** Date of Birth: **10.04.1983**

Date of Issue: **22.02.2017** Date of Expiry: **22.02.2027**

15401-0677370-8



Registrar General of Pakistan

101781060643
117-83-003650

گمشدہ کارڈ ملنے پر قریبی لیڈ بکس میں ڈال دیں

PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name: Khurshid Aamir

Pathan

Jaffar Garh

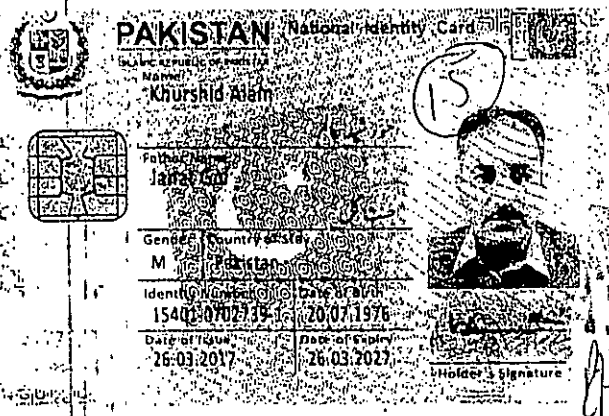
Gender: Country: 2518

M Pakistan

Identity Number: 15401-0702739-1 Date of Birth: 20-07-1976

Date of Issue: 26-03-2017 Date of Expiry: 26-03-2027

Holder's Signature



PRINTED

15401-0702739-1



Ministry of Information
General of Pakistan

-1014311645124
117-76-2852335

گمشدہ کارڈ ملنے پر قریبی لیو ایکس میں ڈال دیں

E-16 17



DIVISIONAL MONITORING OFFICE
(MALAKAND DIVISION) P&D DEPARTMENT,
OFFICE OF THE COMMISSIONER MALAKAND
DIVISION AT SAIDU SHARIF, SWAT.

Tel: (+92 9401 974041)
Fax: (+92 9401 974041)
E-mail: (dmsmalakand@gmail.com)

No P&D M&E DMO(Mkd) 2018-19 1631
Dated May 16, 2019

SERVICE CERTIFICATE

It is certified that Mr. Khurshid Alam S/O Janat Gul is serving as Assistant Director (AD) in this office. He is honest, punctual, competent and hardworking employee of this office. He is able to assign any assignment assigned to him.

I wish him all the best for his future endeavor.

A. Khan
Deputy Director (M&E)
Malakand Division, Swat

To

The Honorable Chief Secretary,
Civil Secretariate,
Govt. of Khyber Pakhtunkhwa.

F-18 Ps to CS
2856
19-2-19

Subject: Appeal for review and cancellation of transfer Notification No. SO(S/F)E&SED/4-16/2109/General/Posting/Transfer dated January 25th, 2019:

Respected Sir,

With most profound veneration it is hereby stated that I Mrs. **Mehnaz Rahim** performing my duty as SS Biology in GGHSS No. 2 Saidu Sharif, Swat since 13th April, 2018 vide notification No. SO(S/F)E&SED/4-16/2108/DPC/Promotion/BS-16 to BS-17.

It is pertinent to mention here that I have been transferred from GGHSS No. 2 Saidu Sharif, Swat to GGHSS Totano Banda vide Notification No.SO(S/F)E&SED/4-16/2109/General/Posting/Transfer dated January 25th, 2019. Whereas Mst. Robina SS Biology has been posted in GGHSS No.2 Saidu Sharif, Swat. Previously she was posted at GGHSS Totano Banda vide Notification No. SO(P)2-6DPC Meeting /SST -SS/ dated November 14th 2017. Under this posting order she stayed for a period of only 14 months & 11 days at GGHSS Totano Banda.

Respected Sir, my husband is serving in Commissioner Office Malakand Division, Saidu Sharif Swat and we are living in Saidu Sharif Swat. My kids are schooling at Saidu Sharif Swat, and Totano Banda is far away from Saidu Sharif in daily routine. My transfer will create hindrance in my performance, performance of my husband and also my kids' education will be suffered more. My stay (tenure) at present station GGHSS No. 2 Saidu Sharif is only 9 months and 12 days (even less than a year). Since the transferred one against my post keeps a stay of 14 months and 11 days only at GGHSS Totano Banda. According to the Education Policy I have not completed my tenure at GGHSS No.2 Saidu Sharif Swat.

It is requested in your good honour to consider my application on the following grounds:

1. My tenure not completed.
2. My husband is serving in Commissioner Office Malakand Division at Saidu Sharif, Swat.
3. My kids are schooling at Saidu Sharif, Swat.

In view of the above, please accord cancellation of said transfer order and allow me to continue my duty at GGHSS No.2 Saidu Sharif, Swat as I have less than one year stay at this school.


I will be very thankful for your this act of kindness.


Following documents attached for ready reference please;

- Notification NO.SO(S/F)E&SED/4-16/2108/DPC/Promotion/BS-16 to BS-17 dated 13th April, 2018.
- Notification No.SO(S/F)E&SED/4-16/2109/General/Posting/Transfer dated January 25th, 2019
- Notification No. SO(P)2-6DPC Meeting /SST -SS/ dated November 14th 2017.
- Spouse Policy.

Honorable Sir, the same appeal/ application already submitted to Secretary E&SE, Education Department Govt. of Khyber Pakhtunkhwa on dated 29th January, 2019 which response is still awaited. Your good self may please be requested to consider my appeal/ application on humanitarian base and obliged.

With Best Regards

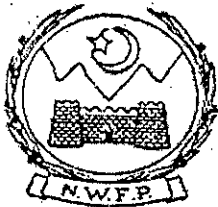



Mrs. Mehnaz Rahim
SS Biology, GGHSS No. 2
Saidu Sharif, Swat

Copy forwarded for information please:

- Secretary, E&SE Education Govt. of Khyber Pakhtunkhwa.
- Director E&SE Khyber Pakhtunkhwa, Peshawar.
- District Education Officer (Female) District Swat.
- Section Officer (Schools Female) E&SE Education Department Civil Secretariat, Govt. of Khyber Pakhtunkhwa Peshawar

G-19



**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) ¹{ }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained
²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

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

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

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

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

21

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

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

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

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

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

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

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

.....

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

.....

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

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

VAKALATNAMA

Before the KP Service Tribunal Peshawar

662

OF 2019

Mehnaz Rahim

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Department

(RESPONDENT)
(DEFENDANT)

I/We Mehnaz Rahim

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

Dated. ___/___/2018

N

CLIENT

Accepted

NOOR MOHAMMAD KHATTAK

Shahzullah
SHAHZULLAH YOUSAFZAI

Mir Zaman Safi
**MIR ZAMAN SAFI
ADVOCATES**

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Mobile No.0345-9383141

بعد الٹ کرو سسٹمز کے لئے درخواستیں ایک ہی جگہ پر جمع کروانے کے لئے



مقدمہ 03 ستمبر 2019ء منجانب سائلین نذر علیہ عنان لعل
مقدمہ 03 ستمبر 2019ء منجانب سائلین نذر علیہ عنان لعل
دعویٰ نمبر 662/2019
باعت تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی وکل کاروائی
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال
اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب
دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔
نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل
یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔
اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ
برداشتہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ دہر جائد التوا ہے مقدمہ کے
سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے
وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل
صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند ہے
المقوم 03 ستمبر 2019ء

نذر علیہ عنان لعل
04

Farman Ali adv. PHC
31/9/2019

مقام ایک ہی جگہ پر جمع کروانے کے لئے منظور ہے
منجانب 1۔ ایشاد اسلام
Aishad Alam
Advocate High Court
Mob 0346-6991699

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.622

Mst: Mehnaz Rahim Swat.....Appellant.

Versus

Chief Secretary KPK, Civil Secretariat, Peshawar and others.....Respondents.

Reply on behalf of Respondent No. 1 & 3

Respectfully sheweth,

Written reply on behalf of respondent No. 1 & 3 is submitted as under:-

Preliminary Objection:

1. That the Appellant has got no cause of action.
2. The appellant has no Locus standi.
3. The appeal is against Law, facts and material placed on file.
4. The appellant has not come to the Honorable Tribunal with clean hands.
5. The appellant has suppressed some important material/facts from the Honorable tribunal.
6. The appeal is time barred.
7. The appeal is not entertain able and maintainable in present form.
8. The appeal is liable to be dismissed.
9. That each and every civil servant falling under the ambit section-2 (b) of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National exchequer.
10. That impugned notification was issued on 25.01.2019 whereas the appellant filed Departmental Appeal in 19.02.2019, hence the instant Service Appeal is badly time barred; under Khyber Pakhtunkhwa Service Tribunal Act 1974.

FACTS:

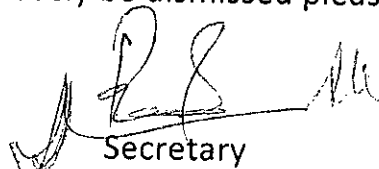
1. That Para-01 pertain to service record of the appellant.
2. That the appellant was promoted and adjusted vide Notification dated 13.04.2018 instead of 13.04.2019. The appellant referred wrong date of Notification.
3. Correct to the extent that the private respondent was promoted to SS vide Notification dated 14.11.2017 and was adjusted at GHSS Tajako Banda hence completed here normal tenure at the said station.

4. As already explained in foregoing para No.03 that the private respondent No.4 has completed her normal tenure at her previous station of duty and after completion of her tenure, she was transferred to GGHSSS No.2, Saidu Sharif, Swat.
5. The Subject Specialist BPS-17 is a Provincial Cadre Post and the appellant has been adjusted in the same District i.e. District Swat. That both husband and wife are in the same District under spouse policy the appellant posted in District where her husband performing his duties.
6. Incorrect. The impugned Notification issued on 25.01.2019 whereas the Departmental Appeal was filed by Appellant on 19.02.2019. Under Service Tribunal rules / Act, the Departmental Appeal should be filed within 15-days of the impugned Notification, hence this instant appeal is not maintainable inter-alia on the following grounds:-

Grounds:

- A. Incorrect. The said notification was issued under law rules and policy and to be maintained.
- B. Incorrect and denied. That the appellant has been transferred in accordance with law rules and policy, the private respondent has completed her normal tenure of posting of 02-years.
- C. As explained in the foregoing paras.
- D. Incorrect that each and every civil servant falling under the ambit section-2 (b) of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National exchequer.
- E. Incorrect, the private respondent has completed her normal tenure.
- F. Incorrect. The Order dated 25.01.2019 has not violated the Spouse Policy because the appellant was posted / adjusted in the district where her husband performed his duties.
- G. Incorrect. The transfer dated 25.01.2019 is not based on personal liking and disliking.
- H. The respondents seeks permission to advance other grounds and proof at the time of hearing if needed.

It is therefore, humbly prayed that on acceptance of this reply, the appeal of the appellant may graciously be dismissed please.


Secretary

Government of Khyber Pakhtunkhwa
Elementary and Secondary Education

Resondent.No.1 & 2

بعد الت جناب خیبر پختون خواہ سروس ٹریبیونل پشاور

مسماة روبینہ زوجہ ڈاکٹر اسد علی سکنہ سپہل بانڈی تحصیل بابوزی ضلع سوات ----- سائلہ

درخواست بدیں مراد کہ سائلہ کے خلاف ایک اپیل بعنوان مسماة مہناز بنام چیف سیکرٹری خیبر پختون خواہ وغیرہ عدالت حضور میں زیر سماعت ہے۔ مسماة مہناز رحیم (اپیلانٹ) اور من سائلہ / ریپانڈنٹ نمبر 4 کا تعلق ضلع سوات سے ہے۔ سائلہ سید و شریف سکول میں پڑھاتی ہے۔ بوجہ پردہ نشین اور زنانہ ذات ہونے سائلہ کو پشاور آنے جانے میں مشکلات درپیش ہیں۔ من سائلہ کے شوہر کی پوسٹنگ بھی ہزارہ یونیورسٹی میں ہونے کی وجہ سے شوہرام بھی مقدمہ / اپیل ہذا کی پیروی و جواب دہی سے قاصر ہے بدیں وجہ از روئے قانون و شریعت ضروری ہے کہ اپیل ہذا کو ضلع سوات سروس ٹریبیونل کیمپ کورٹ ٹرانسفر کرنے کا حکم صادر فرمایا جائے۔

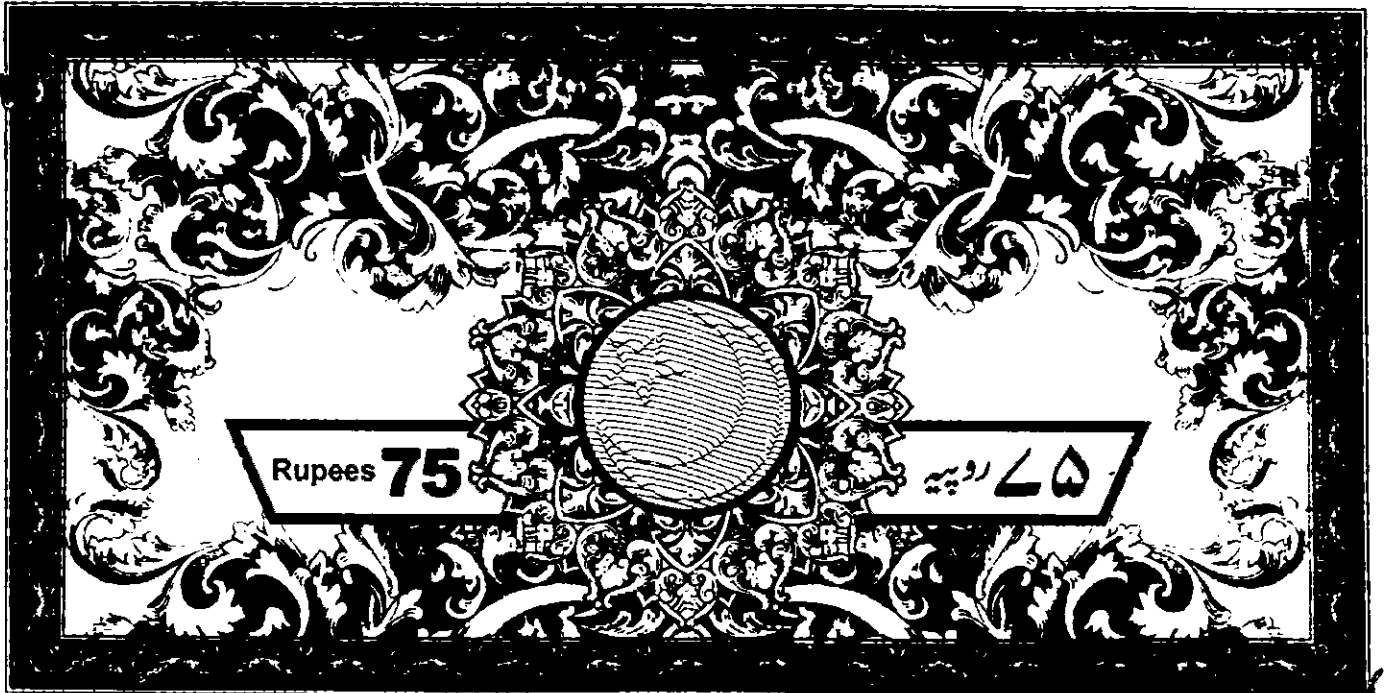
جناب عالی! درخواست ذیل عرض ہے۔

- (1) یہ کہ سائلہ کے خلاف ایک اپیل بعنوان مسماة مہناز بنام چیف سیکرٹری خیبر پختون خواہ وغیرہ عدالت حضور میں زیر سماعت ہے۔ جس میں آج تاریخ پیشی 18/07/2019 مقرر ہے۔
- (2) یہ کہ مسماة مہناز رحیم (اپیلانٹ) کی پوسٹنگ ضلع سوات میں ہے جس کی وجہ سے وہ ضلع سوات میں رہائش پذیر ہے اور من سائلہ / ریپانڈنٹ نمبر 4 بھی ضلع سوات کی مستقل باشندہ ہونے ہوئے پوسٹنگ بھی ضلع سوات میں ہے۔
- (3) یہ کہ سائلہ سید و شریف سکول میں پڑھاتی ہے۔ بوجہ پردہ نشین اور زنانہ ذات ہونے سائلہ کو پشاور آنے جانے اور مقدمہ کی پیروی کرنے میں مشکلات درپیش ہیں۔
- (4) یہ کہ من سائلہ کے شوہر کی پوسٹنگ بھی ہزارہ یونیورسٹی میں بطور اسٹنٹ پروفیسر ہونے کی وجہ سے شوہر ام بھی مقدمہ / اپیل ہذا کی پیروی و جواب دہی سے قاصر ہے۔
- (5) یہ کہ از روئے قانون و شریعت ضروری ہے کہ اپیل ہذا کو ضلع سوات سروس ٹریبیونل کیمپ کورٹ ٹرانسفر کیا جائے۔

لہذا استدعا ہے کہ بہ منظوری درخواست ہذا بوجہات بالا اپیل ہذا سوات سروس ٹریبیونل کیمپ کورٹ کو ٹرانسفر کرنے کا حکم صادر فرمایا جائے۔

عریضہ

مسماة روبینہ / سائلہ / ریپانڈنٹ نمبر 4



مختار نامہ

No-119
15/11/19



منہ! اختیار دہندہ مسماة روبینہ زوجہ ڈاکٹر اسد علی سکنہ سین بانڈی تحصیل بابوزی ضلع سوات کی ہوں۔ اندر میں وقت بقا کی

ہوش و حواس خمسہ، بلا جبر و اکراہ برضامندی خود اقرار کر کے سمجھ دیتی ہوں کہ من مقررہ کے خلاف ایب ایل بعنوان مسماة

مہناز رحیم بنام چیف سیکرٹری وغیرہ بعد الت جناب خیبر پختون خواہ سروس ٹریبیونل پشاور میں زیر سماعت ہے من مقررہ بوجہ

پردہ نشین اور زنانہ ذات ہونے ایل ہذا کی بیرونی وجوہ دہی سے اصالتاً قاصر ہوں۔ بدیں وجہ اپنی طرف سے سمیان (i)

ڈاکٹر اسد علی ولد محمد عالم خان سکنہ سپل بانڈی تحصیل بابوزی ضلع سوات (2) نجیب اللہ خان ولد سمیع اللہ سکنہ محلہ وزیر مال

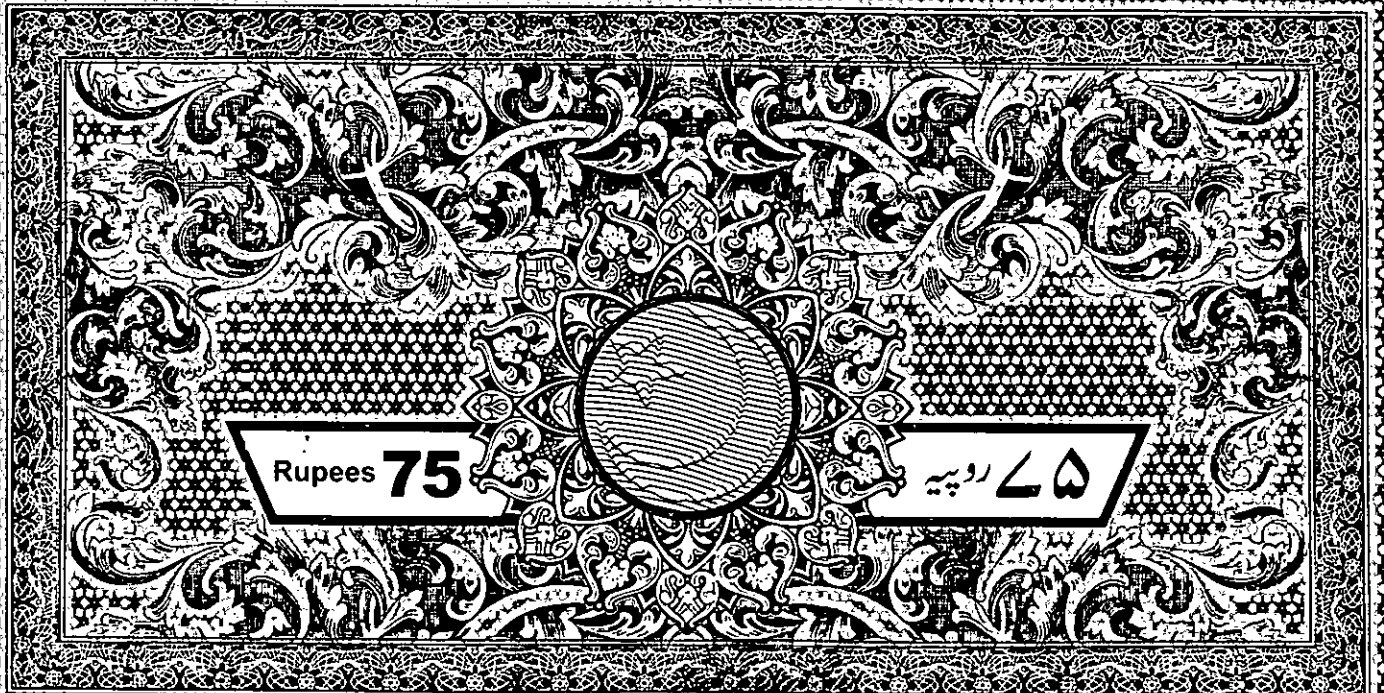
میں بازار میٹگورہ تحصیل بابوزی ضلع سوات کو مختار خاص مقرر کر کے اختیار دیتی ہوں کہ مختاران خاص مقدمہ ایل ہذا کی

بیرونی وجوہ دہی فردا فردا یا مشترکاً کریں۔ ایل ہذا کی بیرونی وجوہ دہی کے لئے وکیل یا بیرسٹر مقرر کریں۔ وکیل کا مختار نہ

ادا کریں۔ وکالت نامہ و عرائض کی تصدیق کریں۔ عدالت موصوف کے عداد، عدالت عالیہ ہائی کورٹ پشاور / ادارہ لقصاء و

عدالت تنظیمی سپریم کورٹ آف پاکستان میں مقدمہ مذکورہ کے سلسلے میں ایل، نگرانی، رٹ پیشکش دائر کریں۔ اور اس طرح

فریق مخالف کی طرف سے دائر کردہ ایل، نگرانی، رٹ پیشکش کی جواب دہی کریں۔ نیز مقدمہ ریمانڈ ہونے کی صورت میں



Rupees 75

۷۵ روپیہ

عدالت مجاز میں پیش ہو کر مقدمہ ہذا کی پیری و جواب دہی کریں اور کرائیں۔ عدالت ہائے میں پیش ہو کر تحریری بیان

حلفی، زبانی بیان دیدیں۔ فہرست گواہان و شہادت پیش کریں اور کرائیں۔ درخواست سرسبزی، اپیل، نگرانی، نظر ثانی دائر

کریں۔ فریق مخالف کیساتھ شریعت و قانون، راضی نامہ کریں۔ ضروری دستاویزات پیش و طلب کریں۔ درخواست: جواب

درخواست، جواب الجواب دائر کریں۔ غرض یہ کہ مختاران خاص موصوف کی جملہ کاروائی ساختہ و پرداختہ، قانونی و شرعی از

ابتدائی تا ہر عدالت من مقررہ / اختیار دہندہ کو قابل قبول و منظور ہوگی۔ لہذا مختار نامہ خاص ہذا بحضور گواہان ذیل سنداً تحریر



جے۔ المرقوم 15/07/2019

Haider Ali Khan
العبد

مسماؤر و بینہ / اختیار دہندہ

شناختی کارڈ نمبر 0-15602-0239684

گواہ شہ

واقف خان ولد شتاب میاں

سکنہ پیل بانڈی سوات۔

W. L. Khan

گواہ شہ

انجاز حسین ولد محمد عالم خان

سکنہ پیل بانڈی سوات۔

Haider Ali Khan

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No.622

Mst: Mehnaz Rahim Swat.....Appellant.

Versus

Chief Secretary KPK, Civil Secretariat, Peshawar and others.....Respondents.

Reply on behalf of Respondent No. 1 & 3

Respectfully sheweth,

Written reply on behalf of respondent No. 1 & 3 is submitted as under:-

Preliminary Objection:

1. That the Appellant has got no cause of action.
2. The appellant has no Locus standi.
3. The appeal is against Law, facts and material placed on file.
4. The appellant has not come to the Honorable Tribunal with clean hands.
5. The appellant has suppressed some important material/facts from the Honorable tribunal.
6. The appeal is time barred.
7. The appeal is not entertain able and maintainable in present form.
8. The appeal is liable to be dismissed.
9. That each and every civil servant falling under the ambit section-2 (b) of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National exchequer.
10. That impugned notification was issued on 25.01.2019 whereas the appellant filed Departmental Appeal in 19.02.2019, hence the instant Service Appeal is badly time barred, under Khyber Pakhtunkhwa Service Tribunal Act 1974.

FACTS:

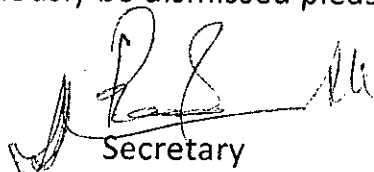
1. That Para-01 pertain to service record of the appellant.
2. That the appellant was promoted and adjusted vide Notification dated 13.04.2018 instead of 13.04.2019. The appellant referred wrong date of Notification.
3. Correct to the extent that the private respondent was promoted to SS vide Notification dated 14.11.2017 and was adjusted at GHSS Tajako Banda hence completed here normal tenure at the said station.

4. As already explained in foregoing para No.03 that the private respondent No.4 has completed her normal tenure at her previous station of duty and after completion of her tenure, she was transferred to GGHSSS No.2, Saidu Sharif, Swat.
5. The Subject Specialist BPS-17 is a Provincial Cadre Post and the appellant has been adjusted in the same District i.e. District Swat. That both husband and wife are in the same District under spouse policy the appellant posted in District where her husband performing his duties.
6. Incorrect. The impugned Notification issued on 25.01.2019 whereas the Departmental Appeal was filed by Appellant on 19.02.2019. Under Service Tribunal rules / Act, the Departmental Appeal should be filed within 15-days of the impugned Notification, hence this instant appeal is not maintainable inter-alia on the following grounds:-

Grounds:

- A. Incorrect. The said notification was issued under law rules and policy and to be maintained.
- B. Incorrect and denied. That the appellant has been transferred in accordance with law rules and policy, the private respondent has completed her normal tenure of posting of 02-years.
- C. As explained in the foregoing paras.
- D. Incorrect that each and every civil servant falling under the ambit section-2 (b) of KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National exchequer.
- E. Incorrect, the private respondent has completed her normal tenure.
- F. Incorrect. The Order dated 25.01.2019 has not violated the Spouse Policy because the appellant was posted / adjusted in the district where her husband performed his duties.
- G. Incorrect. The transfer dated 25.01.2019 is not based on personal liking and disliking.
- H. The respondents seeks permission to advance other grounds and proof at the time of hearing if needed.

It is therefore, humbly prayed that on acceptance of this reply, the appeal of the appellant may graciously be dismissed please.



Secretary

Government of Khyber Pakhtunkhwa
Elementary and Secondary Education
Resondent.No.1 & 2

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL AT
SAIDU SHARIF DISTRICT SWAT**

Mst: Mehnaz Rahim, Subject Specialist (Biology) (BPS-17), -GGHSS No.2, Saidu Sharif Swat under transfer to,GGHSS Totano Banda,Swat.....APPELLANT

VERSUS

1. The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
3. The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
4. Mst: Robina, Subject Specialist (Biology) (BPS-17), GGHSS Totano Banda, Swat under transfer to GGHSS No.2, Saidu Sharif, Swat..... RESPONDENTS

REPLY ON BEHALF OF RESPONDENT NO.4

RESPECTFULLY SHEWETH:

Preliminary Objections/ Submissions are as under:-

1. The Appellant has no cause of action/locus standi against Respondent No. 4.
2. The Appellant has concealed the material facts from this Honorable service tribunal, hence, liable to be dismissed.
3. The Appellant has not come to this august service tribunal with clean hands.
4. The Appellant has filed the instant Service Appeal just to pressurize the respondents and to illegally bring home unlawful benefits.
5. The present appeal in its present form and shape is not maintainable in the eye of law.
6. The instant Appeal is against the prevailing laws and rules.
7. The Appellant has filed the instant Appeal malafidely and for ulterior motives.
8. The Impugned Notification dated 25.01.2019 is lawful and may very kindly be Maintained.

9. The impugned notification was issued on 25.01.2019 whereas, the departmental appeal has been filed on 19-02-2019 which is badly & hopelessly time barred under the law.
10. The appellant is estopped from suing by her own conduct.
11. That it is not the vested right of appellant to be posted against her desired post.
12. That Transfer/posting/placement is the sole authority and act of the respondents No: 1 to 3 and was part of terms and conditions of service and respondent No: 4 has illegally been made party to the appeal just to harass and pressurize her, thus she being not proper and necessary party to the instant appeal and the appeal in hand on this score alone is liable to be dismissed.
13. That respondent No:4 and her husband are permanent residents and locals of tehsil babozai, District Swat as compared to the appellant and her husband. Moreover, respondent No. 4 is a married woman having two children schooling at Saidu Sharif Swat while her husband is serving as an assistant professor at Hazara University of Mansehra. Respondent No: 4 has served her department from her initial appointment i.e., 30-08-2005 till date to the entire satisfaction of the appointing authority and the department. However, notification dated 14-11-2017 was unlawful, inconvenient and result of improper assessment of the service record, facts and circumstances in issue because respondent No. 4 had to travel up to some distance on foot and then for 14 kilometers through vehicle/van, crossing the city traffics and then for further 18 kilometers towards Totano Banda and the same distance had to be covered while going back to home but instead of indulging herself and the department in litigation, respondent No. 4 resort to her duty and almost completed her normal tenure while notification dated 13-04-2018 was again against the law, principles of natural justice, equity and the fundamental rights guaranteed by the constitution because respondent No. 4 being senior too was competent/entitled to have been adjusted at

GGHSS Saidu Sharif No. 2 and indeed the notification dated 13/04/2018 was violative of clause I & ii of transfer/posting policy but respondent No. 4 once again tolerated the hopeless situation with patience and resort to her duty instead of litigating against the authorities and appellant but the authorities later on realized the erroneousness of previous notification and indeed hardships of respondent No. 4 while being adjusted far away from her residence, rather, she had to travel for about 33/34 kilometers through different means from a mountaineer village i.e., Sapalbanda which is supposed to be one edge of District Swat, to another mountaineer village i.e., Totano Banda which is situated in another edged areas of District Swat thus passed the notification dated 25-01-2019 according to law and for greater public interest and exigencies of public service hence, the present appeal suffers gross illegalities and is against facts and circumstances therefore, is liable to be dismissed with costs of litigation. Copies of initial appointment of respondent No. 4 is attached as annexure "A" CNIC's, Schooling and service certificates are annexure, "B", "C" and "D" Respectively.

FACT:

1. Para No. 1 and 2 as stated are incorrect, wrong and deceptive hence denied. The former relates to the service record of appellant which has to be perused while disposing of the instant appeal. Furthermore, the appellant has deliberately concealed the date of her initial appointment which would have pleaded seniority of respondent No. 4 and also mentioned wrong date of notification as 13-04-2019 instead of 13-04-2018 to misguide and deceive this august service tribunal. Explanation refers to in preliminary objections. (Copy of initial appointment of respondent No. 4 is attached as annexure "A")
2. Para No: 3 is correct to the extent that respondent No. 4 was promoted to SS vide notification dated 14-11-2017 and was adjusted at GGHSS Totano Banda, but as it has been stated is based over twisting of facts to show them to have been occurred at the same time or simultaneously. Further Explanation refers to in preliminary objections.

3. Para No. 4 is wrong, incorrect and deceptive hence denied. Respondent No. 4 has almost completed her normal tenure. Further Explanation refers to in preliminary objection.
4. Para No. 5 as stated is incorrect, wrong and against facts hence, denied. The husband of respondent No. 4 is also a civil servant serving as assistant professor at Hazara University of Mansehra. Moreover, the appellant has been adjusted at the same district where her husband discharges his duty i.e., Swat according to the spouse policy.
5. Para No. 6 is incorrect, wrong, illegal and against facts hence, denied. Furthermore, the impugned notification has been issued on 25-01-2019 while departmental appeal has been admittedly filed on 19-02-2019 therefore the present appeal is badly time barred under the rules/ law thus not maintainable inter alia on the following grounds.

Grounds:

- A. Para A is Incorrect and wrong, hence, denied. The notification dated 25-01-2019 is based on proper assessment/consideration of facts and figures in issue and in accordance with principles of natural justice and law thus has been passed in the greater public interest therefore, be maintained. Further explanation refers to in preliminary objection and above Para's.
- B. Para No. B is incorrect, wrong and deceptive hence, denied. The appellant, respondent No:4 and many others have been transferred through the impugned notification dated 25-01-2019 according to law, rules and principle of natural justice and for the interest of the public at large. Further Explanation refers to in preliminary objections and above Para's.
- C. Para No. C is incorrect, wrong based on lies, self-made, improper, against facts and against law hence denied. Further Explanation refers to in preliminary objections and above Para's.
- D. Para No. D is incorrect, vague and vexatious, hence, denied. Every Civil Servant falling under section 2(b) of KPK civil servant act 1973 is legally bound to serve his/her department to the entire satisfaction of the competent authority against the post for which he/she

being paid from the national exchequer. Thus, the notification dated 25-01-2019 is in the greater public interest and convenience and never in violation of clause II, IV or IX. Explanation refers to in preliminary objections and above Para's.

- E.** Para E is incorrect, wrong and deceptive hence denied. Respondent No.4 has almost completed her normal tenure Explanation refers to in preliminary objection and above Paras.
- F.** Para No. F is also incorrect, wrong and against the law and facts hence denied. Further explanation refers to in para No:4.
- G.** Para No. G is incorrect wrong and hence, denied. The notification dated 25-01-2019 has rightly been issued and is purely based in the greater public interest and convenience and administrative exigencies and is never based on personal liking or disliking which reveals no meaning in terms of service. Explanation refers to in preliminary objections and above Para's.
- H.** The respondent No. 4 seeks permission to advance other grounds and proofs at the time of hearing if needed.

It is therefore, very meekly prayed that the appeal of the appellant may be set aside with costs of litigation and the impugned notification dated 25-01-2019 may kindly be maintained in the greater public interest and convenience.

Any other relief which this Honorable service tribunal deems appropriate in circumstances of the case though not specifically prayed for may also be granted in favour of the respondent No.4 and against the appellant.

*Respondent No: 4,
Through Counsel,*

Farman Ali & Arshad Alam Khan

Advocates, High Court

Dated as:

Before the Service Tribunal R.P.K at Peshawar Camp at Gulkada, Dist.

1st Muzung Rahim Vs Education department and others.

"Service Appeal"

Written Reply on behalf Respondant No: 4:

Respectfully Sheweth.

(1) The respondent No: 4 submits as under:

Preliminary Objections:

- (1) The appellant/petitioner has got no cause of action to file the instant petition.
- (2) That the petition for suspension in its present shape is bad in law, hence, not tenable.
- (3) That the petitioner is legally estopped to file the instant petition because of her own acts and deeds.
- (4) That this honourable Tribunal has got no jurisdiction to entertain the present petition.
- (5) That the petition in hand has been filed only to cause both mental and physical damage to respondent no: 4, whereas, the petition for suspension is unavailing, against the facts of the matter.

Factual Objections:

- (1) That Para No: 1 is correct to the extent of filing the appeal, whereas, the petitioner has no right to institute the instant petition for suspension of the impugned order. => continued.

- ① That the impugned order dated 25-01-2019 is lawful and correctly based on the facts and circumstances of the matter. Thus, the same doesn't need any interference, being lawful may be kept intact and in no way be disturbed.
- ② Para No: 2 is correct upto the extent of transfer of the petitioner while rest of the para regarding impugning the order dated 25-01-2019 is wrong, thus, denied.
- ③ That Para No: 3 is incorrect, hence denied. The petitioner has not mentioned the very ingredients for grant of stay order one by one and no other inconvenience whatsoever, has been mentioned therein.
- ④ Para No: 4 is incorrect, hence denied. The impugned order dated 25-01-2019 has been issued by the competent authority, by observing legal requirements. The same has been issued in the larger interest of public. The impugned order is a general order, not against a specific person whereby, a huge responsibility has been made. No other transferred public servant has made the said order impugned. Other points be pressed into service during arguments with permission.

It is very humbly prayed that by accepting the written reply, the petition for suspension may kindly be dismissed with costs.

Respondent No: 4
through Counsel. *[Signature]*
8/10/2019

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2210 /ST

Dated 16-12- 2019

To


The Secretary E&SE Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 662/2019, MST. MEHNAZ RAHIM.

I am directed to forward herewith a certified copy of Judgement dated
03.12.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

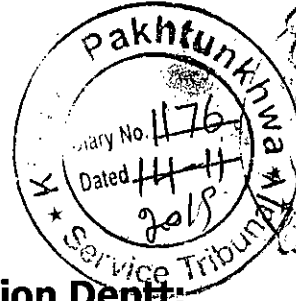
**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

*Put up to Hon'ble chair-man
along with appeal.*

C.M NO. _____/2019

IN

APPEAL NO. 622/2019



Reads

Mst: Mehnaz Begum

VS

Education Deptt:

**APPLICATION FOR TRANSFER OF THE ABOVE
MENTIONED SERVICE APPEAL FROM TOURING BENCH,
SWAT TO THE PRINCIPAL BENCH OF THIS HONORABLE
TRIBUNAL AT PESHAWAR**

R/SHEWETH:

- 1- That the above mentioned service appeal is pending adjudication before this august Tribunal on 03.12.2019 before the touring bench at Swat.
- 2- That appellant filed the above mentioned appeal against the impugned Notification dated 25.01.2019 whereby the appellant has pre-maturely been transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat.
- 3- That the appellant has the school going kids and the place of duty of appellant is too far from her home due to which the children of the appellant are badly suffering.
- 4- That during proceedings the appeal of the appellant was transferred to the touring bench, Swat and fixed for arguments on 03.12.2019 before the said bench.
- 5- That counsel for the appellant and official respondents are belonging to the District Peshawar, therefore the aforementioned appeal needs to be fixed before the Principal bench of this august Tribunal, at Peshawar.

It is therefore, most humbly prayed that on acceptance of this application the appeal of the appellant may very kindly be fixed on an earlier date before the principal bench at Peshawar.

Dated: 13.11.2019.

*The appellant as well as
private respondent No. 4 belong to
Swat. The matter therefore remain
ported to date already fixed at
Swat.*

APPELLANT

Through:

**NOOR MOHAMMAD KHATTAK
ADVOCATE**

13/11

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____/2019

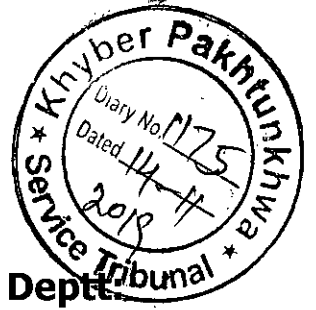
IN

APPEAL NO. 622/2019

Mst: Mehnaz Begum

VS

Education Deptt.



APPLICATION FOR EARLY HEARING IN THE ABOVE
MENTIONED SERVICE APPEAL

R/SHEWETH:

- 1- That the above mentioned service appeal is pending adjudication before this august Tribunal on 03.12.2019 before the touring bench at Swat.
- 2- That appellant filed the above mentioned appeal against the impugned Notification dated 25.01.2019 whereby the appellant has pre-maturely been transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat.
- 3- That the appellant has the school going kids and the place of duty of appellant is too far from her home due to which the children of the appellant are badly suffering.
- 4- That the interest of justice demands that such like matter should be heard as early as possible to meet the ends of justice and also to meet the principles of access to justice.

It is therefore, most humbly prayed that on acceptance of this application the appeal of the appellant may very kindly be fixed on an earlier date.

Dated: 13.11.2019.

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK
ADVOCATE

*shall remain posted
on 3.12.2019 at
Swat.*

[Signature]
18/11

بعدالت جناب سروس ٹریبونل حیدرآباد پشاور لیگ کورٹ بینا سپروٹیف لیکٹ

مسماہ مہناز رحیم بنام چیف سیکریٹری وغیرہ

درخواست ہمدرد طلبائی اجازت برائے لف کرنے نقولات دستاویزات بطور Annexures A.B.C.D

جناب عالی! سائلہ حسب ذیل عرض کرتی ہیں۔

۱۔ یہ کہ مقصد بعنوان بالا بعدالت حضور زیر سماعت ہے جس میں آج تاریخ ۱۰/۱۱/۲۰۱۷

مقرر ہے۔

۲۔ یہ کہ نقولات دستاویزات مذکورہ بالا بطور Annexures; A.B.C.D

پہلے ہی سے 'written reply' منجانب اسپانڈنٹ نمبر ۲۰۱۷ میں لف شدہ ذکر شدہ

ہیں لیکن بوقت دائرگی written reply مذکورہ بالا نقولات لگانا سہواً ارادہ نہ تھا۔

۳۔ یہ کہ بروئے قانون و انصاف مذکورہ بالا نقولات مسل مقصد پر لگانا انتہائی

ضروری ہے اور کوئی امر مانع نہیں ہے۔ (نقولات دستاویزات لف در درخواست لگائی)

لہذا استدعا ہے کہ درخواست لگانا
حسب عنوان درخواست لگانا احکامات صادر
فرمائے جائیں۔

سائلہ مہناز رحیم
سائلہ مہناز رحیم

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____/2019
IN
APPEAL NO. 622/2019

Mst: Mehnaz Begum VS Education Deptt:

APPLICATION FOR EARLY HEARING IN THE ABOVE
MENTIONED SERVICE APPEAL

R/SHEWETH:

- 1- That the above mentioned service appeal is pending adjudication before this august Tribunal on 03.12.2019 before the touring bench at Swat.
- 2- That appellant filed the above mentioned appeal against the impugned Notification dated 25.01.2019 whereby the appellant has pre-maturely been transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat.
- 3- That the appellant has the school going kids and the place of duty of appellant is too far from her home due to which the children of the appellant are badly suffering.
- 4- That the interest of justice demands that such like matter should be heard as early as possible to meet the ends of justice and also to meet the principles of access to justice.

It is therefore, most humbly prayed that on acceptance of this application the appeal of the appellant may very kindly be fixed on an earlier date.

Dated: 13.11.2019.

APPELLANT

Through:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____/2019

IN

APPEAL NO. 622/2019

Mst: Mehnaz Begum

VS

Education Deptt:

APPLICATION FOR TRANSFER OF THE ABOVE
MENTIONED SERVICE APPEAL FROM TOURING BENCH,
SWAT TO THE PRINCIPAL BENCH OF THIS HONORABLE
TRIBUNAL AT PESHAWAR

R/SHEWETH:

- 1- That the above mentioned service appeal is pending adjudication before this august Tribunal on 03.12.2019 before the touring bench at Swat.
- 2- That appellant filed the above mentioned appeal against the impugned Notification dated 25.01.2019 whereby the appellant has pre-maturely been transferred from GGHSS No.2 Saidu Sharif, Swat to GGHSS Totano Banda, Swat.
- 3- That the appellant has the school going kids and the place of duty of appellant is too far from her home due to which the children of the appellant are badly suffering.
- 4- That during proceedings the appeal of the appellant was transferred to the touring bench, Swat and fixed for arguments on 03.12.2019 before the said bench.
- 5- That counsel for the appellant and official respondents are belonging to the District Peshawar, therefore the aforementioned appeal needs to be fixed before the Principal bench of this august Tribunal, at Peshawar.

It is therefore, most humbly prayed that on acceptance of this application the appeal of the appellant may very kindly be fixed on an earlier date before the principal bench at Peshawar.

Dated: 13.11.2019.

APPELLANT

Through:


NOOR MOHAMMAD KHATTAK
ADVOCATE