

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR
AT CAMP COURT SWAT.

Service Appeal No.1604/2019

Date of Institution ... 14.11.2019

Date of Decision ... 05.10.2020

Mst. Shagufta Naz (W/O Saleemullah C.T GMS Maklhranai) T.T (Tealogy Teacher) Govt: Girls High School Amazokoto District, Buner.

... (Appellant)

VERSUS

District Education Officer (M&F) Elementary and Secondary District, Buner at Daggar and six others.

... (Respondents)

MR. RAHIM KHAN,
Advocate

--- For appellant.

USMAN GHANI,
District Attorney

--- For respondents

MR. MIAN MUHAMMAD,
MR. MUHAMMAD JAMAL KHAN

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

JUDGEMENT

MIAN MUHAMMAD, MEMBER:- The instant Service appeal has been instituted under Section-4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974 against the impugned order dated 04.03.2019 whereby the appellant was transferred from Government Girls High School Amazokoto to Government Girls High School Charorai pre-maturely and based on discrimination, violating the posting/transfer as well as spouse policy of the provincial government. The letter dated 17.04.2019 issued by respondent No.1 has also been assailed purported directing Head Mistress, GGHS Amazokoto, Buner to stop monthly pay of the appellant.

02. Brief facts and circumstances leading to the service appeal are that the appellant was appointed as Theology Teacher (BPS-15) on 16.05.2014 and posted

in Govt: Girls Middle School Charorai. After having rendered about four years service on the said duty station, she submitted application to respondent No.1 on 10.03.2018 requesting therein to be posted under spouse policy near Govt: Middle School Makhranai where her husband is performing duty as CT. The stations of her choice mentioned in the said application were (1) GGMS Gharibabad or (2) GGHS Makhranai. She was transferred to GGHS Amazokoto under spouse policy vide office order dated 25.05.2018, where she took charge on 01.06.2018. The appellant after serving for nine months, was transferred to her "original school" i.e GGHS Charorai vide office order dated 04.03.2019 and which she has assailed and impugned before the Services Tribunal.

03. The parties were issued notices to produce the relevant record and apprise/assist the Tribunal regarding the respective view point and substantiate the same with arguments and law cases/authorities. They placed on record the relevant documents and assisted the Tribunal. We have heard the learned counsel for the appellant as well as respondents and perused the connected documents of the case.

04. The learned counsel for the appellant strongly contested that the impugned order dated 04.03.2019 has been issued with malafide intention to accommodate private respondent No.6 being near and dear to respondent No.1. The impugned order is discriminatory in nature as it took back relief given to the appellant under "spouse policy" of the provincial government. Moreover, it is illegal as it has been issued arbitrarily and pre-maturely violating the normal tenure under the posting/transfer policy. He also assailed that the impugned order was not officially communicated to the appellant and the appellant came to know about her transfer on 25.07.2019. She could only then obtain its copy on 27.07.2019 where-after she

preferred departmental appeal to respondent No.2 the very next day i.e 28.07.2019, hence, the instant service appeal instituted vide diary No. 1622 dated 14.11.2019 is well within specified time limit i.e either from the date of communication or having knowledge of the impugned order. Subsequent to the impugned order, respondent No.1 issued letter No.899 dated 17.04.2019 to the Head Mistress/incharge GGHS Amazokoto Buner and as a result thereof respondent No.7 stopped her monthly pay and thus she was condemned unheard. That in rejoinder, it was placed before the Tribunal that private respondent No.6 had been appointed by respondent No.1 as a surplus T.T in GGHS Amazokoto where no vacant post of Theology Teacher was vacant on 14.01.2019 as the appellant was performing duties as T.T there since 25.05.2018. The advertisement for posts through NTS was floated later whereas private respondent No.6 was appointed earlier than advertisement. He also assailed para-2 of the reply submitted by the official respondents, on the ground that their admitted negligence has cost the appellant dearer in terms of "adjustment in her original post" where she had already served for four years. He relied on 2011 CMC 73, 2000 SCMR 67 and 2000 SCMR 141 and concluded that the impugned order being arbitrary, whimsical and prematurely issued in violation of normal tenure, be set aside.

05. The learned District Attorney for official respondents raised a preliminary question on the maintainability of instant service appeal under Section-4 read with Section-6 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974. That limitation is a question of law to be taken into account by the Tribunal because neither plausible reasons/justification have been given nor application for condonation submitted by the appellant. He also referred to Section-10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 and contended that it is the mandate and

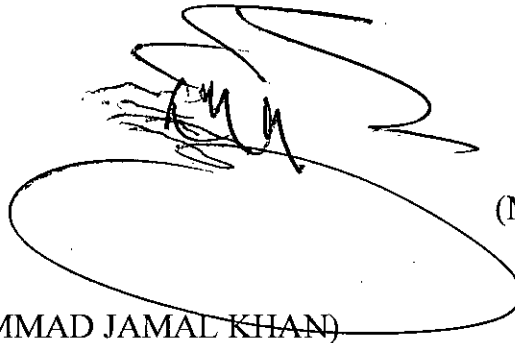
jurisdiction of the Competent Authority to post a civil servant anywhere in larger public interest and a civil servant does not have the right to choice posting. Public interest is the prime and vital consideration taken into account by the competent authority. Similarly, the appellant was previously posted in GGHS amazokoto under the spouse policy so as to facilitate her to be near to the posting/duty station of her husband. He also produced "Adjustment order" dated 28.09.2020 issued by respondent No.1 where-under the appellant has been posted at GGMS Gharibabad Buner "against the vacant post on need basis". He appraised that in view of the changed scenario, the impugned order dated 04.03.2019 has become infructuous and the appeal is liable to be dismissed.

06. As a sequel to the above we deduce and observe that a civil servant is duty bound to comply with the legal orders issued by the competent authority and the competent authority is legally bound and obligated to take into consideration public interest as well as the well being of officials as a prime objective while making such posting/transfer orders. Considering this aspect, the appellant was transferred to the nearest possible station i.e GGHS Amazokoto, under the spouse policy, on 25.05.2018 and she happily assumed charge of the post on 01.06.2018. However, when respondent No.1 having realized the wrong done, rectified it vide order dated 04.03.2019 then quite astonishingly she was ignorant of her transfer order for over four months and she did not take charge rather took the shelter of spouse policy and preferred departmental appeal for its cancelation. Similarly, impugned letter dated 17.04.2019 was an explanation called from the Head Mistress GGHS Amazokoto on the ground that why the present appellant had not been relieved in compliance with the impugned transfer order dated 04.03.2019. The learned counsel for

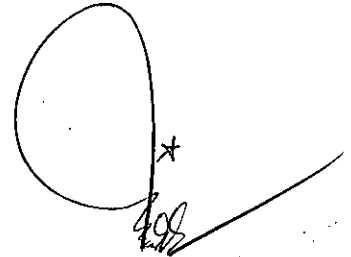
appellant was unable to produce before us the order/direction (in black and white) from respondent No.1 to the effect of stoppage of monthly pay of the appellant.

07. In a nutshell it is concluded that in the changed circumstances when the appellant has been transferred to GGMS Gharibabad i.e one of the options submitted to respondent No.1 through a formal request on 10.03.2018, vide adjustment order dated 28.09.2020, the instant appeal otherwise also being devoid of merit, stands infructuous and is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


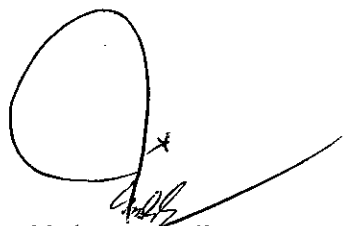

ANNOUNCED
05.10.2020



(MUHAMMAD JAMAL KHAN)
Member(J)



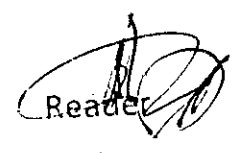
(MIAN MUHAMMAD)
Member(E)
Camp court Swat

S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	05.10.2020	<p><u>Present.</u></p> <p>Mr. RAHIM KHAN ... For appellant Advocate</p> <p>Mr. USMAN GHANI, District Attorney ... For respondents</p> <p>Vide our detailed judgment of today consisting of five pages placed on file, it is concluded that in the changed circumstances when the appellant has been transferred to GGMS Gharibabad i.e one of the options submitted to respondent No.1 through a formal request on 10.03.2018, vide adjustment order dated 28.09.2020, the instant appeal otherwise also being devoid of merit, stands infructuous and is dismissed. Parties are left to bear their own costs. File be consigned to the record room.</p> <p><u>ANNOUNCED</u> 05.10.2020</p>   <p>(Mian Muhammad) Member (Executive) Camp Court Swat</p>  <p>(MUHAMMAD JAMAL KHAN) Member (Judicial)</p>

_____ 2020

Due to COVID19, the case is adjourned to

05/10/2020 for the same as before.

Reader 


04.03.2020

Learned counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Toseef Litigation Officer present. Representative of official respondents No.1 to 4 and 5 present and submitted written reply/comments. None present on behalf of private respondent. Being posting transfer case, the present service appeal is assigned to D.B for further proceedings/arguments. Adjourned to 06.04.2020 before D.B at Camp Court Swat. In the interest of justice, notice be issued to private respondent for the date fixed.



Member
Camp Court, Swat.

Due to corona virus four
to camp court swat has been
Cancelled. To come up for the
same on 07/06/20



Reader

01.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 05.08.2020, at camp court Swat.

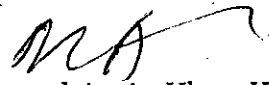


Reader

Service Appeal No. 1604/2019

08.01.2020

Mr. Saleem Ullah, husband of the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith M/S Syed Mohsil Ali, Assistant on behalf of official respondent No. 1, Hafeez-ur-Rehman, STT on behalf of official respondent No. 4 and Mr. Salman Akhtar, husband of private respondent No. 6 present. Written reply on behalf of respondents not submitted. Learned Assistant AG for official respondents as well as husband of private respondent No. 6 requested for time to file written reply. Case to come up for written reply/comments on 04.02.2020 before S.B at Camp Court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

04.02.2020.

Clerk to counsel for the appellant present. M/S Ubaid ur Rehman ADO and Hussain Ali Litigation Officer for official respondents present. Husband of private respondent No.6 also present. Representatives of official respondents as well as husband of private respondent No.6 requested time to furnish reply. Granted. To come up for written reply/comments on 04.03.2020 before S.B at Camp Court, Swat.


Member
Camp Court, Swat.

05.12.2019

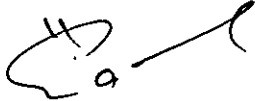
Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (T.T) has filed the present service appeal being aggrieved against her posting transfer from GGHS Amazo Koto to GGHS Charorai vide order dated 04.03.2019. Learned counsel for the appellant contented inter-alia that the impugned posting transfer order is premature and as such in violation of transfer posting policy and the same was issued in order to accommodate private respondent No.6.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 08.01.2020 before S.B at Camp Court, Swat.

Annexed with the present service appeal, is an application for interim relief. Notice of the said application be also issued to the respondents for the date fixed.

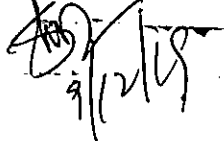
Member
Camp Court, Swat


Member
Camp Court, Swat

~~Learned counsel for the respondent and Mr. Riaz Ahmad
Accounts Officer for the respondents present. Written
reply on behalf of respondents not limited.
Representative of the department requested for
adjournment. Adjourned to 04.02.2020 for written
reply/comments before S.B at Camp Court Swat.~~

~~(Muhammad Amin Khan Mundi)
Member
Camp Court Swat~~

Appellant Deposited
Security & Process Fee




9/12/19

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1604/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/11/2019	<p>The appeal of Mst. Shagufta Naz resubmitted today by Mr. Rahim Khan 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 - 28/11/19</p> <p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05-12-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mst. Shagufta Naz received to-day i.e. on 14.11.2019 is returned to the counsel for the appellant with the direction to submit Three more copies/sets of the appeal along with annexures i.e. complete in all respect within 15 days.

No. 1998 /S.T,

Dt. 14/11 /2019


Registrar

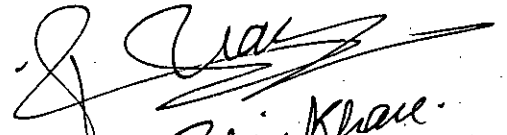
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Mr. Rahim Khan Adv.
District Court Daggar Buner

The Service appeal received today on 26th / 2019 is, re-submitted with the remarks that the needful desired has been done i.e. more three copies/sets of the appeal and all its enclosures are annexed. The same may please be processed further.

*The Honorable
Registrar KPK Service Tribunal
Peshawar.*

Please -


*Rahim Khan
Advocate
26/11/2019.*

BEFORE THE SERVICE TRIBUNAL KHYBAE PUKHTOONKHWAW PESHAWAR.

Service Appeal No. 1604 /2019.

Mst, SHAGUFTA NAZ

Versus

D.E.O M & F Buner and others.

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5.	Copies each of application for transfer and transfer order dated 25/5/2018.	"B" & "C".	11-12
6.	copy of the charge report dt,1/6/2018 and also relieving report on 31/5/2018.	"D"	13-14 0-13
7.	Copy of order <u>impugned</u> dt,04/03/2019.	"E".	0-14
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APPELLANT

Through Counsel


RAHIM KHAN

ADVOCATE HIGH COURT

OFFICE AT DISTT; COURT DAGGAR BUNER

DATE, 07/11/2019.

CELL = 03439049185.

BEFORE THE SERVICE TRIBUNAL KHYBAE PUKHTOONKHWA PESHAWAR.

Service Appeal No. 1604 /2019.

Mst, SHAGUFTA NAZ (W/O Saleemullah C.T GMS Maklhranai) T.T (Tealogy Teacher) Govt;
Girls High Schoole Amazokoto Distt; Buner. "Appellant"

Versus

1. Distt; Education Officer (M & F) Elementary and Secondary Ditt; Buner at Daggar.
2. Director Education Elementary and Secondary Education Deptt' Khyber Pukhtoon Khwa Peshawar.
3. Secretary Elementary and Secondary Education Deptt; Khyber Pukhtoonkhwa Peshawar.
4. Head Mistress Govt; Girls High School Amazokoto Buner.
5. Supdt /A.D.E.O Estab; Office Of the D.E.O Buner.
6. Gulshan Ara T.T GGHS Amazokoto Distt; Buer.
7. Distt; Accounts Officer Buner at Daggar.

Khyber Pakhtukhwa Service Tribunal

Diary No. 1622

Dated 14/11/19

"Respondents"

SERVICE APPEAL UNDER SECTION 4 OF K.P SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER IMPUGNED End; NO.139-46 DT, 4/3/2019 (So far not handed over or properly communicated by any one of the respondents but un officially by noticing on 25/7/2019 through respondent No.4, got copy on dated 27/7/2019) WHEREBY THE APPELLANT HAS BEEN WRONGLY, TRANSFERRED FROM GGHS AMAZOKOTO TO GGHS CHARORAI PRE MATURE, AGAINST BOTH THE POLICY OF TRANSFER AND POSTING AS WELL AS SPOUSE POLICY EXIST, WHILE FOR WRONG AND TACTFULL IMPLIMENTATION OF THE ORDER IMPUGNED, MONTHLY SALARIES OF THE APPELLANNT HAS ALSO WRONGLY BEEN STOPPED BY VIOLATING THE FUNDAMENTAL RIGHTS OF THE APPELLANT AND HER DEPENDENTS, VIDE LETTER IMPUGNED DATED, 17/4/2019, WHICH ALSO IS NOT SUSTAINABLE IN THE EYES OF LAW BUT IS VIODE AND REJECTABLE IN FAVOUR OF THE APPELLANT FROM IT ISSUE DATE.

Respectfully sheweth;

Filed to-day

[Signature]
Registrar F ACTS

14/11/19

1. That the appellant was appointed as T.T and posted in GGHS Chorarai vide order dated, 16/5/2014. Copy of the appointment order is annexed as "A".

2. That the appellant after completion of more than four times (more than 4 years) normal tenure i. e one year, being the station falls in Harden Hilly area, the appellant was transferred to the existing station (GGHS Amazokoto) vide order dated 25/5/2018 (under the spouse policy) despite the fact that the appellant while applying for the transfer in question, had opted for two Vacant posts, each in GGHS

Re-submitted to -day and filed.

[Signature]
Registrar 8/11/19

Makhranai and GMS Gharaibabad, vide application dated, 10/3/2018, which was mala fide ignored. Copies both the aforesaid application and transfer order are annexed as "B" & "C".

3. That the appellant then in compliance to the aforementioned order (annexure "C") had submitted her arrival report for duty on dated 1st June 2018 (F. N) . copy of the charge report dt, 1/6/2018 and also relieving report are annexed as "D" & "D-1" for ready reference.
4. That now as a matter of fact as the respondent No.1 and 5 mala fide just to disturb the appellant and unduly favour the respondent No.6 being newly appointee in GGHS Amazokoto(during March, 2019) with out any vacancy, to adjust her being their eye blue and near and dear , vide the order Impugned dated, 4/3/2019, the appellant has transferred to GGHS Charorai, pre mature , which falls against both the policies i.e general Transfer policy and also of the spouse bases policy. Copy of order impugned is annexed as "E".
5. That not only the order impugned was issued wrongly and premature but also no communication of the said order impugned has been made so far to the appellant. While another letter dated 17/4/2019 was also issued being not communicated to the appellant, whereby the respondent No.4, has wrongly stopped the monthly salaries of the appellant with effect from, 1st June, 2019, just to compel the appellant, unduly against the law for compliance of the order impugned. Copies whereof after noticing un officially on 25/7/2019 had got on dated 27/7/2019 .copy of the same letter dt, 17/4/2019 is annexed as "F".
6. That after getting copies of both, the order impugned and the letter impugned, on dated 27/7/2019, departmental appeal against the same has been lodged by the appellant, on dated, 28/7/2019, (copy annexed as "G"), which has not been decided by the Respondents No.2 or 1, despite lapse of the statutory period 90 days, hence the appellant having no alternative adequate remedy except file this Service Appeal on the following grounds among other inter alia.

GROUND S

- A. That the Transfer order impugned has not so far been communicated to the appellant tactfully but got un attested copies from the respondent No. 4 on dated 27/7/2019 un officially, while the monthly salary of the appellant has been stopped in compliance of the letter impugned dated 17/4/2019 by the respondents NO.4 &

7 unlawfully in violation the fundamental right of the appellant ad his dependents.


- B. That the order impugned is against the law and both the policies Transfer as well as of the spouse policy exist. Because the appellant had taken over her charge in GGHS Amazokoto on dated 1st June 2018 while the impugned transfer order has issued on dated,4/3/2019, hence is a pre mature and based on mala fide intention too.
- C. That the order impugned is also against the public interest because the same is meant to adjust and regularize the unlawful appointment of the private respondent No.6 who has been appointed by the respondent No.1 on motivation of respondent No.5 without availability of any vacancy in GGHS Amazokoto, being near and dear /eye blue to them so a result of un due favour.
- D. That the new station i.e GGHS Charorai is a far flung remote hilly area where the appellant has already performed her duty about more than ffour (4) years, while the husband of the appellant being C.Teacher is serving in GMS Makhranai being nearer to the GGHS Amazokoto under the spouse policy exist against which the appellant was transferred from GGHS Charorai to GGHS Amazokoto/existing station ,where the hardy the about six month tenure of the appellant has not been completed.
- E. That further grounds in support iof this service appeal of the appellant would be given with the permission of this Honourable tribunal at the time of arguments.

Therefore it is humbly prayed that on acceptance of this service appeal the Order impugned dated 4/3/2019 and subsequent letter dated 17/4/2019 in compliance where of the monthly salary of the appellant has been stopped being unlawful pressure being violation of fundamental right of the appellant through respondent No.7 may graciously be set aside with the directions to the respondent No.3 to proceed against the respondents No.1 And 5 for the the wrong done by using their seat and power unwarrantedly. Further relief to

(5) (4)
CR

which the appellant is entitle under the law may also be granted in favour of the appellant though not specifically prayed for.


APPELLANT

Through Counsel 
RAHTM KHAN
ADVOCATE HIGH CPOURT

OFFICE AT DISTT; COURT DAGGAR BUNER

DATE , 07/11/2019.

CELL = 03439049185.

CERTIFICATE

It is to certify that the entire contents of this service appeal are correct and that no such like service appeal is not pending before any court of law.


APPELLANT

(S) R2 (S)

BEFORE THE SERVICE TRIBUNAL KHYBAE PUKHTOONKHWAW PESHAWAR.

Service Appeal No. _____ /2019.

Mst, SHAGUFTA NAZ Versus D.E.O M & F Buner and others.

ADDRESSES OF PARTIES

1. Mst, SHAGUFTA NAZ (W/O Saleemullah C.T GMS Maklhranai) T.T (Tealogy Teacher) Govt; Girls High Schoole Amazo koto Distt; Buner. "Appellant"
2. Distt; Education Officer (M & F) Elementary and Secondary Ditt; Buner at Daggar.
3. Director Education Elementary and Secondary Education Deptt' Khyber Pukhtoon Khwa Peshawar.
4. Secretary Elementary and Secondary Education Deptt; Khybar Pukhtoonkhwa Peshawar.
5. Head Mistress Govt; Girls High School Amazokoto Buner.
6. Supdt '/A.D.E.O Estab; Office Of the D.E.O Buner.
7. Gulshan Ara T.T GGHS Amazokoto Distt; Buer.
8. Distt; Accounts Officer Buner at Daggar.

"Respondents"

APPELLANT

Through Counsel

RAHIM KHAN

ADVOCATE HIGH COURT

OFFICE AT DISTT; COURT DAGGAR BUNER

DATE , 07/11/2019.

CELL = 03439049185.

6

BEFORE THE SERVICE TRIBUNAL KHYBAE PUKHTOONKHWAW PESHAWAR.

Service Appeal No. _____/2019.

**Mst, SHAGUFTA NAZ (W/O Saleemullah C.T GMS Maklhranai) T.T (Tealogy Teacher) Govt;
Girls High Schoole Amazokoto Distt; Buner. "Appellant"**

Versus

1. Distt; Education Officer (M & F) Elementary and Secondary Ditt; Buner at Daggar.
2. Director Education Elementary and Secondary Education Deptt' Khyber Pukhtoon Khwa Peshawar.
3. Secretary Elementary and Secondary Education Deptt; Khybar Pukhtoonkhwa Peshawar.
4. Head Mistress Govt; Girls High School Amazokoto Buner.
5. Supdt /A.D.E.O Estab; Office Of the D.E.O Buner.
6. Gulshan Ara T.T GGHS Amazokoto Distt; Buer.
7. Distt; Accounts Officer Buner at Daggar.

"Respondents"

APPLICATION FOR INTERIM RELIEF BY SUSPENDING THE OPERATION OF THE ORDER IMPUGNED DATED 4/3/2019 AND OF LETTER DATED 17/4/2019 IMPUGNED TILL THE DISPOSAL OF THIS SERVICE APPEAL.

Respectfully sheweth'

1. That the order and the letter impugned as mention in the subject, both are illegal and unlawful as well as both have passed on mala fide intention and ill well, against the law and transfer , posting as well as spouse policies, by virtue of which the pre mature transfer of the appellant being not implementable under the law has been made and to unwarrantedly pressurize the appellant also her monthly salary from 1st June 2019 has been stopped illegally just to favour un duly and unwarranted THE PRIVATE RESPONDENT NO.6 ,who has been appointed with out availability of vacant post in GGHS Amazokoto. so;
 - a. There is a Strong prima facie case in favour of the appellant/applicant.
 - b. That as the appellant has not so far been relieved from here seat and school by the respondents concerned and still she is performing her duties in existing school GGHS Amazokot, hence the appellant will sustain irreparable losses, if the status quo in question sought is not granted.

c. That balance of convenient is also in favour of the appellant/ applicant as compare to the respondents keeping in view the clear violation of existing policies and rules and law and clear mala fide in part of the respondents is floating on the surface. For the purpose the entire contents of the service appeal of the appellant may be considered as contents of this application'

Therefore it is humbly prayed that on acceptance of this application the relief sought may be granted in favour of the appellant/applicant with directions to the respondents to release and pay the salary of the appellant from 1/6/201 up till now as arrear and onward on regular bases without any unlawful break, being fundamental right of the

appellant/applicant, till the disposal of this appeal. Further relief to which the appellant /applicant is entitled under the law may also graciously be granted though not specifically prayed for in this application.

APPLICANT / APPELLANT

Through Counsel

RAHIM KHAN

ADVOCATE HIGH COURT

OFFICE AT DISTT; COURT DAGGAR BUNER

DATE , 07/11/2019.

CELL = 03439049185.

~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~

BEFORE THE SERVICE TRIBUNAL KHYBAE PUKHTOONKHWAWA PESHAWAR.

Service Appeal No. _____ /2019.

Mst, SHAGUFTA NAZ Versus D.E.O M & F Buner and others.

AFFIDVITE

I, Mst, Shagufta Naz w/o Saleemullah ; T.T GGHS Amazokoto Distt; Buner do hereby affirm and declare on oath that the entire contents of this service appeal are correct to the best of my knowledge and belief and further that no such like /same nature service appeal is pending before any court or has earlier decided by any court.

While the entire contents of the Affidavit are correct and true. Such like application is pending before any court of law & filed 29/11/2019.

[Handwritten Signature]

Mst, SHAGUFTA NAZ /Appellant/DEPONENT.

CNIC NO. 15101-9483355-2

ATTESTED
GA
Gohar Ali Advocate
Oath Commissioner
Distt: Courts Daggar Buner
No: 167 Date: 11-11-2019



OFFICE OF THE DISTRICT EDUCATION OFFICER (M/F)
DISTRICT BUNER
PHONE & FAX NO. 0939-510468
EMAIL: EDOBUNER@GMAIL.COM

APPOINTMENT.

Consequent upon recommendation of the District Selection Committee, appointment of the following candidates are hereby ordered against the post of T.T. School based in BPS-15 (Rs.8500-700-29500) @ Rs. 8500/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

S. No	RollNo	Name	FATHER NAME	Permanent Address	Place of Posting
1	1450496	ZAHIDA	POSHAD	VILLAGE BAGRA DISTRICT BUNER	GGHS BAGRA
2	1450532	SULTANIA SAEED	AHMAD SAEED	VILLAGE BAMPOKHA DISTRICT BUNER	GGHS BAZARGAY
3	1450498	KHADIM	NISAR MUHAMMAD	VILLAGE CHINGLAI DISTRICT BUNER	GGHS CHINGLAI
4	1450492	SARWAT	MUHAMMAD SHAFEE	VILLAGE SUFA DISTRICT BUNER	GGHS JOWAR
5	1450525	RABIA	FAIZ UR RAHMAN	VILLAGE NAWAGAI DISTRICT BUNER	GGHS SAWAWAI
6	1450539	HAFSA	MAJUOOD KHAN	VILLAGE KALPANI DISTRICT BUNER	GGHS TOPAI
7	1450521	MARYAM BIBI	JANAT GUL	VILLAGE DAGGAR DISTRICT BUNER	GGMS BAMPOKHA
8	1450506	TAWHEED	SHER AFZAL KHAN	VILLAGE AMNAWAR DISTRICT BUNER	GGMS BATARA
9	1450512	SAFIA	SHER ZADA	VILLAGE ELAI DISTRICT BUNER	GGMS CHANAR
10	1450489	SHAGUFTA NAZ	NOOR UR RAHMAN	VILLAGE NAWAGAI DISTRICT BUNER	GGMS CHARORAI
11	1450485	AQILA	RAHMAT WALI	VILLAGE JOWAR DISTRICT BUNER	GGMS ELAI
12	1450508	UZMA RANI	MALAK ZADA	VILLAGE NAWAGAI DISTRICT BUNER	GGMS GHAZI KOT
13	1450541	NOUSHEEN AMIN	AMIN GABAD	VILLAGE KARAPA DISTRICT BUNER	GGMS GULBANDI
14	1450507	BIBI FATEHA	MUMTAZ HUSSAIN	VILLAGE NAWAGAI DISTRICT BUNER	GGMS KHANNO DHERAI
15	1450533	SALMA BIBI	FAIZUL BARI	VILLAGE KAWGA DISTRICT BUNER	GGMS KINGER GALI
16	1450535	RAZIA	BADSHAH GUL	VILLAGE DIWANA BABA DISTRICT BUNER	GGMS KULYER
17	1450518	HAZRAT A BIBI	MUHAMMAD AYAZ	VILLAGE MEKHO KHAPA DISTRICT BUNER	GGMS PANER
18	1450517	RANA GUL	ANWAR KHAN	VILLAGE SHALBANDI DISTRICT BUNER	GGMS SHANGRA
19	1450537	ZAMARUD BIBI	YAMAN KHAN	VILLAGE MEKHO KHAPA DISTRICT BUNER	GGMS TAL GORA

[Handwritten signature]

TERMS & CONDITION.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year.
4. They should not be handed over charge if her age exceeds 35 years or below 18 years of age.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO Any one found producing bogus Certificate/Degrees will be reported to the law enforcing agencies for further action.
6. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO is issued that her certificates/Degrees are verified.
8. She should join her post within 10 days of the issuance of this notification. In case of failure to join their post within 10 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge she will sign an agreement with the department, otherwise this order will not be valid.
11. She will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. Her services shall be terminated at any time, in case her performance is found unsatisfactory during her contract period. In case of misconduct, She will be proceeded under the rules framed from time to time.
13. Her appointment is made on School based, She will have to serve at the place of posting, and her service is not transferable to any other station.
14. Before handing over charge Principals/Head Mistresses concerned will check their documents, if they have not the required qualifications they may not be handed over charge.

(SULTAN MAHMOOD MIAN)
 DISTRICT EDUCATION OFFICER (M/F)
 DISTRICT BUNER.

Encls: No. 9/55-60

Dated 16/5/2014.

- Copy forwarded for information and necessary action to the:-
1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
 2. Deputy Commissioner Buner.
 3. District Accounts Officer Buner.
 4. Medical Superintendent DHQ Hospital Buner.
 5. Principals / Head Mistresses Concerned.
 6. Officials Concerned.

DISTRICT EDUCATION OFFICER (M/F)
 DISTRICT BUNER.

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ذراعت فا - DEO(F) - اعلايم اعلیٰ سکول اینڈ سکولز ایجوکیشن ضلع بوہڑ
عنوان: درخواست برائے تبادلہ از GGHS چروڑی تا محلہ بوجہ Spouce بالیسی

صا - عالی اعلايم!
گزارش ہے کہ میری تعیناتی سال 2014 میں بحیثیت T.T گورنمنٹ گریجویٹ سکول
چروڑی محل میں لائی گئی تھی اور تاحال قرائض منصبی سر انجام دے رہی ہوں۔

صا - عالی اعلايم!
چونکہ میرا سٹور بحیثیت C.T ایسے علاقے کے GGHS چروڑی میں
ڈیوٹی انجام دے رہا ہے اور ہم ناوہ کی محلہ کے باشندے ہیں اس لیے
ناوہ کی (محلہ) تا چروڑی (امازی) ڈیوٹی سر انجام دینا بحیثیت عورت انتظامی
مشکل ہے۔

لہذا مہربانی فرمائے حکومت کے راجی کردہ قانون Spouce بالیسی کے تحت
ایسے علاقے کے قریب ترین سکول GGHS غریب آباد یا GGHS چروڑی
(Vacant post) پر کروا کر منگوا فرمائیں

اعلايم اعلايم
سلفہ ناز
GGHS چروڑی اعازی

~~Erudite~~
Head Mistress
GGHS
Charorai Buner
10/3/15

Head Mistress
GGHS
Charorai Buner

11011 (12)

OFFICE OF THE DISTRICT EDUCATION OFFICER(F) BUNER.

OFFICE ORDER.

As approved by the competent authority, the following SCT,CT, TT,SAT,PET ,Qaria, S.Qaria and SDM are hereby by transferred/adjusted to the schools noted against their names in their own pay & scale with immediate effect in the best interest of public service.

S.No	Name& Desig:	From	TO	Remarks
1	Bakhtia-Begum SCT	GGHS Sura	GGHSS Nawagai	VP
2	Shahida Zaib CT	GGHSS Nogram	GGHSS Totalai	VP
3	Farhat ara CT	GGHS Kulyarai	GGMS Bajkata	VP
4	Shaishta Rahim CT NTS	GGHS Shadam	GGHSS Nawagai	Spouse Policy
5	Rahmata CT NTS	GGMS Ambela	GGHSS Kalpani	Spouse Policy
✓6	Shagufta Naz TT NTS	GGHS Chorarai	GGHS Amazokoto	Spouse Policy
7	Zulfat PET NTS	GGHS Shadam	GGMS Tanlowdherai	Spouse Policy
8	Majidatun Nisa S.Qaria	GGHS Amazokoto	GGHSS Nawagai	VP
9	Abaseyakiran SDM	GGHSS Shadam	GGHS Makhranai	VP
10	Bakht Nazmina SAT	GGHS Sowarai	GGHSS Shadam	VP
11	Qamrul Wara Qaria	GGHS Dagai	GGHS Amazo Koto	Spouse Policy

Note:

1. No TA/DA is allowed
2. Charge Report should be submitted to all concerned

(BAKHT ZADA)

DISTRICT EDUCATION OFFICER(M/F)
BUNER

Endst. No. 8234-38 Dated. 25/5 /2018

Copy for information to the:

1. Director E&SE Department Khyber Pakhtun Khwa Peshawar
2. District Nazim Buner.
3. Deputy Commissioner Buner
4. District Monitoring Officer District Buner
5. District Accounts Officer Buner
6. Principal/Head Mistresses Concerned
7. Teachers Concerned

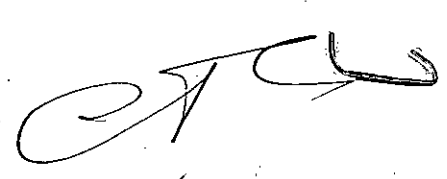
DISTRICT EDUCATION OFFICER(M/F)
BUNER.

"D"

CHARGE REPORT (13)

It is certified that Miss Shagufta Naz T.T has been transferred from GGHS Charorai to GGHS Amazokoto vide District Education Officer Female Buner Erdst. NO. 8234-38 Dated 25-5-2018.

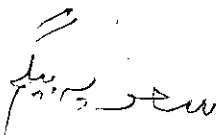
She took charge of her duty on 01-06-2018 (B.N)


Head Mistress
GGHS Amazo Kc
Dist. Buner

RELIEVING SLIP

It is certified that Miss Shagufta Naz T.T Transferred from GGHS Charorai to vide DEO (M/F) order No

she is relieving from her duty from this school on 31-5-2018 after noon.





OFFICE OF THE DISTRICT EDUCATION OFFICER
(F) DISTRICT BUNER
PHONE & FAX NO. 0939-510366
EMAIL: deofemalebuner@gmail.com

OFFICE ORDER.

The competent authority is pleased to direct the following Teachers to perform their duties in their original Schools as per details given below in the best interest of public service.

S.No	Name & Designation	Current School	Original School	Remarks
1	Norin Bibi SST (Bio-Chem)	GGHSS Nawagai	GGHS Makhranai	
2	Rana Gul TT	GGMS Shalbandai No.2	GGMS Shangra	
3	Shagufta Naz TT	GGHS Amazo Koto	GGHS Charorai	

NOTE:

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

(SADIA ILYAS)
DISTRICT EDUCATION OFFICER (F)
BUNER

Endst: No. 139-146 / Dated 4/3/2019

Copy forwarded for information to the;

1. Deputy Commissioner Buner.
2. District Nazim Buner.
3. District Accounts Officer Buner.
4. District Monitoring Officer Buner.
5. Principal/Head Mistresses Concerned.
6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
7. Teachers Concerned.

DISTRICT EDUCATION OFFICER (F)
BUNER

"P"

15



OFFICE OF THE DISTRICT EDUCATION OFFICER (F)
DISTRICT BUNER
PHONE & FAX No 0939-510366
EMAIL: deofsbunera@gmail.com

NO. 899 / DATED 17/04/2019

To

The Head Mistress/Incharge
GGHS Amazo Koto Buner

Subject: EXPLANATION

Memo

Mst. Shagufta Naz TT has been transferred from your school to GGHS Charorai vide office Endst No 139-146 dated 04/03/2019. You have still not relived Mst. Shagufta Naz to joint her new station.

You are directed to relieve the concerned teacher immediately otherwise strict disciplinary action will be initiated against you under E&D Rules 2011.

[Signature]
District Education Officer(M/F)
Buner. B.

No. _____ Dated. _____ 2018

- Copy of the above is forwarded to the:
1. Deputy Commissioner Buner
 2. District Monitoring Officer Buner.

[Signature]
District Education Officer(M/F)

[Large handwritten signature]

خدمت خراب کا اثر کہ حکم تعلیم ایلمنٹری اینڈ سیکنڈری
ایجوکیشن ہدیہ خیر خیر کو اہلکار

کوسالٹ : ڈی ای او (زمانہ کی زبان) ضلع بونیر

حصوں : ایبل نر خلاف آفسن آرڈر، انڈر سٹنڈ 139-46
مورثہ 3، 4، جس کے ذریعہ اسلام آباد کو قبل از وقت
1919ء خلاف قانون تبادر بالسی اور ساتھ ہی
راج الوقت کے مخصوص بند سے تاکہ نا حق و خلاف
صحت سے سہاہ ظہن آرائشی تھی کر کے تاخ استانی کو
مطلوبہ طور پر کوسالٹ خالی کی جائے جاری کردہ ہے جسکی
نقل باقاعدہ طور پر تاحال اسلام آباد کونسل کے جا علی ہے
مگر حال ہی میں اسلام آباد کوسورجہ 7 کو سہ لگ
کر مورثہ 7 کو نقل جا علی کی ہے جو 1919ء
نقل ہوئے اور قابل منوعی کی اسلام آباد ہے

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جہاں جا ایبل سے ملوان بالاحسب ذیل ہے۔
1. یہ کہ سائیکل اسلام آباد کی تبادر موجود ہے جو غائب کر لیا گیا
سکول امارو کو تو کو مورثہ 7۔ نہ نقل حسین لائی جا کر
مورثہ 7 کو اسلام آباد لیا گیا اور اسکول رکوور
میں گزرے اسلام آباد کی کل tenure بنتی ہے جبکہ از
دوے خروج نر انفر بالسی کے مطابق 3 سال normal tenure
ہے جو لو رانہ ہو گا ہے۔ حکم سائیکل کو *Transfer Policy* کے
تحت حالات میں دیگر ڈیو اسکولوں میں منتقلی سے اسلام آباد میں
موجود اسکول کو اسلام آباد کی تبادر کی جا علی ہے۔ نقل ہے۔
2. یہ کہ مورثہ 7 کو جب کہ اسلام آباد کی تبادر کو خلاف قانون بند کر
لیا گیا ہے کہ وہ مورثہ 7 کو برابر کو جس کے نتیجے میں اسکول مورثہ 7
اور جس کے نتیجے میں تبادر حکم صدر مورثہ 3 کا نتیجہ ہو کر تبادر وصول
کر کے ایبل نر تبادر کی جا علی ہے۔

3- یہ کہ کلچرل سٹیوڈیو اور خطی ناگتہ تیب مورخہ 2019ء 3
 اور 17 جون 2019ء کے ذریعہ اسلام آباد کی تیار شدہ اور
 یہ خبریں مدنیہ لہو پبلشرز کو بھیج کر کہ اسلام آباد کی میڈیا اور
 کو بھیج دیں 18 مئی 2019ء میں مندر کی جا چکی ہے۔ حالانکہ کلچرل سٹیوڈیو
 کی ویب سائٹ پر اس مورخہ 17 جون 2019ء کی کہ کاتبی اسلام آباد کو لائے
 دی جا چکی تھی۔ بلکہ ماویا پر لکھنے والے کتبوں کہ اسلام آباد کی
 تیار شدہ کو لکھ کر قادیانیوں کو زبردستی بلدیوں اور قادیانیوں کو سرکاری
 شدگی جا چکی تھی، یہ خبریں اس سہ ماہیہ زبان میں تیار کر کے
 اکتوبر 2019ء مورخہ 27 کو یادنا خواستہ خود سے لکھو اور
 دی جا چکی ہیں۔ لکھنا ملاقاتیوں کے کلام سے اسل خود ادا کر کے
 جاتی ہے۔

لکھنا استاد کے کہیں نظر میں اسل خود ادا
 اسلام آباد کی تیار شدہ کلچرل سٹیوڈیو 3 اور 17 جون 2019ء کے مورخہ
 و کانہ صمیم گزراں کو فریم کی ہے کہ (اسلام آباد کی میڈیا اور
 تیار شدہ کلچرل سٹیوڈیو 18 مئی 2019ء کے Release کی جا کر ادا کی
 جاتی ہے۔ یہ ماگورینوں کی ہے۔

سکریٹری
 ایگزیکٹو
 T. T. T. T. T.
 Amazon to Buner
 Dated 28/7/2019

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بعد الشجیر میں صاحب سروسٹریٹ پیوٹیٹیو کی طرف سے

مقام لٹا

مورنہ 5 کورمبہ 2019ء منجانب (اسلام آباد)

مقدمہ سروسٹریٹ پیوٹیٹیو کی طرف سے (ای۔ او) اور صاحب سروسٹریٹ پیوٹیٹیو کی طرف سے

دعویٰ سروسٹریٹ پیوٹیٹیو

نمبر

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دیکل کارروائی متعلقہ آن مقام لٹا کے لئے رحیم خان ایجوکیٹو کی طرف سے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف دیے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک نہ روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمد اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقدمہ شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پداختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہے تو وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا کالت نامہ لکھد یا کہ سندر ہے۔

20

گگنہ سٹار المرقوم

العبد

گواہ

15101-9483355-2

post. T.T

66HS Amazokoto Bura

original
**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR
CAMP COURT SWAT**

Service Appeal No. 1604/2019

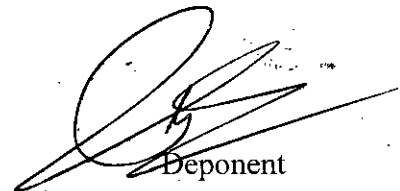
Mst Shagufta NazAppellant.

VS

DEO (Female) & OthersRespondent.

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5	Re-adjustment Order	6	"C"
6	Post details at the time of advertisement	7/8	"D"


Deponent

1
BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Service Appeal No: 1604

Miss Shagufta Naz (W/O Saleemulah)TT GGHS Amazokoto District Buner.....Appellant

VERSUS

District Education officer (female) Buner & Others.....Respondents

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.1,2,4 &5
Respectfully Sheweth:

The Respondent submits as under:

PRELIMINARY OBJECTIONS:

1. That the Appellant has no locus standi to file this instant appeal.
2. That the instant service appeal is badly time barred.
3. That the appellant has concealed material facts from this honorable tribunal.
4. That the instant service appeal is based on malafide intentions to put extra pressure on the respondents.
5. That the appellant has not come to this honorable tribunal with clean hand.
6. That the instant service appeal is against the prevailing policy of transfer and rules.
7. That the instant service appeal has been filed to put extra pressure on the respondent to promote her vested interests.
8. That the appellant has been treated as per law, rules and policy.
9. That the appeal is not maintainable in the present form and shape.

ON FACTS:

1. Pertains to records hence need no comments.
2. Denied; Though the appellant may have completed tenure but it does not give rise to the right to be transferred, but the tenure policy is for the purpose to save civil servants to be subject as a shuttle cock. As for as to another part of this para is concerned the competent authority in good faith transferred the appellant to Amazokoto under spouse policy (transfer order dated 25/05/2018 annexed as annexure "A") but when it came to the knowledge of the competent authority that the said post was advertised on 12/12/2017 through NTS(Vide Annexure "B"an advertisement) then the competent authority decided to withdraw the transfer order of the appellant, and issued another order(dated 04/03/2019 annexed as annexure"C") to adjust the appellant in her original station. Details of the post at time of advertisement is annexed as annexure "D" for ready reference.
3. Pertain to record.
4. Denied: There is no question of discrimination all are equally respectable before the competent authority and further no one is the apple of the eyes of respondents. The post in question was already advertised and those who applied against it were more deserving/justified to be appointed against it, copy the advertisement and the details of the post to the NTS authority is already annexed as annexure "B"&"D" for ready reference.

- 5. Denied: Coming to the crux of this para the appellant was not willing to go to her original station of duty and still not performing her duty, it was not possible that the two teachers may draw salaries against one post.
- 6. Pertains to record.

ON GROUNDS:

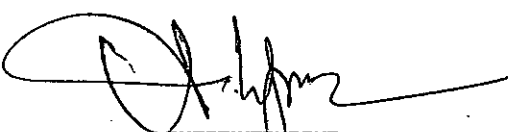
- A. Denied: There is no personal grudges of the respondents with the appellant but the appellant is adamant to perform her duties after drawing one salary in Charoray her pay was stopped there.
- B. Denied; As per para No.4.
- C. Denied: The appellant merely rely on conjectures and surmises on ground the said post was legally advertised in accordance with codal formalities.
- D. Denied: Every civil servant is legally bound to serve anywhere in Pakistan and the district cadre employees are bound to perform their duties anywhere in the district concerned in the interest of public services, and the competent authority will transfer the appellant under spouse policy in accordance with policy.
- E. The respondents seek the permission of this worthy tribunal to adduce additional grounds at the time of arguments.


Verified on oath that the contents of this parawise reply are correct to the best of knowledge and belief

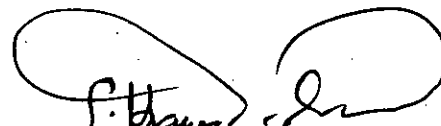
PRAYER;


In wake of the above submissions it is requested to the worthy Service Tribunal to dismiss this instant service appeal in favor of the respondent department.


A.D.E.D (ESTAB-)
DED (F) OFFICE BUNER


SUPERINTENDENT
DED (F) OFFICE BUNER


DISTRICT EDUCATION OFFICER
for (F) DISTRICT BUNER


DIRECTOR EGSE KHYBER PAKHTUN KHAWA
PESHAWAR


SECRETARY EGSE KHYBER PAKHTUN KHAWA
PESHAWAR


HEAD MISTRESS
GGHS AMAZO KOTO BUNER

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR
CAMP COURT SWAT

Service Appeal No. 1604/2019


Mst Shagufta NazAppellant.

VS

DEO (Female) & Others.....Respondent.

AFFIDAVIT

It is hereby to declare on oath that the contents of the parvise comment true and correct to the best of my information and beliefs and nothing is kept secret from this worthy tribunal.


08/02/2020

(A) (4)

OFFICE OF THE DISTRICT EDUCATION OFFICER(F) BUNER.

OFFICE ORDER.

As approved by the competent authority, the following SCT, CT, TT, SAT, PET, Qaria, S.Qaria and SDM are hereby transferred/adjusted to the schools noted against their names in their own pay & scale with immediate effect in the best interest of public service.

S.No	Name & Desig:	From	TO	Remarks
1	Bakhtia Begum SCT	GGHS Sura	GGHS Nawagai	VP
2	Shahida Zaib CT	GGHS Nogram	GGHS Totalai	VP
3	Farhat ara CT	GGHS Kulyarai	GGMS Bajkata	VP
4	Shaishta Rahim CT NTS	GGHS Shadam	GGHS Nawagai	Spouse Policy
5	Rahmata CT NTS	GGMS Ambela	GGHS Kalpani	Spouse Policy
✓6	Shagufta Naz TT NTS	GGHS Chorarai	GGHS Amazokoto	Spouse Policy
7	Zulfat PET NTS	GGHS Shadam	GGMS Tanlowdherai	Spouse Policy
8	Majidatun Nisa S.Qaria	GGHS Amazokoto	GGHS Nawagai	VP
9	Abaseyakiran SDM	GGHS Shadam	GGHS Makhranai	VP
10	Bakht Nazmina SAT	GGHS Sowarai	GGHS Shadam	VP
11	Qamrul Wara Qaria	GGHS Dagai	GGHS Amazo Koto	Spouse Policy

Note:

1. No TA/DA is allowed
2. Charge Report should be submitted to all concerned

(BAKHT ZADA)

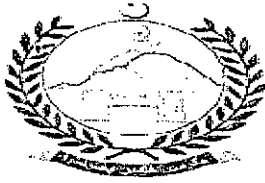
DISTRICT EDUCATION OFFICER (M/F)
BUNER

Endst: No. 8234-38 Dated. 25/5 /2018

Copy for information to the:

1. Director E&SE Department Khyber Pakhtun Khwa Peshawar
2. District Nazim Buner.
3. Deputy Commissioner Buner
4. District Monitoring Officer District Buner
5. District Accounts Officer Buner
6. Principal/Head Mistresses Concerned
7. Teachers Concerned

DISTRICT EDUCATION OFFICER (M/F)
BUNER.



OFFICE OF THE DISTRICT EDUCATION OFFICER
(F) DISTRICT BUNER
PHONE & FAX NO. 0939-510366
EMAIL: deofemalebuner@gmail.com

OFFICE ORDER.

The competent authority is pleased to direct the following Teachers to perform their duties in their original Schools as per details given below in the best interest of public service.

S.No	Name & Designation	Current School	Original School	Remarks
1	Norin Bibi SST (Bio-Chem)	GGHSS Nawagai	GGHS Makhranai	
2	Rana Gul TT	GGMS Shalbandai No.2	GGMS Shangra	
3	Shagufta Naz TT	GGHS Amazo Koto	GGHS Charorai	

NOTE:

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

(SADIA ILYAS)

DISTRICT EDUCATION OFFICER (F)
BUNER

Endst: No. 139-146/1 Dated 4/3/2019.

Copy forwarded for information to the;

1. Deputy Commissioner Buner.
2. District Nazim Buner.
3. District Accounts Officer Buner.
4. District Monitoring Officer Buner.
5. Principal/Head Mistresses Concerned.
6. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
7. Teachers Concerned.

DISTRICT EDUCATION OFFICER (F)
BUNER

Handwritten notes and signatures at the bottom of the page, including the name "P. 10" and various illegible scribbles.

DISTRICT EDUCATION OFFICER (P)
BUNER

S.No.	Name of School	Union Council / Ward	Village / Council/Neighbourhood	Total										
				CT-R-15	DA-B-15	PRT-B-15	AT-B-15	TT-B-15	Qor-B-15	NSR-B-15	Total			
156	GCPS MIRAGAI		SORAY											
155	GCPS BAR TERAJ		SORAY											
154	GCPS SIATBANDAI NO.2		Shabundai											
153	GCPS SIATBANDAI NO.1		Shabundai											
152	GCPS NARA		Shabundai											
151	GCPS REGA		REGA											
150	GCPS SROGOL JABOO		PANDIR											
149	GCPS PANDIR		PANDIR											
148	GCPS CIALANDRAI		PANDIR											
147	GCPS KOT PANDIR		PANDIR											
146	GCPS CIANBAR		Norzi											
145	GCPS HARKALAY		Norzi											
144	GCPS MANGANO MAIRA		Gul Handai											
143	GCPS TANOGRA		Gul Handai											
142	GCPS KALPANI		Gagra											
141	GCPS HALATA		GAGRA											
140	GCPS MATAYANI		Dewana Baba											
139	GCPS DEWANA BABA NO.1		Dewana Baba											
138	GCPS BAR SHARNAL		BATARA											
137	GCPS RUDAL		BATARA											
136	GCPS HAWA		BATARA											
135	GCPS MANGAR		Mangar											
134	GCPS Kuz Gokand		Kuz Gokand											
133	GCPS Topdara		DACGAR											
132	GCPS Elum		MATAK PUR											
131	GCPS Dukada		MATAK PUR											
130	GCPS Beshumai		MATAK PUR											
129	GCPS Qadar Nogar		PIR BABA											
128	GCPS Hatai		PIR BABA											
127	GCPS Pacha Kolay No.2		PIR BABA											
126	GCPS Kala Bai		PIR BABA											
125	GCPS Kala Khela		GADZI											
124	GCPS Hage Kolay		GADZI											
123	GCPS Hajkumay		GADZI											
122	GCPS Surkhae Banda		Krope											
121	GCPS KARAPA		KARAPA											
120	GCPS Jangdara Tonwasak		TORWAKSAK											
119	GCPS Sharsama Tongay		ELAI											
118	GCPS Jangdara Anghapur		ELAI											
117	GCPS Ahsazo Mairo		ELAI											
116	GCPS Salazo Mairo		MALI KHAIL											
115	GCPS Kalka		MALI KHAIL											
114	GCPS Jover No.2		MALI KHAIL											
113	GCPS Char		MALI KHAIL											
112	GCPS Hlasson Khal Bazargay		AAB KHAIL											
111	GCPS Manser		AAB KHAIL											
110	GCPS Kohay		AAB KHAIL											
109	GCPS Kingor Galai		AAB KHAIL											
108	GCPS Bampokhu		AAB KHAIL											
107	GCPS Givrai		AAB KHAIL											
106	GCPS Naray		Kandar Katay											
105	GCPS Maska		Kandar Katay											
104	GCPS Amtok		Kandar Katay											
103	GCPS Chumal		Amuzi											
102	GCPS Mairugai		Amuzi											
101	GCPS Kuz Katay		Makhrumai											
100	GCPS Makhrumai		Makhrumai											
99	GCPS Kadal		Makhrumai											
98	GCPS Malasar		Makhrumai											
97	GCPS Ahmad Ali Dherai		Makhrumai											
96	GCPS Kandau Patay		Koyra											
95	GCPS Koyra		Koyra											
94	GCPS Kala Kol		Koyra											
93	GCPS Charb Abud		Koyra											
92	GCPS Badair		Nawgat											
91	GCPS Kangant		Nawgat											
90	GCPS Thawla Dherai		Nawgat											
89	GCPS Sura		Nawgat											

٤٠
٢٠٢٠

استغاثہ فرمایا کہ مقدمہ نمبر
B with Main sheet

Page: 9 - 6-5-2014 Appointment order

- application was - despite

submitted under spouse policy.

سروں در فرسٹ ریٹائرمنٹ پالیسی کے تحت
تعمیراتی طور پر منظور ہوئی تھی

- قانونی طور پر درست ہے

- تنظیمی امور کے تحت

صفحہ 12

مستند ہے۔

Page: 11 - Annexure

B - درخواست

4-3-2019 Appointment order was made.

- All orders were made to favour.

Gulshan for respondent u.o.

استغاثہ نے درخواستیں
میں سے اولیت سے
میں سے اولیت سے

- Rejoinder

٦-١٠-٢٠١٧

١٦-١٠-٢٠١٧

Post as attached document

Reply on BACH Para 2

3. بین تیزہ کا ساولم جو میں نے لیکر لیا ہے اس کی

The said impugned has not
be communicated and not
transferred to appellant.

Page 15, Page 17-4-2019.

اس خط میں Employment کا نام

فائل ہے، اس کی

Communication between

25-7-2019 and headmaster,

اس کی تصویر دیا گیا ہے اور اس کی

4-3-2019 Impugned

order was passed

28-7-2019. Depn

ment appeal.

میں نے اس کی کاپی

~~25-7-2019~~

25-7-2019

Appellant is still teaching
in the same school but her salary
has been stopped.

order 28-9-2020.
is a subsequence
order.

28-9-2020
تاریخ 28-9-2020
تاریخ 28-9-2020

spouse policy
is open

سپاؤس پولیسی
کھلی ہے
سپاؤس پولیسی
کھلی ہے
سپاؤس پولیسی
کھلی ہے

sec 4-7

- subsequence
order not
challenged
before the
tribunal.
either a

rough
appeal should
have been
taken or
amended
appeal should
have been made

law of law
of law

- no automatic
liquidation.

Reply

is

- big practice
is
is

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
Adjustment order - C-

Adjustment order

dated 18-9-2020

- 2011 CLC 73 Oueh.

2000 SEMR 07

Relays of authority
could not further elaborate.

2000 SEMR 141

make order

Adjustment order

is defective

and my expected

pay is reduced

- Proper order

order has to

be passed

regarding my

payments.

Inferior application

from undecided

to court

Respect of hierarchy

4-10-2020

4-3-2019

17-4-2019

Page 14. To perform duties in
original school.

- This order is not to be used

as a basis for rights in
- favour of applicant.



OFFICE OF THE DISTRICT EDUCATION
OFFICER (FEMALE) BUNER
PHONE & FAX No. 0939-510366
EMAIL: deofemalebuner@gmail.com



ADJUSTMENT ORDER.

Reference to the Service Appeal No 1604/2019 of Service Tribunal Camp Court Swat . The competent authority is pleased to adjust Mst. Shaghufia Naz TT GGHS Amazo Koto at GGMS Gharib Abad Buner against vacant post on need base with immediate effect in the best interest of public service.

Note :

1. Charge report should be submitted to all concerned.

(SHAZIA NAWAZ)
DISTRICT EDUCATION OFFICER (F)
BUNER.

Endst:No. 3167-72 / Dated 28/9 /2020.

Copy is forwarded for information to the:-

1. Registrar Service Tribunal Peshawar.
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Buner at Daggar
4. District Monitoring Officer Buner
5. Principal/Head Mistress concerned
6. Teacher Concerned.


DISTRICT EDUCATION OFFICER (F)
BUNER.