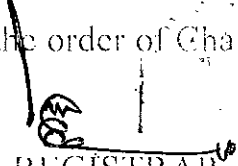


FORM OF ORDER SHEET

Court of _____

Case No. - 1045 / 2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/05/2023	The appeal of Mr. Arshad Ali presented today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____
		By the order of Chairman  REGISTRAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1045/2023

Arshad Ali

VS

Forest Department

INDEX

S.No.	Documents	Annexure	P. No.
1.	Memo of Appeal	-----	01-04
2.	Affidavit	-----	05
3.	Suspension application	-----	06-07
4.	Copy of notification dated 01.12.2022	A	08-11
5.	Copy of the order dated 21.11.2022	B	12
6.	Copy of notification dated 31.03.2023	C	13
7.	Copies of departmental appeal and rejection order/memo dated 26.04.2023	D&E	14-16
8.	Copies of posting transfer policy and circular dated 27.02.2013	F&G	17-25
9.	Copies of circular dated 22.01.2023 and letters	H&I	26-29
10.	Copy of letter dated 12.04.2023	J	30-31
11.	circular dated 07.08.2012	K	32
12.	Vakalat Nama		33

APPELLANT

THROUGH:


(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT.

&

(SHAKIR ULLAH TORANI).

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 1045 /2023

Mr. Arshad Ali, Computer Operator,
District Education Office (Female) District Mohmand.

(APPELLANT)

VERSUS

1. The Secretary (Elementary&Secondary Education)
Department, Civil secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Director (Elementary&Secondary Education)
Department Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (Female) District Mohmand.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE NOTIFICATION DATED 31.03.2023
WHEREBY THE APPELLANT WAS PREMATURELY
TRANSFERRED APPELLANT FROM THE OFFICE OF
DISTRICT EDUCATION OFFICER (FEMALE)
DISTRICT MOHMAND AND HIS SERVICE WAS
PLACED AT THE DISPOSAL OF DISTRICT
EDUCATION OFFICER MALE DISTRICT
CHARSADDA AND AGAINST REJECTION ORDER
/MEMO DATED 26.04.2023, WHEREBY THE
DEPARTMENTAL APPEAL OF THE APPELLANT
WAS REJECTED FOR NO GROUND.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED TRANSFER NOTIFICATION DATED
31.03.2023 TO THE EXTENT OF THE APPELLANT
AND REJECTION ORDER/MEMO DATED 26.04.2023
MAY KINDLY BE SET ASIDE AND THE
RESPONDENT DEPTT: MAY FURTHER PLEASE BE
DIRECTED NOT TO TRANSFER THE APPELLANT
PREMATATURELY AND IN UTTER VIOLATION OF

POSTING/TRANSFERPOLICY,CIRCULAR DATED 27.12.2013 AND CIRCULAR DATED 07.08.2012. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLYSHEWETH:

FACTS:

1. That the appellant is working as Computer Operator (BPS 16) in the respondent department and is performing his duty with the entire satisfaction of his superiors, whatsoever, assigned to him and no complaint has been filed against him by his superiors regarding his performance of his duty. It is pertinent to mention here that the wife of the appellant is also working in the respondent department as CT teacher and is performing her duty at GGMS Wazir Kore at Mohmand District which is evident from the notification dated 01.12.2022. (Copy of notification dated 01.12.2022 is attached as Annexure-A)
2. That the appellant while serving in the said capacity was transferred from the Office of District Education Officer (Male) District Mohmand to the office of District Education Officer (Female) Mohmand vide order dated 21.11.2022 and since his transfer to the office of District Education Officer, (Female) District Mohmand, no complaint has been filed regarding his performance. (Copy of the order dated 21.11.2022 is attached as Annexure-B)
3. That just after 04 months respondent No.2 passed a notification dated 31.03.2023, whereby the appellant was transferred from the post of District Education Officer (Female) District Mohmand and his service was placed at the disposal of the District Education Officer (Male) District Charsadda. (Copy of notification dated 31.03.2023 is attached as Annexure-C)
4. That the appellant being aggrieved from the impugned transfer notification dated 31.03.2023 filed departmental appeal against the impugned notification dated 31.03.2023 on 04.04.2023, but it was rejected vide order/memo dated 26.04.2023 for no good grounds. (Copies of departmental appeal and rejection order/memo dated 26.04.2023 are attached as Annexure-D&E)
5. That the appellant has no other remedy except to file the instant appeal in this Honorable Tribunal for redressal of his grievance on following grounds amongst others.

GROUNDS:

- A) That the impugned notification dated 31.03.2023 and rejection order/memo 26.04.2023 are against the law, facts, norms of justice, premature, violation posting transfer policy and circulars dated 27.02.2013 and 07.08.2012, therefore impugned transfer notification dated 31.03.2023 is not tenable and liable to be set aside to the extent of the appellant.
- B) That the impugned notification dated 31.03.2023 was passed in violation of posting transfer policy and circular based Anita Turab case dated 27.02.2013, therefore the impugned notification is liable to be set aside to the extent of appellant on this ground alone. **(Copies of posting transfer policy and circular dated 27.02.2013 are attached as Annexure F&G)**
- C) That the Election Commission of Pakistan has imposed ban on posting/transfer through circular dated on 22.01.2023 and in this respect letter/memo dated 23.01.2023 was issued to respondent No.1 for compliance which was further forwarded to respondent No.2 through letter dated 26.01.2023 for further necessary action and strict compliance, but despite that the appellant was transferred in the ban period, which is clear violation of the ECP Circular dated 22.01.2023 and as such the impugned order is illegal and against the circular dated 22.01.2023 and liable to be set-aside to the extent of the appellant. **(Copies of circular dated 22.01.2023 and letters are attached as Annexure-H&I)**
- D) The impugned transfer order is premature, as the appellant has not completed his tenure as computer operator in the office of District Education Officer (Female) Mohmand Tribal District. Therefore, the impugned transfer order liable to be set aside to the extent of the appellant.
- E) That the appellant was transferred from the office of DEO (F) Mohmand District and his service was placed at the disposal of DEO (M) Charsadda vide impugned notification dated 31.03.2023, but DEO (Male) Charsadda through the letter dated 12.04.2023 informed the respondent No.2 that there is no vacant post of computer operator under the jurisdiction of undersigned which means that the impugned notification dated 31.03.2023 is impracticable to be complained to the extent of the appellant. **(Copy of letter dated 12.04.2023 is attached as Annexure-J)**
- F) That the wife of appellant is also working as CT teacher in the respondent department and working at GGMS Wazir Kore at Mohmand Tribal District working as CT teacher and due to socio economic problems and hardship faced by husband and wives in government service due to posting at different station of duty the

government issued a circular dated 07.08.2012 to facilitate posting of husband and wives at a same station and through impugned order notification dated 31.03.2023 the family of appellant will be badly effected and as such the impugned transfer notification dated 31.03.2023 is liable to be set aside to the extent of the appellant .(Copy of circular dated 07.08.2012 is attached as Annexure-K)

- G) That the post of the appellant is vacant as no substitute was provided on the post of the appellant by the respondent department, in the impugned transfer notification dated 31.03.2023 and it will not effect any one if the impugned is set aside to the extent of the appellant.
- H) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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


APPELLANT

Arshid Ali

THROUGH:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

&

(SHAKIR ULLAH TORANI)

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2023

Arshad Ali

VS

Education Department

AFFIDAVIT

I, Arshad Ali, Computer Operator, District Education Office (Female) District Mohmand, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.


DEPONENT

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

SERVICE APPEAL NO. _____/2023

Arshid Ali

V/S

Education Deptt:

.....

**APPLICATION FOR SUSPENSION OF OPERATION OF
NOTIFICATION DATED 31.03.2023 TO THE EXTENT OF
APPELLANT TILL THE DECISION OF MAIN APPEAL.**

RESPECTFULLY SHEWETH:

1. That the appellant has filed an Appeal along-with application in which no date has been fixed so far.
2. That the Election Commission of Pakistan has imposed ban on posting/transfer through circular dated on 22.01.2023 and in this respect letters dated 23.01.2023 was issued to respondent No.1 for compliance which was further forwarded to respondent No.2 through letter dated 26.01.2023 for further necessary action and strict compliance, but despite that the appellant was transferred in the ban period, which is clear violation of the ECP Circular dated 22.01.2023 and as such the impugned notification is illegal and against the circular dated 22.01.2023 and liable to be suspended to the extent of the appellant.
3. The impugned transfer order is premature, as the appellant has not completed his tenure as computer operator in the office of District Education Officer (Female) Mohmand Tribal District, which is violation of posting transfer policy and circular dated 27.02.2013. Therefore, the impugned transfer order liable to be suspended to the extent of the appellant.
4. That the appellant was transferred from the office of DEO (F) Mohmand Tribal District and his service was placed at the disposal of DEO (M) Charsadda vide impugned notification dated


31.03.2023, but DEO (Male) Charsadda through the letter dated 12.04.2023 informed the respondent No.2 that there is no vacant post of computer operator under the jurisdiction of undersigned which means that the impugned notification dated 31.03.2023 is impracticable to becomplianced to the extent of the appellant.

5. That the post of the appellant is still vacant as no substitute was provided on the post of the appellant by the respondent department in the impugned transfer notification dated 31.03.2023 and it will not effect any one if the impugned is suspended to the extent of the appellant.
6. That the appellant has good prime facie case and all the ingredients of stay is in favour of appellant.
7. That the grounds of main appeal may also be considered as integral part of this application.

It is, therefore, most humbly prayed that the notification dated 31.03.2023 may kindly be suspended to the extent of the appellant till the decision of main appeal to the extent of the appellant.


APPELLANT

THROUGH:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
&

(SHAKIR ULLAH TORANI)
ADVOCATE

AFFIDAVIT:

It is affirmed and declared that the contents of this Application are true and correct to the best of my knowledge and belief.


DEPONENT



OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE
MOHMAND TRIBAL DISTRICT

Ph. No. : 0924-290302
Fax No. : 0924-290302
Email : deomohmandfemale@gmail.com



A 8

NOTIFICATION.

Under the provision of the Khyber Pakhtunkhwa Teachers (Appointment and Regularization of Services) Act, 2022 (Khyber Pakhtunkhwa Act No. XLI of 2022), the services of the following (52) CT female Teachers BPS-15 appointed on Adhoc/Contract basis w.e.f 08/03/2017, are hereby regularized in Teaching Cadre on the terms and conditions given below with effect from the date of their initial appointment till the commencement of the Act ibid.

CT Female BPS-15										
S.#	Roll #	Name	Father's Name	CNIC	DOB	Total Marks	Name of School	Adv.No and date	Apptt: No & date	Extension order No & date
1	60401384	Maryam Wasif	Wasif Shah	4250190725576	20/09/1989	117.60	GGMS Khatki Sharif		39950-62 Dated 06/10/2017	
2	60401626	Seema Ali	Sardar Ali	1710299159658	09/09/1991	115.70	GGMS Kota Trap Ambar		39950-62 Dated 06/10/2017	
3	60401863	Najma Shaheen	Munshi	2140309087934	10/01/1986	88.24	GGMS Chapoor Pandiall		39950-62 Dated 06/10/2017	
4	60402323	Nasreen Bibi	Muhammad Ayub	1710256717260	11/09/1994	83.13	GGMS Shno Ghundai		39950-62 Dated 06/10/2017	
5	99096	AJMINA	IRFAN SHAH	1610285234952	08/07/1983	106.53	GGMS Ghami Kore	INFO(P)4841 Dated 22/12/2018	2947-54 Dated 11/07/2020	
6	99390	ZAKIA HASSAN	MALIK HASSAN KHAN MOHMAND	2140797848498	26/06/1987	105.98	GGMS Daag Mula	INFO(P)4841 Dated 22/12/2018	2947-54 Dated 11/07/2020	
7	99116	GUL SANGA	DAWAI KHAN.	2140786967732	30/06/1995	105.93	GGMS Kuta Trap	INFO(P)4841 Dated 22/12/2018	2947-54 Dated 11/07/2020	
8		Hina Afzal	Gul Afzal	1710219181214	20/02/1993		GGHS Sra Shah	INFO(P)4841 Dated 22/12/2018	1797-1804 Dated 18/06/2019	
9	233059	Reshman	MIR KHAN	15401-8633808-6	15/01/1993	121.16	GGMS NAO KILLI P/GHAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	
10	233961	KULSOOM JHEHAN	JEHANZEB KHAN	17101-2239219-2	15-10-1997	106.57	GGHS EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	
11	232483	ANEELA SHAKIR	MUHAMMAD SHAKIR	17301-7762800-4	28/02/1989	115.71	GGMS SUR BARAJ	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	
12	233000	SHABAN MALAK	IMDAD KHAN	17301-2925909-8	10/5/1992	113.76	GGHS DAB KOR EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	
13	207102	NEELAM NAUROZ	NAUROZ KHAN	17102-79811414	22-05-1991	112.03	GGHS DAB KOR EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	
14	233447	SUMBAL MAZULLAH	MAZULLAH KHAN	214074504317-4	1/1/1995	111.52	GGHS SUBAN KHWAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021	

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15	207222	SHAHLA	SHER MUHAMMAD	16101-9202693-0	3/3/1997	110.23	GGMS BUCHA PARNG GHAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
16	207113	HINA ZAMAN	ZAMAN SHEER	21407-7846992-2	3/12/1991	109.49	GGMS SUR BARAJ	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
17	207113	KAUSAR KHAN	MEHBOB UR REHMAN	17102-4663811-8	2/3/1992	109.24	GGMS NAO KILLI P/GHAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
18	207224	SALMA	AMANAT KHAN	17103-0675433-2	4/3/1997	108.97	GGMS MIJAR HABIB ULLAH	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
19	233973	SUMAYYA HASSAN	SHAUKAT ULLAH	173012021357-4	3/12/1998	108.77	GGHS SAHLM SALI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
20	233973	HASEENA SIKANDAR	SIKANDAR KHAN	17102-0761242-0	12/6/1997	108.62	GGHS SHALAM SALI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
21	233521	KAINAT ASIF	ASIF KHAN	17103-0651019-6	4/3/1995	108.21	GGHS DAB KOR EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
22	233521	BUSMINA BIBI	MOHAMMAD SULTAN	11101-1713876-8	14-03/1989	108.19	GGHSS GHALLANAI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
23	232236	SEEMA ALAM	SHER ALAM	17107-6049746-2	10/12/1988	108.03	GGHS EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
25	207139	AZRA	MOSTAMER KHAN	17101-7490604-4	30-04-1993	107.14	GGMS KHATKI SHAREEF	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
26	207062	SEHRIS KHAN	NAUROZ KHAN	17101-5471950-2	23/03/1989	107.08	GGMS AMAN TABAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
27	207046	NAZANEE N BEGUM	SHAFIR UR RAHMAN	17101-0255387-2	3/25/1988	106.89	GGMS AMAN TABAR	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
28	207184	MUNAWW ARA	SHER BAHADAR	214021380219-2	12/4/1995	106.66	GGMS WAZIR KORE	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
29	207051	RAHEELA	SHAH HUSSAIN	21407-6337018-8	4/20/1988	116.52	GGMS HAMEED KHAN	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
30	233203	SAJIDA KHAN	KHANBAHADAR	21404-6043532-6	8/14/1993	106.48	GGMS DEV DEHRI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
31	233825	ARZO NOOR	MUHAMMAD NOOR	15401-6049776-6	1/9/1997	106.4	GGMS KKOTA TARF	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
32	207066	NIDA ZAMAN SHER	ZAMAN SHEER	21407-2067167-6	5/15/1989	106.2	GGMS RAWAL KORE	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
33	207175	KULSOOM SAMEEN	SAMEEN KHAN	17101-6468440-8	4/5/1995	106.15	GGHS DAB KOR EKKA GHUND	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
34	233610	SADIA GUL	SHER ZADA MOHMAND	13503-1828420-8	12/2/1995	105.78	GGMS MIJAR HABIB ULLAH	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
35	232572	ULFAT	MUHAMMAD JAVED	21407-3306246-6	12/10/1989	105.1	GGHS MIA MANDAI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
36	234233	KAYINAT IFTKHAR	Iftikhar Khan	17103-0679186-2	27/01/1998	104.71	GGMS SARA SHA GULAB JAN	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
37	207125	UROOSHA KHAN	NAUROZ KHAN	17101-5472800-2	11/10/1992	104.69	GGHS SHAWA FARSH	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021
38	207130	SHAZMA	ZAMAN KHAN	171030687800-0	3/1/1993	102.51	GGHSS GHALLANAI	INF(P)4203/2020 Dated 09/11/2020	3609-18 DATE 27/10/2021

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39	770139	TASKEEN RAHMAN	RAHMAN SAID	17102915032 68	25/05/1990	131.90	GGMS Nari Killi Tehsil Prang Ghar	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
40	770463	SANA SARDAR	SARDAR ALI	16102512900 14	10/04/1999	130.75	GGMS Rawal Kore Tehsil Ekka Ghund	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
41	770442	NATTASHA AKBAR	AKBAR SHAH	16102040636 60	30/01/1999	116.83	GGHSS Ghallana Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
42	770395	HENA AMJAD	AMJAD HUSSAIN	17102222354 16	20/02/1998	114.67	GGMS Bucha Tehsil Prang Ghar	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
43	770240	KHUSHNU MA SAFI	ZAHIR SHAH	17102197277 00	02/05/1994	114.41	GGMS Bucha Tehsil Prang Ghar	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
44	770456	ASMA KHAN	NOOR WALI	21407409160 28	04/03/1999	113.79	GGMS Wazir Killi Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
45	770108	SEHRISH IRFAN	IRFAN ULLAH	17102114163 82	05/06/1989	113.38	GGMS Katar Wali Baig Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
46	770096	HINA	GHUFRAN	17102866591 30	03/02/1989	112.67	GGMS Gat Warsak Tehsil Khwaizai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
47	770431	SALIHA	FAROOQ SHAH	17102554326 64	20/09/1998	112.66	GGMS Sahib Dad Nahaqi Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
48	770115	UTFA HUSSAIN	MUHAMMAD HUSSAIN	21407445589 40	12/12/1989	112.60	GGMS Baz Muhammad Tehsil Ekka Ghund	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
49	770335	NIDA NAWAZ	ALLAH NAWAZ	17102282000 88	08/09/1996	111.51	GGMS GGMS Nari Killi Tehsil Prang Ghar	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
50	770001	AZRA ANDALÉEB	MUHAMMAD AKRAM	17101031804 06	30/03/1977	110.84	GGMS Kirra Zardin Tehsil Prang Ghar	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
51	770336	TABASSU MJAVED	MUHAMMAD JAVED	21407106215 20	10/06/1996	110.71	GGHS Umat Khan Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022
52	770180	KAUSAR BIBI	INAYAT UR RAHMAN	15401526342 92	07/03/1992	110.48	GGMS Jalat Kore Tehsil Halimzai	INF No. 6140/21 Dated 30/11/2021	No. 2361-68 Dt: 15/09/2022

Terms and Conditions: -

1. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lectures, Instructor and Doctors) Regularity Act, 2011, and such rules and regulation as may be issued from time to time by Government.
2. Their services will be considered regular and they shall be eligible for pension/deduction of GP fund in term of Khyber Pakhtunkhwa Civil Servant Act, 1973 as amended in 2013, however, the teachers appointed on or after 07/06/2022 shall be dealt with section (2)(2) of the Khyber Pakhtunkhwa (Amendment) Act, 2022.

- (11)
3. Their services are liable to termination on one month prior notice from either side. In case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
 4. They shall possess the same qualification and experience required for the subject post on regular basis as specified in Section (3) (a) of the Act.
 5. Their regularization shall not affect the service promotion quota of all service cadres as specified in section (3) (c) of the Act.
 6. They shall be entitled for seniority and pay from the date of initial appointment on Adhoc/Contract basis as specified in Section (3) (d) of the Act.
 7. They shall perform duty for at least three years from the date of taking over charge where they were appointed/posted initially.
 8. The regularization shall not be in favor of those teachers who have not taken over charge, remained absent from duty and resigned from service.
 9. The teachers Regularized through this notification, shall be confirmed after successful completion of In-service mandatory training as specified in their Service Rules notified vide notification No. SO(PE) 4-5/SSRC/Meeting/2012/Teaching cadre/2017 dated 07/03/2018 within two consecutive attempts otherwise the appointment orders of the candidates failed to qualify induction program within two consecutive attempts shall be considered as withdrawn/cancelled from the date of declaration of result of the second attempt made in the induction program.

(Abid Shaheen)
District Education Officer (F)
Mohmand Tribal District.

Endst: No. 2922-29 (Reg:CT(F) Teachers 2022 Dated : 01/12/2022

Copy forwarded for information:

1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. Add: Director Education NMAs Khyber Pakhtunkhwa, Peshawar
4. Deputy Commissioner, Mohmand Tribal District.
5. District Account Officer Mohmand Tribal District.
6. Principals/Head Mistress concerned.
7. Officials Concerned.
8. Office record.

(Hamdard Momand)

District Education Officer (F)
Mohmand Tribal District



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR
PHONE# 091/-6222244 091-9330240, / 091-9331240 Fax No. 0019222343

B 12

Transfer Order

Consequent upon approval of competent authority, Mr. Arshad Ali Computer Operator (BPS-16) District Education Office (Male) District Mohmand is hereby transferred to District Education Office (Female) District Mohmand on his own pay and scale against the vacant post of Computer Operator (BPS-16) with effect from his tacking overcharge in the Interest of public service, as requested by the District Education Officer (Female) District Mohmand.

Note:-

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

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

Endst: No. 10921-26

Dated Peshawar the 21/11 2022

Copy to:

1. District Accounts Officer Mohmand District.
2. District Education Officer (Male) District Mohmand.
- ✓ 3. District Education Officer (Female) District Mohmand with reference to her Endst: No 2749-50 Dated 16-11-2022.
4. PA to Director Elementary & secondary Education Khyber Pakhtunkhwa.
5. P.A. to Addl: Director Establishment Local Directorate
6. Official concerned.

Assistant-Director (Admin)

21/11/2022



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

Dated Peshawar 31st March, 2023

C 13

NOTIFICATION

The following postings/Transfers are hereby ordered in their own pay & BPS in the best public service with immediate effect :

Sl#	Name & Designation	Place of Present Posting	Transfer to	Remarks
1	Nadeem Khan(Driver)	Office of the District Education (Female) Mohmand	Office of the District Education Officer (Male) Mohmand	Vice S.NO.2
2	Aftab Khan (Driver)	Office of the District Education officer (Male) District Mohmand	office of the District Education officer (Female) District Mohmand	Vice S.NO.1
3	Arshad Ali (Computer Operator)	Office of the District Education (Female) Mohmand	The competent authority is pleased to place his Services at the disposal of District Education officer Male District Charsadda.	

1. Charge report should be send to all concerned.
2. No TA/DA are allowed.

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Ends: No. 18456-63

Dated: 31/03/2023

Copy forwarded for information to:

1. District Education Officers (Male and Female) District Mohmand.
2. District Education Officer (Male) District Charsadda.
3. District Accounts Officer District Mohmand.
4. District Accounts Officer District Charsadda
5. PA to Director E & SE KP
6. PA to Additional Director Establishment Local Directorate.
7. Official Concerned

Reli
Assistant Director (Estab)

31/3/23

29

بخدمت جناب سیکرٹری ایجوکیشن ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختون خواہ
اپیل/ درخواست برائے ٹرانسفر آرڈر کیسٹیشن
(آرڈر نمبر 63-18456 تاریخ 31/03/2023 منسلک ہے)

جناب عالی

مودبانہ گزارش ہے کہ میں ارشد علی ضلع مہمند کا مستقل باشندہ ہوں بطور کمپوٹر
اپریٹر (بی ایس 16) ڈسٹرکٹ ایجوکیشن آفس فیمل میں ڈیوٹی سرانجام دے رہا ہوں اس
سے پہلے میں بطور کمپوٹر اپریٹر (بی ایس 16) ڈسٹرکٹ ایجوکیشن آفس فیمل میں ڈیوٹی
سرانجام دے رہا تھا ڈسٹرکٹ ایجوکیشن آفس فیمل ضلع مہمند نیا اسٹبلش ہوا ہے ڈاریکٹر
ایجوکیشن صاحب نے میرا آرڈر ڈسٹرکٹ ایجوکیشن آفس فیمل میں 21/11/2022 تاریخ
پر (آرڈر نمبر 26-12901) کر دیا تھا۔ حال ہی میں دوبارہ ڈاریکٹر ایجوکیشن صاحب نے
میرا آرڈر 31/03/2023 دوسرے ڈسٹرکٹ ضلع چارسدہ کر دیا ہے (آرڈر نمبر 63-18456
تاریخ 31/03/2023)۔ میرے اس آفس میں پانچ مہینے بھی پورے نہیں ہوئے میرا
ٹرانسفر کر دیا گیا ہے رولز کے مطابق میرا ٹینیور بھی پورا نہیں ہوا ہے اور میرا
ٹرانسفر ضلع مہمند سے دوسرے ضلع چارسدہ پر کر دیا گیا ہے۔ اور میں سپوس پالیسی
کا خقدار بھی ہو چونکہ میری بیوی بھی یہاں پر سروس کرتی ہے سپوس پالیسی کے رولز
میں صاف واضح ہیں کہ ایک سٹیشن سے دوسرے سٹیشن تبادلہ نہیں ہو سکتا دونوں میاں
بیوی ایک سٹیشن میں رہینگے اور پھر بھی میرا تبادلہ ضلع چارسدہ کر دیا گیا ہے
اور اس طرح میرا ایک بھائی ندیم جو ڈرائیور پوسٹ پر کام کرتا ہے جو اس سٹیشن
ڈسٹرکٹ ایجوکیشن آفس فیمل میں 24/09/2021 سے ڈیوٹی سرانجام دے رہا ہے اس
کا بھی میرے ساتھ ایک آرڈر میں ٹرانسفر کر دیا گیا ہے جس کا ٹینیور بھی پورا نہیں ہوا
ہے۔ اور اس کا تبادلہ بھی کر دیا گیا ہے ہماری ساتھ سراسر زیادتی ہیں اور الیکشن
کمیشن کے نوٹیفیکیشن کے مطابق ٹرانسفر پر مکمل پابندی ہے (نوٹیفیکیشن منسلک ہے)
اور اس کے باوجود بھی ہمارا تبادلہ کر دیا گیا ہے ہماری ساتھ بہت زیادہ زیادتی ہوئی ہے
اور یہ آرڈر سیاسی اسر و سوح بغض اور علاقائی تنازعات اور انانیمس کمپلینٹ کے
زریعے ہوا ہے انانیمس کمپلینٹ پر ایلمنٹری اینڈ سیکنڈری ایجوکیشن کا ایک نوٹیفیکیشن
بھی موجود ہے جس میں صاف لکھا گیا ہے انانیمس کمپلینٹ پر بلکل عمل نہیں ہوگا جو
منسلک ہے۔

اسلئے آپ صاحبان سے بذریعہ درخواست التماس کی جاتی ہیں کہ ہم ضلع مہمند کے
مستقل باشندے ہیں ہمارے ساتھ بہت زیادہ زیادتی ہوئی ہے جو صاف دیکھ رہا ہے الیکشن
کمیشن کے نوٹیفیکیشن کے رو سے اور سپوس پالیسی کے رو سے ڈاریکٹر ایجوکیشن
صاحب نے جو آرڈر 31/03/2023 نمبر 63-18456 جاری کیا ہے اس کے منسوخی
کے احکامات صادر فرماویں شکریہ

غین نواز شہ بوگی

العارض

تاریخ 04/04/2023

اپکے تابعدار ارشد علی کمپوٹر اپریٹر ڈسٹرکٹ ایجوکیشن آفس فیمل ضلع مہمند

Copy to:-

1. Director Education Elementary & Secondary Education KPK Peshawar.
2. Additional Director (NMDs) Education Elementary & Secondary Education KPK Peshawar.
3. District Education Officer Mohmand (Female)

CS CamScanner

Scanned with CamScanner

15

بخدمت جناب سیکرٹری ایجوکیشن ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختون خواہ
اپیل/ درخواست برائے ٹرانسفر آرڈر کنسلٹیشن
(ارڈر نمبر 63-18456 تاریخ 31/03/2023 منسلک ہے)

جناب عالی

مردابانہ گزارش ہے کہ میں ارشد علی ضلع مہمند کا مستقل باشندہ ہوں بطور کمپوٹر
اپریٹر (بی ایس 16) ڈسٹرکٹ ایجوکیشن آفس فیمل میں ڈیوٹی سرانجام دے رہا ہوں اس
سے پہلے میں بطور کمپوٹر اپریٹر (بی ایس 16) ڈسٹرکٹ ایجوکیشن آفس میل میں ڈیوٹی
سرانجام دے رہا تھا۔ ڈسٹرکٹ ایجوکیشن آفس فیمل ضلع مہمند نیا اسٹبلش ہوا ہے ڈائریکٹر
ایجوکیشن صاحب نے میرا آرڈر ڈسٹرکٹ ایجوکیشن آفس فیمل میں 21/11/2022 تاریخ
پر (ارڈر نمبر 26-12901) کر دیا تھا۔ حال ہی میں دوبارہ ڈائریکٹر ایجوکیشن صاحب نے
میرا آرڈر 31/03/2023 دوسرے ڈسٹرکٹ ضلع چارسدہ کر دیا ہے (ارڈر نمبر 63-18456
تاریخ 31/03/2023)۔ میرے اس آفس میں پانچ مہینے بھی پورے نہیں ہوئے میرا
ٹرانسفر کر دیا گیا ہے رولز کے مطابق میرا ٹینیور بھی پورا نہیں ہوا ہے اور میرا
ٹرانسفر ضلع مہمند سے دوسرے ضلع چارسدہ پر کر دیا گیا ہے۔ اور میں سپوس پالیسی
کا ختار بھی ہو چونکہ میری بیوی یہاں پر سروس کرتی ہے سپوس پالیسی کے رولز
میں صاف واضح ہیں کہ ایک سٹیشن سے دوسرے سٹیشن تبادلہ نہیں ہو سکتا دونوں میں
بیوی ایک سٹیشن میں رہینگے اور پھر بھی میرا تبادلہ ضلع چارسدہ کر دیا گیا ہے
اور اس طرح میرا ایک بیانی ندیم جو ڈرائیور پوسٹ پر کام کرتا ہے جو اس سٹیشن
ڈسٹرکٹ ایجوکیشن آفس فیمل میں 24/09/2021 سے ڈیوٹی سرانجام دے رہا ہے اس
کا بھی میرے ساتھ ایک آرڈر میں ٹرانسفر کر دیا گیا ہے جس کا ٹینیور بھی پورا نہیں ہوا
ہے۔ اور اس کا تبادلہ بھی کر دیا گیا ہے یہ ہمارے ساتھ سراسر زیادتی ہیں اور الیکشن
کمیٹن کے نوٹیفیکیشن کے مطابق ٹرانسفر پر مکمل پابندی ہے (نوٹیفیکیشن منسلک ہے)
اور اس کے باوجود بھی ہمارا تبادلہ کر دیا گیا ہے ہمارے ساتھ بہت زیادہ زیادتی ہونی ہیں
اور یہ آرڈر سیاسی اسر و سوج بخص اور علاقائی تنازعات اور انانیمس کمپلینٹ کے
زریعے ہوا ہے انانیمس کمپلینٹ پر ایلمنٹری اینڈ سیکنڈری ایجوکیشن کا ایک نوٹیفیکیشن
بھی موجود ہے جس میں صاف لکھا گیا ہے انانیمس کمپلینٹ پر بالکل عمل نہیں ہوگا جو
منسلک ہے۔

اس لئے آپ صاحبان سے بذریعہ درخواست التماس کی جاتی ہیں کہ ہم ضلع مہمند کے
مستقل باشندے ہیں ہمارے ساتھ بہت زیادہ زیادتی ہونی ہیں جو صاف دیکھ رہا ہے الیکشن
کمیٹن کے نوٹیفیکیشن کے رو سے اور سپوس پالیسی کے رو سے ڈائریکٹر ایجوکیشن
صاحب نے جو آرڈر 31/03/2023 نمبر 63-18456 جاری کیا ہے اس کے منسوخی
کے احکامات صادر فرمادیں شکریہ

SECRETARY DIAR

No. 4699

Dated 21/4/2023

غین نواز شہ

العارض

تاریخ 04/04/2023

اپکے تابعدار ارشد علی کمپوٹر اپریٹر (بی ایس 16) ڈسٹرکٹ ایجوکیشن آفس فیمل اور
ندیم ڈرائیور ڈسٹرکٹ ایجوکیشن آفس فیمل ضلع مہمند

Copy to:-

1. Director Education Elementary & Secondary Education KPK Peshawar.
2. Additional Director (NMDs) Education Elementary & Secondary Education KPK Peshawar.
3. District Education Officer Mohmand (Male)
4. District Education Officer Mohmand (Female)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-9223587)

E 16

No. SO(Primary-M)E&SED/5-1//G.Misc/2023/Mohmand
Dated Peshawar the April 26th, 2023

To

1. Arshad Ali Computer Operator
2. Nadeem Driver,
District Education Officer (Female),
Mohmand.

Subject: **APPEAL FOR CANCELLATION OF TRANSFER ORDER.**

I am directed to refer to your appeal dated 4th April, 2023 on the subject noted above and to state that your appeal was examined and opportunity of personal hearing was also accorded to you on 13 April, 2023 before Additional Secretary (Estab) Elementary & Secondary Education Department vide letter No SO (Primary-M)E&SED/5-1/G.Misc/2023/Mohmand dated 10 April, 2023.

2. During personal hearing you could not convince the forum regarding the subject posting/transfer as the current station is also approachable from your district of residence. Moreover, posting/transfer is part of service and effected in public interest. Hence, your appeal stand rejected.

(ABDUL HAQ)
SECTION OFFICER (PRIMARY MALE)

Endst: No & Date Even: -
Copy forwarded to the:

1. Director Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. The District Education Officer (Female) Mohmand.
3. PS to Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa.

SECTION OFFICER (PRIMARY MALE)



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.

iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.

v) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.

vi) While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.

vii (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 DFOs/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.

Para-(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter (No: SOR-VI(E&AD)1-4/2008, dated 21-07-2004

ATTESTED

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Posting - Transfer Policy - updated till 10 Jan, 2005

viii) No posting/transfers of the officers/officials on detailment basis shall be made.

ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.

x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

xi) Officers/officials except DCOs and DPO/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-Lt: 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-17 & 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.	

1 Added vide Urdu circular letter No: SCR-VI (G&ADYI-4/2005, dated 9-9-2005.

ATTESTED

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Posting - Transfer Policy - updated till 10 Jan, 2009

a) Within the same Department.	Secretary of the Department concerned.
b) To and from an Attached Department.	Secretary of the Dept in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another.	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.

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 posting/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.

ATTESTED

[Handwritten signature]

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Posting - Transfer Policy - updated till 10 Jan, 2009

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

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

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

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer, (Authority: Letter No: SOR-VI/E&AD/1-4/2002 dated 24-6-2002).

(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.

SPECIMEN NOTIFICATION

GOVERNMENT OF NWFP
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO: _____ The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

CHIEF SECRETARY
GOVERNMENT OF NWFP

Enclat. No. and date even.
Copy forwarded

- 1.
- 2.
- 3.
- 4.

ATTESTED

nwfp.gov.pk

mushknawati

Signature and stamp area

(NAME)
SECTION OFFICER
Administrative Department

(Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 23-12-2006)

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/86 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the NWFP Government Rules of Business, 1986 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest, subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.
(Authority: Letter No: SOR-VI (E&AD) 1-4/2003/Vol-VI, dated 3-6-2003.)

.....
According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.
(Authority: Unit circular No: SOR-VI (E&AD)/06 dated 28th Oct, 2005.)
.....

The Chief Minister NWFP has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;

ATTESTED

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v) In case of direct submission of application to the Chief Minister, Secretariat for Posting/Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

(Authority: Urdu circular No: SOR-VI/E&AD/1-4/2003, dated 86-2004. Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2005.)

- i) It has been decided with the approval of the competent authority that: Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) NWFP Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

(Authority: Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005)

The competent authority has decided that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the NWFP Govt Servants (Conduct) Rules 1987 shall be proceeded against under the NWFP Removal from Service (Special Powers) Ordinance 2000. As required under the NWFP Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting officers/officials be taken to task & copies to this effect shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

(Authority: Urdu circular No: SOR-VI (E&AD)/1-4/06, dated: 29-6-2007)

PLACEMENT POLICY.

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go to the parent organization of the participant from where the individual had applied. This will be in consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.
- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and then the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the

Placement Policy has been made part of the posting/transfer policy rule thru circular No SOR-VI/E&AD/1-4/06, dt 9-9-2007

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Posting - Transfer Policy - updated till 10 Jan, 2009


officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:

- a) Permanent posting of an officer to the training institutions for 2-3 years;
- b) Temporary attachment with the training institutions for 3 to 6 months for some research project on helping in developing case studies;
- c) Barmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participant will decline/represent against his/her posting.

ATTESTED

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
 (REGULATION WING)
 NO. SOR.VI (E&AD)1-4/2005/Vol-II
 Dated Peshawar, 27th February, 2013

Establishment Department
 Khyber Pakhtunkhwa
 Peshawar
 27-2-2013

To
[Handwritten signature]

1. The Additional Chief Secretary (P&D), Khyber Pakhtunkhwa.
2. The Additional Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. All Commissioners in Khyber Pakhtunkhwa.

Subject: CONSTITUTION PETITION NO:23 OF 2012 OUT OF SUO MOTO CASE NO. 3/2012 (PETITION BY MS. ANITA TURAB FOR PROTECTION OF CIVIL SERVANTS REGISTERED UNDER ARTICLE 184 (3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.)

Sir,

I am directed to refer to the subject noted above and to state that the Supreme Court of Pakistan vide the subject cited judgment has enunciated the following principles of Law with regard to protection and conduct of civil servants.

(i) **Appointments, Removals and Promotions:** Appointments, removals and promotions must be made in accordance with the law and the rules made thereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.

[Handwritten initials]

[Handwritten initials]

(ii) **Tenure, Posting and Transfer:** When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

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(iii) Legal Orders: Civil servants owe their first and highest allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule-based norms. Instead, in such situations, they must record their opinion and, if necessary, dissent.

(iv) OSD: Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.

2. I am, therefore, directed to request you to note the above principles of law for strict compliance.

Yours faithfully,

Majam
(NAJ-MJS-SAHAR)
SECTION OFFICER (REG-VI)

Encl: as above.
A copy is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Registrar, Peshawar High Court, Peshwar.
6. The Secretary Khyber Pakhtunkhwa, Public Service Commission.
7. All Addl. Secretaries Establishment & Administration Department.
8. All Deputy Secretaries in Establishment & Administration Department.

Majam
SECTION OFFICER (REG-VI)

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ELECTION COMMISSION OF PAKISTAN
NOTIFICATION

Islamabad the 22nd January, 2023

F.No.2(1)/2023-Cord.- WHEREAS, the Provincial Assemblies of Punjab and Khyber Pakhtunhwa under Article 112 of the Constitution of the Islamic Republic of Pakistan stand dissolved on 14th and 18th January, 2023 respectively.

AND WHEREAS, the Election Commission of Pakistan is mandated with the constitutional duty to organize and conduct elections in terms of Article 218(3) of the Constitution and to make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with the law and that corrupt practices are guarded against;

AND WHEREAS, it has become imperative that the Election Commission shall take all necessary steps under the Constitution and prevalent law for smooth conduct of General Elections to the Provincial Assemblies of Punjab and Khyber Pakhtunhwa.

NOW THEREFORE, in exercise of the powers conferred upon it under Articles 218(3), 220 of the Constitution of the Islamic Republic of Pakistan, Sections 4, 5, 8(c) read with Section 230 of the Elections Act, 2017 and as supported by the Workers' Party case through Akhtar Hussain Advocate, General Secretary and 6 others Versus Federal of Pakistan and 2 others reported in PLD 2012 SC 681, and all the other powers enabling it in that behalf, the Election Commission of Pakistan, to ensure transparent election and to provide a level playing field for all contesting candidates and political parties, hereby directs the Caretaker Governments of Punjab and Khyber Pakhtunhwa:-

- (a) To assist the Election Commission to hold elections in accordance with law as provided under section 230(1)(b) of the Elections Act, 2017.
- (b) To ensure the compliance of all the notifications, directives and the provisions as laid down in Section 230 of the Act *ibid*.
- (c) Not to post or transfer any public official after the issuance of this notification within and to / from Punjab & Khyber Pakhtunhwa without prior approval in writing of the Election Commission as laid down in Clause 2(f) of Section 230 of the Elections Act, 2017.
- (d) Ensure that all kinds of recruitments in any Ministry, Division, Department or Institution under the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunhwa are banned with immediate effect, except recruitments by the Provincial Public Service Commissions and those government organizations where test / interviews have already been conducted before this day.
- (e) Not to announce / execute any kind of Development Schemes in Punjab and Khyber Pakhtunhwa Provinces except those which are ongoing and approved before the issuance of this notification. Moreover, the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunhwa shall not issue tenders of such schemes till culmination of General Elections of both Assemblies.

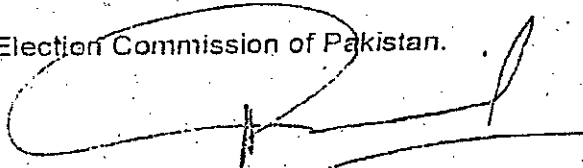
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- (f) All development funds relating to Local Government institutions of Punjab and Khyber Pakhtunkhwa and Cantonment Boards falling in the jurisdiction of Punjab and Khyber Pakhtunkhwa shall stand frozen with immediate effect till announcement of results of the said General Elections.
- (g) To ensure immediate termination of services of all heads of the institutions appointed on political basis and to send their lists to the Commission forthwith.
- (h) To ensure vacation of the government residential facilities from Ex-Chief Ministers and their advisors, Ex-Provincial Ministers and Ex-Members of the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa, besides ensuring withdrawal of official vehicles from them. Furthermore, the dignitaries shall be provided security / protocol as per their entitlement and any extra deployment of security / protocol be withdrawn from them forthwith.
- (i) The Caretaker Governments shall perform their functions and attend to day-to-day matters which are necessary to run the affairs of the Provinces in accordance with law.
- (j) The Chief Minister or a Minister or any other member of Caretaker Governments shall, within three days from the date of assumption of office, submit to the Commission, a statement of assets and liabilities including assets and liabilities of his spouse and dependent children as on the preceding 30th day of June on Form B.

This issues with the approval of Election Commission of Pakistan.



(Omar Hamid Khan)

Secretary

Election Commission of Pakistan

1 (28)

THROUGH SPECIAL MESSENGER
PROVINCIAL ASSEMBLY ELECTIONS-
2023



No.F.3 (2)/2023-EIs (PEC) Vol-5
OFFICE OF THE
PROVINCIAL ELECTION COMMISSIONER
KHYBER PAKHTUNKHWA

Shami Road, Peshawar Cantt,
Monday, January 23, 2023

1. The PSO to Chief Secretary,
Govt. of Khyber Pakhtunkhwa.
2. The PSO to Provincial Police Officer,
Khyber Pakhtunkhwa
3. The Principal, Secretary, to Governor
Khyber Pakhtunkhwa.
4. The Principal Secretary to Chief Minister,
Khyber Pakhtunkhwa
5. The Secretary,
Home and Tribal Affairs,
Govt. of Khyber Pakhtunkhwa
6. The Secretary,
Establishment,
Govt. of Khyber Pakhtunkhwa
7. The Secretary,
Local Govt. & Rural Dev. Department,
Govt. of Khyber Pakhtunkhwa
8. The Secretary,
Elementary Education
Govt. of Khyber Pakhtunkhwa
9. The Secretary,
Higher Education
Govt. of Khyber Pakhtunkhwa.
10. The Secretary,
Provincial Assembly,
Khyber Pakhtunkhwa, Peshawar.

Handwritten notes: *Amrta*, *MS (AS)*, *MS (AS)*, *pleas*, *Dear Sir*, *to all concerned*, *ESSE*, *strict compliance*, *24/1/23*

Subject: - ECP INSTRUCTIONS REGARDING BAN ON POSTING/
TRANSFERS AND ANNOUNCEMENT OF DEVELOPMENT
SCHEMES FOR CONDUCT OF PROVINCIAL ASSEMBLY
ELECTIONS IN KHYBER PAKHTUNKHWA.

Dear Sir,
I am directed to enclose herewith the Election Commission of Pakistan, Islamabad's Notification No.F.2(1)/2023-Cord, dated the 22nd January 2023, for kind information and with the request that the instructions of the Hon'ble Election Commission, contained therein, may kindly be conveyed to all concerned for compliance in letter and spirit.

SECRETARY DIAP

No. 1113

Dated 24/1/23

Yours faithfully,

(KASHIF ABBAS MALIK)
Deputy Director (Elections)

Handwritten signature: *DS (Admin)*
S6261

Encl:- As above

Handwritten notes: *Instruction Ban on Transfer*, *ASG*, *26-1-23*, *26/1/23*



29

**Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department**

No. SOG/E&SED/2-5/2023
Dated Peshawar the 26/01/2023

To

1. All Directors, E&SE Khyber Pakhtunkhwa.
2. Director General, Education Monitoring Authority, Peshawar.
3. Managing Director, KP-PSRA, Peshawar.
4. Managing Director ESEF, Khyber Pakhtunkhwa.
5. All Chairmen, BISEs in Khyber Pakhtunkhwa.
6. Chairman, Khyber Pakhtunkhwa, Textbook Board, Peshawar.

Subject:

**ECP INSTRUCTIONS REGARDING BAN ON POSTING/TRANSFERS
AND ANNOUNCEMENT OF DEVELOPMENT SCHEMES FOR
CONDUCT OF PROVINCIAL ASSEMBLY ELECTIONS IN KHYBER
PAKHTUNKHWA.**

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. F:3(2)/2023-EIs (PEC) Vol-5 dated 23-01-2023 alongwith its enclosure received from Deputy Director (Elections), Office of the Provincial Election Commissioner Khyber Pakhtunkhwa, Peshawar for further necessary action and strict compliance, please.

Encl: As Above


Section Officer (General)

Endst: No. & date even.

Copy forwarded to the:

1. Deputy Director (Elections), Office of the Provincial Election Commissioner Khyber Pakhtunkhwa Peshawar.
2. P.S to Secretary, E&SE Department.
3. P.S to Special Secretary-I, E&SE Department.
4. P.A to Additional Secretary (G), E&SE Department.
5. P.A to Deputy Secretary (Admn), E&SE Department.


Section Officer (General)

I-30 156

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)
No. SOR-VI/E&ADM-4/2010/Vol-VIII
Dated Peshawar, the 07th August, 2012

To

3. The Additional Chief Secretary, Planning & Development Department, Government of Khyber - Pakhtunkhwa, Peshawar.
2. The Additional Chief Secretary (FATA), FATA Secretariat, Peshawar.
3. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
4. All the Administrative Secretaries to Government of Khyber Pakhtunkhwa.
5. All the Divisional Commissioners in Khyber Pakhtunkhwa.
6. All Heads of the Attached Departments in Khyber Pakhtunkhwa.
7. All the District Coordination Officers in Khyber Pakhtunkhwa and Political Agents in FATA.

Subject: POSTING OF SERVING HUSBAND/WIFE AT THE SAME STATION OF THE PROVINCIAL GOVERNMENT.

Dear Sir,

I am directed to refer to the subject noted above and to state that keeping in view the Socio economic Problems and hardships faced by husbands and wives in Government Service due to posting at different station of duty, the competent authority has been pleased to prescribe the following guideline to facilitate posting of husband and wife at the same station:-

- i) Where a request is made for posting at a different station in the same department/service/cadre in which an employee is already serving, the request may be accepted subject to availability of a post in the same BPS.
- ii) If request involves temporary deputation to another department, it may be processed in consultation with the concerned department and may be accepted on the prescribed terms of deputation subject to availability of a post in the same BPS.
- iii) If there is a tie between two or more Government servants for posting at the same station in the same department/unit of an

AC(R)

Commissioner Peshawar

D/No 9710-2-2012 Dated 10/8/12

10/8/12
Supl

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organization, the Government servant with greater length of service may be preferred.

(iv) Request for posting by a spouse facing serious medical problems may be accorded highest priority.

v) Spouses already posted at one station, including those posted on deputation may normally not be disturbed without compelling reasons of public interest. Requests for extension of deputation period beyond the permissible limit may be considered with compassion if interests of public service would permit.

2. Kindly acknowledge receipt.

Yours faithfully

Mojam
7/8/12
(NAJ-MUS-SAHAR)
SECTION OFFICER (REG:VI)

Endst No. & date even.

Copy forwarded to:

1. The Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Registrar, Peshawar High Court, Peshawar.
4. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
5. The Director General, Provincial Disaster Management Authority.
6. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.
7. Private Secretaries to all Provincial Ministers in Khyber Pakhtunkhwa.
8. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
9. Private Secretary to Secretary Establishment Department.
10. Private Secretary to Secretary Administration Department.
11. The Incharge Resource Centre, Estt. & Admn. Department.

Mojam
7/8/12
SECTION OFFICER (REG:VI)

ATTESTED

[Signature]



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA**



091-9220481



deom.ca@kpete.gov.pk



facebook.com/Deomcharsadda



NO. 3969

Dated: 12/1/2023


To,

The Director,
(E&SE) Khyber Pakhtunkhwa
Peshawar.

Subject: - **NOTIFICATION**
Memo.

I am directed to refer to your good office Notification Endst: No. 18456-63 dated 31.03.2023 on the subject cited above and to submit that there is no vacant post of Computer Operator under the jurisdiction of the undersigned.

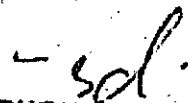
The report is submitted for your kind perusal please


DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

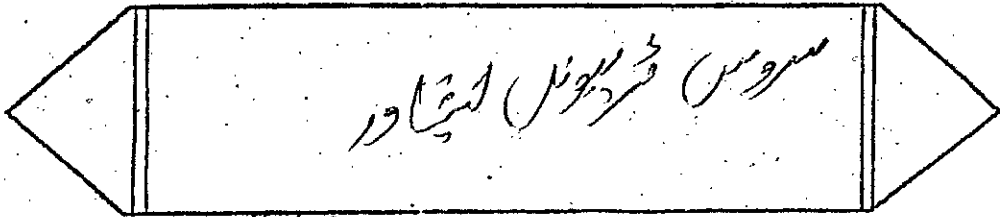
Endst: No. _____ / Dated Charsadda the _____ / _____ / 2023

Copy for information to the:-

1. District Education Officer (Male & Female) District Mohmand
2. Official Concerned.
3. Master file.
- 4.


DISTRICT EDUCATION OFFICER
(MALE) CHARSADDA

بعدالت



ارشد علی 2ء مخائب
ارشد علی بنام محمد حکیم لیسٹ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام لیسٹیاور کیلئے سرورس شریکونل لیسٹیاور کا
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کیلئے طرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیارات حاصل ہوں گے اور اس کا ساختہ
پر داخلہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جہاں اتوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندر ہے۔

Accepted
Attest

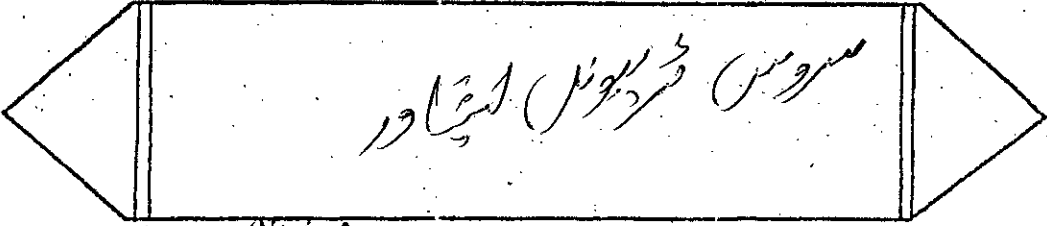
المرقوم _____ ماہ _____ 20

العبد _____ واہ العبد

کے لئے منظور ہے۔

بمقام

بعدالت



ارشد علی بنام محمد حسین
ارشد علی بنام محمد حسین

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کراچی کیلئے مدرسہ اسلامیہ کراچی اور مدرسہ اسلامیہ کراچی
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو براہی نامہ کرنے و تقرر حالت فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ نیا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا کالت نامہ لکھد یا کہ سند ہے۔

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