


24.01.2023

Proper D.B. is not available, therefore the case is

adjudged to 02.5.2023 for the same as before.

Reader


02nd May, 2023

1. Mr. Mir Zaman Sati, Advocate present and submitted fresh

Wakalatnama in favour of the appellant, which is placed on

file. Mr. Asad Ali Khan, Assistant Advocate General for the

respondents present.

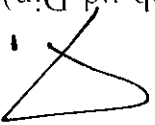
2. Learned counsel for the appellant seeks adjournment on the


ground that he has been newly engaged in the instant appeal

and has not gone through the brief. Last opportunity granted

To come up for arguments on 15.05.2023 before the D.B.

Parcha Peshi is given to the parties.

(Salah-ud-Din)
Member (J)


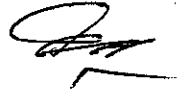
(Kalim Arshad Khan)
Chairman


SCANNED
BEST
Peshawar

Naeem Amin

16-8-22

*Due to business matters the case is adjourned
to 4.11.22, for the same.*

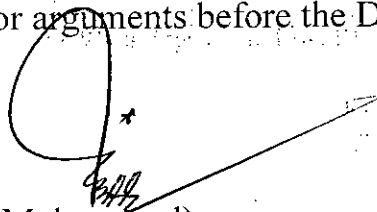


04.11.2022

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

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 06.12.2022.

SCANNED
KPST
Peshawar



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

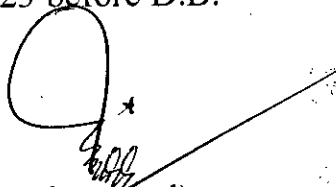
06.12.2022

Husband of the appellant on behalf of appellant present.

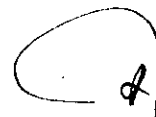
Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Former requested for adjournment on the ground that senior counsel for the appellant is busy in Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 24.01.2023 before D.B.

SCANNED
KPST
Peshawar

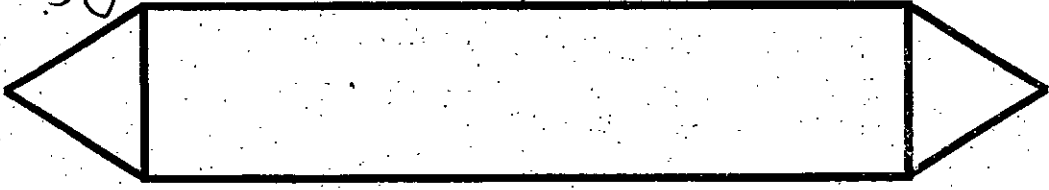


(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

بعدالت ضمنی بنوخوا سرو سن ٹریبونل دہی



مورخہ

مقدمہ نمبر 14226/2020

دعویٰ

جرم

سہ 2 منجانب

سمیرا نسیم

بنام ایجوکیشن ڈیپارٹمنٹ

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کسٹم کیلئے صدر زمان صافی ایڈووکیٹ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں 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 محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی 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 مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2023ء

ماہ اپریل

27

المرقوم

العبد د گ واه العبد

Accepted by
Miss Zaman Saffi
Adv: M. J.

05.04.2022

Counsel for the appellant present. Mr. Kabirullah Khattak Adl. AG for respondents present. Written reply on behalf of respondent No.1, 3 & 4 have already been submitted. None present on behalf of respondent No. 2 despite of notices. Hence right of defense to submit reply is struck off.

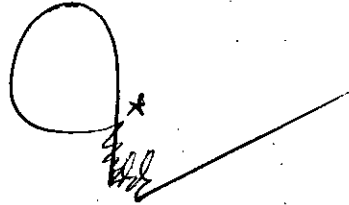


Chairman


09.05.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 14.06.2022.



(Mian Muhammad)
Member(E)

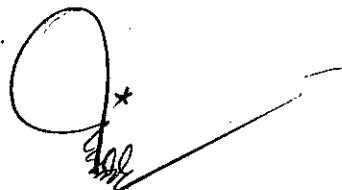


(Salah Ud Din)
Member(J)

14.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 16.08.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

21.10.2021

Appellant present through counsel.

Asif Masood Ali Shah, learned Deputy District Attorney for respondents present.


Reply on behalf of respondents was not submitted. Learned D.D.A made a request for adjournment. Last chance is given with direction to furnish the same within 10 days positively. If the reply/comments are not submitted within stipulated time, the right of respondents for submission of comments shall be deemed as struck off. To come up for arguments on 01.02.2022 before D.B.


(Rozina Rehman)
Member (J)


Chairman

01.02.2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG^E Mr. Arshad Khan ADEO on behalf of respondents No. 1, 3 & 4 present and submitted reply/comments. None present on behalf of respondent No. 2, therefore, notice be issued to respondent No. 2 for submission of reply/comments. Last opportunity is granted. To come up for reply/comments before the S.B on 05.04.2022.


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

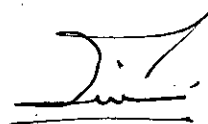
08.09.2021

Mr. Fazal Shah Mohmand, Advocate, for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 21.10.2021.



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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

05.07.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

An application has been filed seeking interim relief with the direction for reservation of the PST post for appellant in District Peshawar but in view of the particular nature of relief sought in the main appeal, the case for interim relief had not made out, therefore, the application for interim relief is dismissed.

Respondents have not submitted reply/comments. They are required to submit reply/comments within 10 days in office, positively. In case the respondents have not submitted reply/comments within stipulated time or sought extension of time, office shall put up the appeal with a report of non-compliance. To come up for arguments on 08.09.2021 before S.B.

Stipulated period has passed, reply has not been submitted.


Chairman

P.S

28.07.2021 Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.


Chairman

08.03.2021

Junior to counsel for the appellant present. Addl: AG
for respondents present.

Written reply not submitted. Learned Additional
Advocate General seeks time to contact the respondents for
submission of written reply/comments.

Adjourned to 18.05.2021 before S.B.



(Mian Muhammad)
Member (E)

18.05.2021

Due to demise of the Worthy Chairman, the Tribunal is
non-functional, therefore, case is adjourned to
05.07.2021 for the same as before.



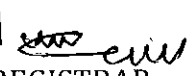

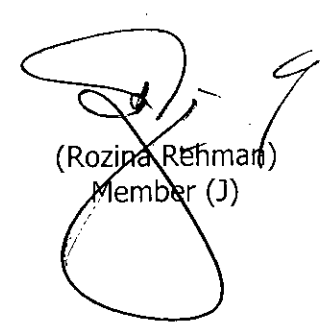
Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 14226 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/11/2020	<p>The appeal of Mst. Sumaira Naseem presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/12/2020</u>.</p> <p> CHAIRMAN</p>
	09.12.2020	<p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 08.03.2021 before S.B.</p> <p> (Rozina Rehman) Member (J)</p>

Appellant Deposited
Sec. Fee & Process Fee
09/12/20

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No U226 /2020

Sumaira Naseem.....Applicant/Appellant.

V E R S U S

DEO and Others.....Respondents.


INDEX

S No	Description of Documents	Annexure	Pages
1.	Service appeal		1-3
2.	Application for interim relief with affidavit		4
3.	Copies of CNICs	A & B	5-6
4.	Copy of Order dated 06-08-2015 & Pay Slip	C & D	7-8
5.	Copy of Order dated 23-05-2011, Certificate 07-10-2017, Pay Slip & Mutation No 26098 dated 21-06-2019	E, F, G & H	9-12
6.	Copy of departmental appeal & Letters	I	13-16
7.	Copy of Advertisement & List of vacant posts	J	17-21
8.	Vakalat Nama		22

Dated:-10-11-2020


Appellant

Through


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301-8804841
Email:- fazalshahmohmand@gmail.com

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2020

Sumaira Naseem, Primary School Teacher (BPS-12), Govt. Girls School Kalan No 2, Mamoond District Bajaur, R/O House No 618 Mohalla, Kucha Malak Wazir, New Kakshal Peshawar City.

.....**Appellant**

V E R S U S

1. District Education Officer (Female) Peshawar.
2. District Education Officer (Female) Bajaur.
3. Director, Elementary & Secondary Education, Govt. of Khyber Pakhtunkhwa, Peshawar.
4. Secretary, Elementary and Secondary Education, Govt. of Khyber Pakhtunkhwa, Peshawar.....**Respondents**

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 FOR DIRECTING RESPONDENTS TO TRANSFER THE APPELLANT FROM DISTRICT BAJAUR TO DISTRICT PESHAWAR AS PER SPOUSE POLICY FOR WHICH DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED SO FAR DESPITE THE LAPSE OF MORE THAN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal, respondents may kindly be directed to transfer the appellant from District Bajaur to District Peshawar as per the Spouse Policy.

Respectfully Submitted:-

1. That the appellant is the bonafide resident of District Peshawar who is married to Jaffar Shah S/O Muhammad Zahir Shah R/O House No 618 Mohalla, Kucha Malak Wazir, New Kakshal Peshawar City. **(Copies of CNICs are enclosed as Annexure A & B).**
2. That the appellant is presently posted as Primary School Teacher (BPS-12) (hereinafter referred to as PST), who during her long service career has been transferred time and again and is posted to Govt. Girls School Kalan No 2, Mamoond District Bajaur. **(Copy of Transfer Order dated 06-08-2015 & Pay Slip of the appellant is enclosed as Annexure C & D).**
3. That since long the appellant is making requests to respondents that as besides her marriage to District Peshawar, her husband is serving as Junior Trade Instructor since 03-02-2007 in Govt.

College of Technology Peshawar and also owns a home along with her husband but to no avail. **(Copy of Office Order dated 23-05-2011, Certificate dated 07-10-2017, Pay Slip & Copy of mutation No 26098 dated 22-06-2019 is enclosed as Annexure E, F, G & H).**

4. That the appellant submitted Departmental appeal, on 28-07-2020 vide diary No 1204 of even date requesting her transfer from District Peshawar to District Bajaur, as per Spouse Policy which was duly processed but to no avail till date. **(Copy of Appeal and Letter dated 10-08-2020 & Letter dated 12-08-2020 are enclosed as Annexure I).**
5. That this action of respondents of not transferring the appellant as per Spouse Policy is, against the law, facts and principles of justice on grounds inter alia as follows:-

GROUND:-

- A. That the inaction of respondents is illegal and void ab-initio.
 - B. That the appellant is serving at District Bajaur while her husband is serving at Peshawar, thus as per the Spouse Policy the appellant is entitled to be posted at District Peshawar.
 - C. That the appellant is the permanent resident of District Peshawar since her marriage and also owns a house jointly with her husband, as such is entitled to be transferred and posted to District Peshawar.
 - D. That since long the appellant is posted at District Bajaur while her husband is posted at District Peshawar, as such is badly suffering in terms of her family life and children, thus the justice demand that she be posted at the station of her husband.
 - E. That even 486 vacant posts of PST are there at District Peshawar which have been advertised by the respondents in November 2020 and against one of these the appellant could be transferred and posted. **(Copy of Advertisement & list of vacant posts is enclosed as Annexure J).**
 - F. That the laws are made for the welfare, facilitation and protection of the people and the Spouse policy is one of them, while even then the appellant is denied treatment according to law which is her fundamental right.
 - G. That the law and rules are very much clear on the subject which in categorical terms protects the rights of the appellant.
 - H. That keeping in view the hardships and sense of insecurity being female, the appellant is entitled to be transferred and
-

posted at the station of her husband, so that the appellant is able to live life with her family.

- I. That even there is no complaint of any sort against the appellant and she is serving since long.
- J. That mandatory provisions of law have been violated by the respondents by not extending the appellant the benefits of beneficial policy.
- K. That the appellant seeks the permission of this honorable Tribunal for further/additional grounds at the time of arguments.

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

Any other relief deemed appropriate in the circumstances of the case and not specifically asked for may also be granted in favor of the appellant.

Dated:-10-11-2020

Through


Appellant


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2020

Sumaira Naseem.....Applicant/Appellant.

V E R S U S

DEO and Others.....Respondents.

APPLICATION FOR INTERIM RELIEF THEREBY RESTRAINING RESPONDENTS FROM FILLING ONE POST OF PST AT DSITRICT PESHAWAR TILL THE FINAL DISPOSAL OF TITLED APPEAL.

Respectfully Submitted:-

1. That the above titled appeal is being filed today, in which no date of hearing has been fixed so far.
2. That the facts and grounds of appeal may kindly be considered as integral part of this application.
3. That the applicant/appellant has got good prima facie case and is sanguine of its success.
4. That the balance of convenience also lies in favor of the applicant/appellant.
5. That vacant posts are available and if respondents are not restrained from filling one post of PST at District Peshawar, the applicant/appellant will suffer an irreparable loss.

It is therefore prayed that on acceptance of this application, the respondents may kindly be restrained from filling one post of PST at District Peshawar till the final disposal of the titled appeal.

Dated:-10-11-2020


Appellant

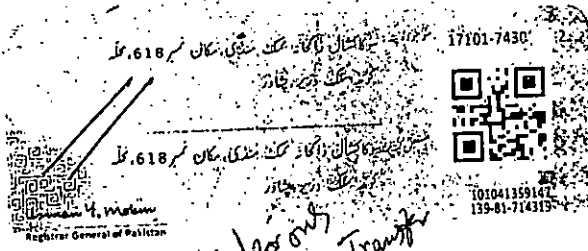
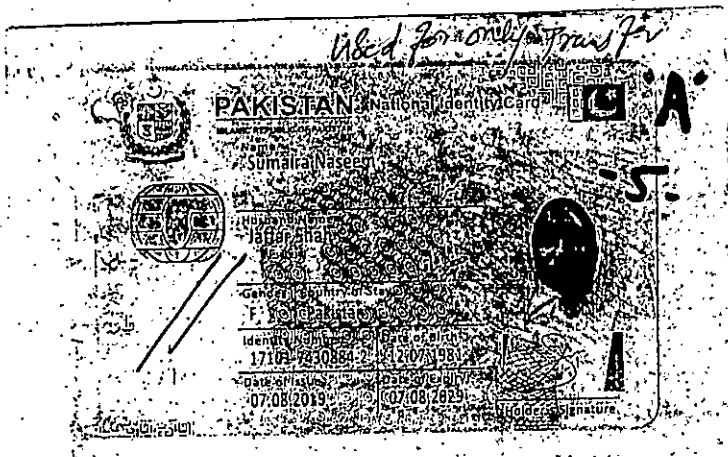
Through


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN

AFFIDAVIT

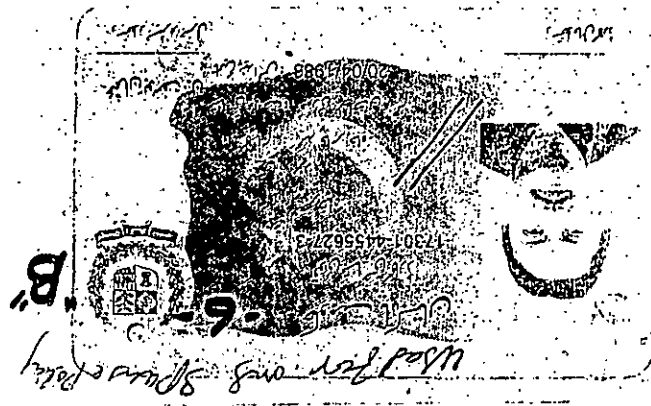
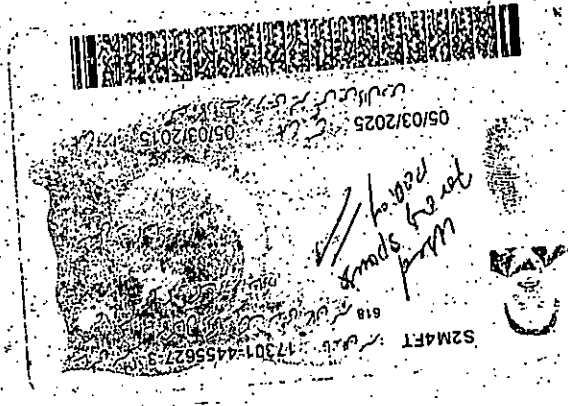
I, Sumaira Naseem, Primary School Teacher (BPS-12), Govt. Girls School Kalan No 2, Mamoond District Bajaur, R/O House No 618 Mohalla, Kucha Malak Wazir, New Kakshal Peshawar City, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT



گمشدہ کارڈ ملنے پر قریبی لیوڈ کس میں ڈال دیں

Transit





- 7 -

"C"

OFFICE OF THE AGENCY EDUCATION
OFFICER BAJAUR AGENCY AT KHIAR

TRANSFER ORDER

The transfer of the following PST female teachers is hereby ordered to the schools noted against their names on their own pay and scale in the interest of public service.

S.No	Name of Teacher	From	To	Remarks
1	Farkhanda Jabbar PST	GGPS Shingas Banda	GGPS Gori Shah	Vacant Post
2	Faheema PST	GGPS Bara Nawagai	GGPS Trass Nawagai	Vacant Post
3	Sajida Bibi PST	GGPS Larkhalozo	GGPS Umarai	Vacant Post
4	Sumaira Nasim PST	GGPS Mano Dherai No 2	GGPS Larkhalozo	Vacant Post


Note:

Charge report should be submitted.
No TA/DA is admissible.


Agency Education Officer
Bajaur Agency

Encls No: 412-15 Dated 6/8/2015
Copy of the above is forwarded to the;

1. Agency Accounts officer Bajaur.
2. AAEO Female concerned.
3. Accountant / Head Clerk of the local office.
4. Officials concerned.


Agency Education Officer
Bajaur Agency

Dist. Govt. KP-Provincial
District Accounts Office Bajaur at Khar
Monthly Salary Statement (October-2020)

-8-



"D"

Personal Information of Mr SUMIRA NASEEM d/w/s of NASEEM KHAN

Personnel Number: 00465426 CNIC: 1710174308842
 Date of Birth: 12.07.1981 Entry into Govt. Service: 29.12.2002

NTN:
 Length of Service: 17 Years 10 Months 004 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL TEACHER 80925840-DISTRICT GOVERNMENT KHYBE
 DDO Code: BJ6013-DEO Primary Education Bajaur
 Payroll Section: 001 GPF Section: 001 Cash Center: 15
 GPF A/C No: Interest Applied: No GPF Balance: 89,121.00
 Vendor Number: -
 Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 12 Pay Stage: 6

Wage type		Amount	Wage type		Amount
0001	Basic Pay	19,080.00	1000	House Rent Allowance	1,961.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1528	Unattractive Area Allow	2,850.00	2148	15% Adhoc Relief All-2013	290.00
2199	Adhoc Relief Allow @10%	208.00	2211	Adhoc Relief All 2016 10%	1,354.00
2224	Adhoc Relief All 2017 10%	1,908.00	2247	Adhoc Relief All 2018 10%	1,908.00
2264	Adhoc Relief All 2019 10%	1,908.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3012	GPF Subscription	-1,851.00	3501	Benevolent Fund	-600.00
3534	R. Ben & Death Comp Fresh	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till OCT-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 35,823.00 Deductions: (Rs.): -3,051.00 Net Pay: (Rs.): 32,772.00

Payee Name: SUMIRA NASEEM

Account Number: 893903

Bank Details: HABIB BANK LIMITED, 220386 KHAR, BAJAUR AGENCY. KHAR, BAJAUR AGENCY., BAJAUR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: BAJUR AGENCY

Temp. Address:

City:

Domicile: NW - Khyber Pakhtunkhwa

Email: jaffarshahgps@gmail.com

Housing Status: No Official

**OFFICE ORDER**

**GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL TECHNICAL EDUCATION
& MANPOWER TRAINING, PESHAWAR
BENEVOLENT FUND BUILDING PESHAWAR CANTT**

Consequent upon the recommendations of Departmental Selection Committee, the Competent Authority has been pleased to appoint Mr. Jaffar Shah S/O Mohammad Zahir Shah R/O Kocha Malik Wazir, H.No.618, new Kakshal Peshawar as Junior Trade Instructor (Electrical) in BPS-10 at Government Technical Institute (B) Khar (Bajaur Agency) against the vacant post with immediate effect on the terms and conditions: -

TERMS & CONDITIONS:-

- 1- He/She will for all intents and purposes, be Civil Servants except of purposes of pension or gratuity. In lieu of pension and gratuity, he/she will be entitled to receive such amount contributed by him/her towards Contributory Provident Fund (C.P:F) along with the contributions made by government to his/her account in the said fund, in the prescribed manner.
- 2- He/She will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all the laws applicable to the Civil Servants and Rules made there under.
- 3- He/She will, initially be on probation for a period of two years extendable up to three years.
- 4- His/Her services will be liable to termination at any time without assigning any reasons, before the expiry of the period of probation. If his/her work during this period is not found satisfactory, in such event he/she will be given a month's notice of termination from service or one month's pay in lieu thereof. In case he/she wishes to resign at any time, a month's notice shall be necessary or in lieu thereof a month's pay shall be forfeited.
- 5- His/Her services shall be liable to termination during initial/extended period of probation without any notice.
- 6- He/She will not be entitled to any TA/DA on his/her first appointment.
- 7- He/She shall produce medical fitness certificate from Medical Superintendent of the District concerned.
- 8- His/Her documents shall be subject to verification and in case of default this order may be cancelled by the appointing authority.
- 9- If the above terms and conditions are acceptable to him/her, he/she should report for duty to the Principal concerned within 30 days of the issue of this order failing which the offer of appointment will automatically be cancelled.

DIRECTOR GENERAL

DGTE&MT/Estt-II/A-18175948 (1-3)

Dated 23/10/2011.

Copy for forwarded for information and necessary action: -

- 1- The Agency Accounts Officer concerned.
- 2- The Principal concerned.
- 3- Mr. Jaffar Shah S/O Mohammad Zahir Shah R/O Kocha Malik Wazir, H.No.618, new Kakshal Peshawar
- 4- Personal file of the official concerned.
- 5- Office copy.

DEPUTY DIRECTOR (ADMN)



GOVERNMENT COLLEGE OF TECHNOLOGY

Kohat Road Peshawar, Pakistan. 25000.

Phone: +92 91 2320043-44 | Fax: +92 91 9212739

Email: GCT_Peshawar@kptepta.gov.pk Web: www.gctpesh.edu.pk




No. GCT/Pesh/Certificate/ 994

Dated. 27/12/2017

TO WHOM IT MAY CONCERN

It is to certify that Mr. Jaffar Shah S/O Muhammad Zahir Khan
NIC # 17301-4455627-3 is Government Employee of Khyber Pakhtunkhwa Technical
Education & Vocational Training Authority Peshawar.

Presently he is working as Junior Trade Instructor BPS-11 at this college.


Principal
Principal
Govt. College of Technology
Peshawar

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (October-2020)

-11-



Personal Information of Mr JAFFAR SHAH d/w/s of MUHAMMAD ZAHIR SHAH

Personnel Number: 00351657 CNIC: 1730144556273 NTN:
Date of Birth: 20.04.1983 Entry into Govt. Service: 03.02.2007 Length of Service: 13 Years 08 Months 030 Days

Employment Category: Active Temporary

Designation: JUNIOR INSTRUCTOR 80004045-GOVERNMENT OF KHYBER PAKH

DDO Code: PR5168-Principal Govt College of Technology Peshawar

Payroll Section: 008 GPF Section: 002 Cash Center:
GPF A/C No: Interest Applied: No GPF Balance: 76,163.00

Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 11 Pay Stage: 12

Wage type		Amount	Wage type		Amount
0001	Basic Pay	23,130.00	1001	House Rent Allowance 45%	2,778.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	446.00	2199	Adhoc Relief Allow @10%	333.00
2211	Adhoc Relief All 2016 10%	1,717.00	2224	Adhoc Relief All 2017 10%	2,313.00
2247	Adhoc Relief All 2018 10%	2,313.00	2264	Adhoc Relief All 2019 10%	2,313.00

Deductions - General

Wage type		Amount	Wage type		Amount
3011	GPF Subscription	-1,290.00	3501	Benevolent Fund	-600.00
3990	Emp.Edu. Fund KPK	-125.00	4004	R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till OCT-2020: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 39,699.00 Deductions: (Rs.): -2,615.00 Net Pay: (Rs.): 37,084.00

Payee Name: JAFFAR SHAH

Account Number: 02237900033903

Bank Details: HABIB BANK LIMITED, 220223 CITY BRANCH, PESHAWAR. CITY BRANCH, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: KASHKAL PESHAWAR

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

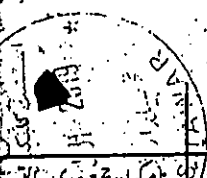
Email: jaffarshahgct@gmail.com

System generated document in accordance with APPM 4.6.12.9(SERVICES/02.11.2020/14:54:34/v2.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted

26698



رقم پروٹ پتہ ری و تصدیق رداورے قانوگوائے	فیس داخل خارج	قسم اور تاریخ مقال	معاملہ درگاہ	نمبر کام پتہ پتہ	نام کاشت کار	تاریخ حوالہ	معاملہ درگاہ	نمبر زمین	نمبر پلاٹ	مقامہ درگاہ	تاریخ حوالہ	نام مالک و احوال	نمبر زمین	نمبر پلاٹ	نمبر کھاتا جمعہ پتہ پتہ
رپورٹ پتہ ری و تصدیق رداورے قانوگوائے		محلہ	محلہ	668	نام کاشت کار	193	محلہ	668	668	محلہ	8/16	نام مالک و احوال		668	محلہ
		محلہ	محلہ	4	محلہ	محلہ	محلہ	4	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ
		محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ
		محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ
		محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ	محلہ

رپورٹ پتہ ری و تصدیق رداورے قانوگوائے

تاریخ حوالہ: 28/18

محلہ

محلہ

محلہ

محلہ

15	14	13	12	11	10	9	8	7	6	5	4	3	2
								17301-346553-3 20/8/19			21406-155204 20/8/19		

17301-346553-3
 20/8/19
 21406-155204
 20/8/19
 17301-127786-3
 20/8/19



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وقت صاب سیکرٹری مہم ایلمینٹری اینڈ سینڈری ایجوکیشن غیر جنٹو طوراً بنیاد

عنوان - حکیمانہ اپیل برائے عملی ناعد گورنمنٹ پالیسی (سیاڈر پالیسی)
برائے ٹرانسفر ٹیس

جا۔ عالی :-
جیسا کہ آپ صاحبان کے علم میں ہے کہ گورنمنٹ

نے فروری قوانین برائے سیاڈر پالیسی پورے ملک میں سول سروسٹ پر (Implement) 3069
- ایسی پالیسی کے تحت فوری طور پر 21/04/2020 کو درخواست ڈائری نمبر 3069
سٹریٹ ایجوکیشن آفیسر فہیل ضلع سیاڈر کو ارسال کیا جسکی ٹوٹو کاپی اور مکمل دستاویزات
درخواست کے ساتھ منسلک ہے۔

یام 90 (لوائے) جن گزرنے کے باوجود جب فوری کے درخواست پر کسی قسم کی
عامورائی نہیں کی گئی۔ (رعدوی مذکورہ (E.D.O) فہیل سے اپنے دفتر میں مذاکرات
میں اپنے مسئلے کو (Discuss) کیا، (E.D.O) فہیل ضلع سیاڈر سے لیسٹر شہر
کے دورانیں الفاظ میں کہا کہ وہ آپ کی درخواست پر کسی قسم کی کارروائی
اپنی کر سکتے ہیں۔
لہذا آپ صاحبان سے ہمدردانہ حکیمانہ اپیل کیا جاتا ہے کہ گورنمنٹ کے پالیسی
برائے (سیاڈر پالیسی) کو عملی جامہ پہنا کر ہم آپ کے بے حد شکر و تحنون سے

Diary No 1204
92/7

DESE
29/7/2020
28/7/2020
درخواست برائے

SS
28/7

PBS-12
سیکرٹری ایس۔ بی۔ ایس۔ ٹی
گورنمنٹ گزٹریس ایجوکیشن سکول حلال ٹیوٹو فہیل ضلع
ضلع ناہروڑ

Diary No 1204
Dated 28/7/2020



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
No. SO(PE)E&SED/2-1/General Posting/Transfer/2020
Dated Peshawar the 10.08.2020

To,

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

Subject: - DEPARTMENTAL APPEAL FOR INTER DISTRICT TRANSFER UNDER SPOUSE POLICY

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of an application bearing No. 1204 dated 28.07.2020 alongwith connected documents in respect of Mst. Sumaira Nasim, PST (BS-12), Govt. Girls Primary School Kalan No.2, Tehsil Mamund, District Bajaur regarding her transfer to District Peshawar under spouse policy, for further necessary action as rules/policy, please.

Yours faithfully,

SECTION OFFICER (PRIMARY)

Encl: as above:

Encl: No & date even.

Copy forwarded to:-

1. The DEO (Female), District Bajaur/Peshawar for similar necessary action.
2. PS to Secretary, Elementary & Secondary Education Department, Peshawar.

Diary No Directorate of E & SE No. 1376
Dated 11/8/20
Diary Directorate of E & SE (NMDs)
No. 2240, Dated, 11/8/20

SECTION OFFICER (PRIMARY)



Copy - -15-
Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar
PH No. 091-9210389, 9210938,
091-9210437, 9210957, 9210468
Fax 091-9210936

No. 2325/E-6/IDT/Mst Sumaria Nasim PST

Dated 12/8/2020.

To

The District Education Officer (F)
Peshawar.

Subject:- INTER DISTRICT TRANSFER.

Memo:

I am directed to refer to the subject noted above and to ask you to provide application form (in original) alongwith other relevant documents (mentioned in proforma) in respect of Mst Sumaria Nasim PST GGPS Kalan No.2 Tehsil Mamund District Bajour so as to proceed further into the matter please.

Sd/-
Deputy Director (Estt.)
Merged Areas

Endst: No. _____/-

Dated Pesh: the _____/2020.

Copy to:-

1. Section Officer (Primary) Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department w/r to his No.SO(PE)2-1/General/Transfer/2020 dated 10.08.2020.
2. District Education Officer Bajour for similar action please.
3. PA to Director, E&SE, KPK Peshawar.

Sd/-
Deputy Director (Estt.)
Merged Areas.

*Diary No. D.E.O(F)
Peshawar 3334, Dated 24/08/2020*

- 16 -

GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

Islamabad, the 16th April, 2012

NOTIFICATION

S.R.O. 375, (I)/2012.--In exercise of the powers conferred by sub-section (1) of section 25 of the Civil Servants Act, 1973 (LXXI of 1973), read with Notification No.SRO 120(1)/98, dated the 27th February, 1998, the Prime Minister is pleased to direct that the following further amendment shall be made in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, namely:-

In the aforesaid Rules, in rule 20-A, after sub-rule (3) the following proviso shall be inserted and shall deem to have always been so inserted, namely:-

"Provided that posting of serving husband and wife at the same station, unmarried female government servants at the place of residence of their parents/family and that of married female government servants at the place of residence/posting of their husbands who are not in government employment shall be exempted from the said rule".

(F. No.10/30/97-R-2)

A. Bashir
16/4/12
(Anjum Bashir Shaikh)
Deputy Secretary



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KHYBER PAKHTUNKHWA, PESHAWAR

DETAIL OF DISTRICT CADRE VACANT POST FOR ADVERTISEMENT 2020

District	CT-15	PET B-15	DM B-15	AT B-15	TT B-15	CT-IT B-12	Qari B-12	PST B-12	Total M	CT-15	PET B-15	DM B-15	AT B-15	TT B-15	CT-IT B-12	Qaria B-12	PST B-12	Total F	Total M&F
	M	M	M	M	M	M	M	M	M	F	F	F	F	F	F	F	F	F	M&F
Abbott Abad	55	10	8	12	16	5	13	257	376	46	12	7	5	6	4	4	320	404	780
Bannu	13	5	5	9	9	9	6	411	467	16	11	5	1	1	5	0	336	375	842
Batta Gram	3	2	6	1	4	0	1	312	329	0	4	2	1	1	0	1	124	133	462
Bunner	0	18	0	0	7	8	12	68	113	8	8	6	7	3	3	2	28	65	178
Charsadda	32	24	17	15	14	8	11	556	677	11	5	0	4	6	0	3	505	534	1211
Chitral Lower	8	1	2	2	2	8	0	70	93	2	0	0	0	0	2	0	24	28	121
Chitral Upper	9	2	1	0	7	0	3	25	47	0	0	0	1	0	0	0	5	6	53
D I Khan	55	7	12	16	19	6	11	821	947	9	7	7	3	8	2	4	368	408	1355
Dir Lower	80	11	9	4	7	12	10	769	902	36	11	6	10	13	10	8	372	466	1368
Dir Upper	32	3	1	3	7	1	4	285	336	9	6	0	0	4	9	0	329	357	693
Hangu	5	3	1	1	1	4	2	274	291	6	1	2	1	0	5	1	113	129	420
Haripur	41	3	13	8	4	3	6	385	463	24	14	6	6	8	7	2	119	186	649
Karak	32	8	10	9	2	0	0	442	503	10	3	1	4	0	3	2	140	163	666
Kohat	18	5	5	6	3	6	4	340	387	16	4	2	4	3	3	3	213	248	635
Kohistan Lower	7	3	0	2	4	0	1	120	137	2	2	5	4	4	0	0	56	73	210
Kohistan Upper	4	5	4	2	5	0	4	113	137	6	1	3	2	2	0	0	45	59	196
Kolai Palas	3	3	1	0	0	0	0	86	93	2	1	0	1	0	0	0	29	33	126

-19-

Lakki Marwat	16	3	3	7	7	0	7	478	521	20	7	3	4	3	4	1	79	121	642
Malakand	60	11	10	13	12	3	8	305	422	19	5	5	2	1	3	2	132	169	591
Mansehra	30	13	4	10	10	0	14	711	792	37	8	11	11	18	4	8	351	448	1240
Mardan	36	13	11	10	23	5	14	710	822	33	5	4	4	5	0	0	449	500	1322
Nowshera	12	8	5	0	5	0	11	302	343	5	2	0	0	2	3	7	275	294	637
Peshawar	40	10	7	10	9	0	10	400	486	35	4	7	8	6	0	7	486	553	1039
Shangla	8	7	8	5	14	6	3	411	462	2	3	0	2	2	0	0	78	87	549
Swabi	19	7	7	5	14	13	8	354	427	18	9	3	10	5	1	5	317	368	795
Swat	50	17	12	13	20	6	12	796	926	27	7	4	5	11	3	9	274	340	1266
Tank	5	2	3	5	2	0	1	168	186	0	2	1	0	1	1	0	111	116	302
Tor Ghar	4	0	2	2	0	0	2	98	108	4	1	2	3	0	0	1	101	112	220
Total	677	204	167	170	227	103	178	10067	11793	403	143	92	103	113	72	70	5779	6775	18568

Instructions for Candidates

- All the online application forms and details of vacant posts are available at NTS website www.nts.org.pk only. No Application Form, Vacant posts details are available at Google or any other website.
- Carefully read the eligibility criteria of the advertised post and fill the correct application form accordingly.
- Details of all UC based PST positions are for information to view the availability of vacant post in nearest school only.
- Candidate must fill the online form carefully before submission since later on no changes will be made.
- If a candidate is applying for more than one post is required to sign up separately.
- Following types of application forms are available to apply as per advertisement criteria:
 1. CT BPS-15
 2. CT IT BPS-12
 3. PST BPS-12
 4. Qari/Qaria BPS-12
 5. DM BPS-15
 6. PET BPS -15
 7. TT BPS-15
 8. AT BPS-15
- Test processing Fee is Rs 290/- for applying against One Position only.
- **To avoid from rush, candidates are instructed to pay the test processing fees before closing dates.**
- Candidates having BS/Hon's degree of 4 years, should calculate their marks (Not CGPA) in respective columns. In merit, your total obtained marks percentage will be calculated into 40%.
- Merit lists will be prepared for those candidates who will obtain 40 marks in screening test.
- Marks of Shahadat-ul-Almiya education acquired from relevant Darul Uloom/Madrassas will be considered equivalent to Masters for the post of AT & TT, while rest of scoring for these posts will be based upon standard qualification acquired from Boards (BISE/BTE) / University.
- Both Male/Female candidates must upload latest (open face) color photographs (without attested).
- Candidate must provide accurate Mobile Number **(Which is not converted from it's own network to any other network)** otherwise you will not be able to receive SMS Alerts from NTS.
- Candidate must bring Original CNIC at test center otherwise s/he will not be allowed in test.
- Test will carry 100 marks MCQ's to be done in 2 hours time. Paper Composition for each category is available at NTS website.
- Test center and timing cannot be changed in any condition and candidates are not allowed to bring Mobile Phone/Calculators or any Gadgets (Wrist watch, Metal Pen) at the center premises. If found during test, his/her test will be cancelled.
- Candidate must write carefully only Desired Educational Qualification for the applied post. No Extra qualification other than mentioned in the Advertisement will be given any additional scoring.
- NTS is facilitating the E&SE Department, KP in the process of screening out the candidates; however, Department is an Appointing Authority and their decision is final at any stage.
- Candidate must keep himself informed about each step of the process through our given contact numbers and website www.nts.org.pk to avoid any problem.

For further details and any information visit NTS website or contact at the following number of call center at
+92-51-844-444-1 & +92-51-844-490-0.

IN THE HONORABLE Service Tribunal KP Peshawar

S.A No. _____/2020

Sumaira Naseem

.....Petitioner.

VERSUS

DEO. Et others

..... Respondents.

I, the undersigned, do hereby appoint and constitute ^{+ Rabia Muzaffar, Advocate} **Fazal Shah Mohmand** Advocate Supreme Court. To act, appear and plead in the above-mentioned matter and to withdraw or compromise the said matter or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said matter and to receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said matter.

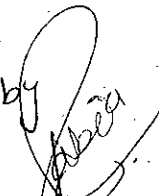
1. To draft and sign files at necessary pleadings, applications, objections, affidavits or other documents as shall be deemed necessary and advisable for the prosecution of the said matter at all its stages.
2. To employ any other Legal Practitioner, authorizing him to exercise the power as conferred on the undersigned Advocate, wherever he may think fit to do so.

AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the above matter. I/We also hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter in consequence of his absence from the Court when the said matter is called up for hearing. I/We further hereby agree that in the event for the whole or any part of the fee to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the above matter. Received by me on 21-10-2020


CLIENT(s)

ACCEPTED BY:


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN.

Accepted by 
Rabia Muzaffar Advocate.

OFFICE: -Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
(Clerk) Cell# 03339214136
Email: - fazalshahimohmand@gmail.com.

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 14226/2020

Sumaira Naseem.....Applicant/Appellant.

V E R S U S

DEO and Others.....Respondents.


I N D E X

S No	Description of Documents	Annexure	Pages
1.	Application for interim relief with affidavit		1-2
2.	Copy of vacant posts	A	3-15

Dated:- 21 -06-2021

Through


Applicant/Appellant


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

1

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 14226/2020

Sumaira Naseem.....Applicant/Appellant.

V E R S U S

DEO and Others.....Respondents.

**APPLICATION FOR INTERIM RELIEF THEREBY RESTRAINING
RESPONDENTS FROM FILLING ONE POST OF PST AT UNION
COUNCIL KAKSHAL-1 PESHAWAR TILL THE FINAL DISPOSAL
OF TITLED APPEAL.**

Respectfully Submitted:-

1. That the above titled appeal is pending before this honorable Tribunal and is fixed for 05-7-2021
2. That the facts and grounds of appeal may kindly be considered as integral part of this application and recently respondents have issued E-Transfer policy for teaching cadre and according to the detail of vacant posts, two vacant posts of PST are available at Union Council Kakshal-1 to which the petitioner and her spouse belong. **(Copy of vacant posts is enclosed as Annexure A).**
3. That the applicant/appellant has got good prima facie case and is sanguine of its success.
4. That the balance of convenience also lies in favor of the applicant/appellant.

2

5. That vacant posts are available and if respondents are not restrained from filling one post of PST at Union Council Kakshal-1 Peshawar, the applicant/appellant will suffer an irreparable loss.

It is therefore prayed that on acceptance of this application, the respondents may kindly be restrained from filling one post of PST at Union Council Kakshal-1 Peshawar till the final disposal of the titled appeal.

Dated:- 21 -06-2021

Through


Applicant/Appellant


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN

AFFIDAVIT

I, Sumaira Naseem, Primary School Teacher (BPS-12), Govt. Girls School Kalan No 2; Mamoond District Bajaur, R/O House No 618 Mohalla, Kucha Malak Wazir, New Kakshal Peshawar City, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT




(4)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

- ii. Tenure in the Present Schools against the Present Posts - 10 marks
 - a. Normal tenure of 2 years - 0 marks
 - b. Tenure from 2 to 3 years - 4 marks
 - c. Tenure from 3 to 5 years - 7 marks
 - d. Tenure more than 5 years - 10 marks
- iii. STR (Total number of Students in the school / Total number of Teachers) - 10 marks (EMA data Source)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level - 5 marks
 - c. STR at the present school is less than desired school - 10 marks
- iv. Disability - 10 marks
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC/Standing Medical Board disability certificate.
- v. Domicile -05 marks
05 marks will be awarded to those when the desired school is in his/her district of domicile
- vi. Spouse - 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.

Form-B: Posting/Transfers of SSTs (Total Marks - 85)

- 
- i. Distance of present school to the desired school (in KM) - 20 marks
 - a. Within 5 KM - 0 marks
 - b. Within 10 KM - 5 marks
 - c. Within 15 KM - 10 marks
 - d. Within 20 KM - 15 marks
 - e. Greater than 20 KM - 20 marks
 - ii. Tenure in the Present Schools against the Present Posts - 10 marks
 - a. Normal tenure of 2 years - 0 marks
 - b. Tenure from 2 to 3 years - 4 marks
 - c. Tenure from 3 to 5 years - 7 marks
 - d. Tenure more than 5 years - 10 marks
 - iii. Students Teachers Ratio (STR) - 10 marks (EMA data Source)
 - i. For SST teacher in High/Higher Secondary School STR is equal to (Total Number of Students in Class 9 & 10 / Number of SST)
 - ii. For SST teacher in Primary/Middle School STR is equal to (Total Number of Students in the school / Total Number of teachers)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level - 5 marks
 - c. STR at the present school is less than desired school - 10 marks
 - iv. Disability - 10 marks
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC/Standing Medical Board disability certificate.
 - v. Domicile -05 marks
05 marks will be awarded to those when the desired school is in his/her district of domicile



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**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

- vi. Spouse – 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual SSC Result (of the subjects taught by the teacher) working in High/Higher Secondary Schools – 20 Marks
- 90% or above – 20 marks
 - 80% to 90% - 15 marks
 - 70% to 80% - 10 marks
 - 60% to 70% - 5 marks
 - Below 60% - 0 marks.

OR

- For SSTs (General) working in Middle/Primary Schools – 20 Marks
Overall Students Attendance Rate Percentage as per EMA data
- 90% or above – 20 marks
 - 80% to 90% - 15 marks
 - 70% to 80% - 10 marks
 - 60% to 70% - 5 marks
 - Below 60% - 0 marks.

Form-C Posting/Transfers of Subject Specialists (SSS/SS) (Total Marks – 85)

- i. Distance of present school to the desired school (in KM) – 20 marks
- Within 5 KM – 0 marks
 - Within 10 KM – 5 marks
 - Within 15 KM – 10 marks
 - Within 20 KM – 15 marks
 - Greater than 20 KM – 20 marks
- ii. Tenure in the Present Schools against the Present Posts - 10 marks
- Normal tenure of 2 years – 0 marks
 - Tenure from 2 to 3 years – 4 marks
 - Tenure from 3 to 5 years – 7 marks
 - Tenure more than 5 years – 10 marks
- iii. Number of Students in Class-11 & 12 - 10 marks
- Number of Students at present school is greater than the Desired school - 0 marks
 - Number of Students at present and the desired school are equal or at the same level – 5 marks
 - Number of Students at the present school is less than desired school – 10 marks
- iv. Disability – 10 marks
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
- v. Domicile -05 marks
05 marks will be awarded to those when the desired school is in his/her district of domicile
- vi. Spouse – 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual HSSC Result (of the subjects taught by the teacher) – 20 Marks
- 90% or above – 20 marks



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

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- b. 80% to 90% - 15 marks
- c. 70% to 80% - 10 marks
- d. 60% to 70% - 5 marks
- e. Below 60% - 0 marks.

Form-D: Posting/Transfers of Principals/Head Masters of High/Higher Secondary Schools (Total Marks - 105)

- i. Distance of present school to the desired school (in KM) - 20 marks
 - a. Within 5 KM - 0 marks
 - b. Within 10 KM - 5 marks
 - c. Within 15 KM - 10 marks
 - d. Within 20 KM - 15 marks
 - e. Greater than 20 KM - 20 marks
- ii. Tenure in the Present Schools against the Present Posts - 10 marks
 - a. Normal tenure of 2 years - 0 marks
 - b. Tenure from 2 to 3 years - 4 marks
 - c. Tenure from 3 to 5 years - 7 marks
 - d. Tenure more than 5 years - 10 marks
- iii. STR (Total number of Students in the school / Total number of Teachers) - 10 marks (EMA data Source)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level - 5 marks
 - c. STR at the present school is less than desired school - 10 marks
- iv. Disability - 10 marks
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
- v. Domicile - 05 marks
05 marks will be awarded to those when the desired school is in his/her district of domicile
- vi. Spouse - 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
- vii. Latest Annual SSC/HSSC Result of the School - 20 Marks
 - a. 90% or above - 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.
- viii. Overall Students Attendance Rate Percentage as EMA data - 20 Marks
 - a. 90% or above - 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.

Secretary to Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Education Department.

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Endst: Even No. & Date:

Copy of the above is forwarded to the:

1. Principal Secretary to Governor Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. Accountant General, Khyber Pakhtunkhwa Peshawar.
5. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
6. The Director, Curriculum and Teacher Education, Khyber Pakhtunkhwa Abbottabad.
7. The Director, Directorate of Professional Development, Peshawar.
8. The Director Education Sector Reforms Unit, E&SE Department Khyber Pakhtunkhwa, Peshawar.
9. PSO to Chief Secretary, Khyber Pakhtunkhwa.
10. All District Education Officers (Male/Female), Khyber Pakhtunkhwa.
11. All District Account Officers (Male/Female), Khyber Pakhtunkhwa.
12. All Section Officers, E&SE Department Khyber Pakhtunkhwa, Peshawar.
13. Incharge EMIS, E&SE Department for uploading at official website.
14. PS to Secretary E&SE Department.
15. PS to Special Secretary E&SE Department.
16. PA to Additional Secretary E&SE Department.
17. PA to Deputy Secretary E&SE Department.


10/6/2021
**HAFEEZ UR REHMAN SHAH
SECTION OFFICER (SCHOOLS MALE)**

8

- [Welcome](#) ~~XXXXXXXXXX~~
- [Log Out](#)

eTransfer- All Post(s)

Search Post(s)

PESHAWAR

UPPER KOHISTAN

Female

Female

Search

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
1	21367	GGPS DALAZAK VILLAGE	PESHAWAR	BUDHNI	Girls	PST	12	1
2	21536	GGPS TARNAB FARM	PESHAWAR	LALA KALAY	Girls	PST	12	1
3	21552	GGPS WADPAGA	PESHAWAR	WADPAGA	Girls	PST	12	1
4	21365	GGPS CHUGHAL PURA	PESHAWAR	PAKHA GHULAM	Girls	PST	12	1
5	21562	GGPS KANDI KALOO KHEL	PESHAWAR	WADPAGA	Girls	PST	12	1
6	39706	GGPS GARHI HAMZA	PESHAWAR	NEHAQI	Girls	PST	12	1
7	21397	GGPS GULOZAI	PESHAWAR	BUDHNI	Girls	PST	12	1
8	21463	GGPS MUHAMMAD ZAI	PESHAWAR	WADPAGA	Girls	PST	12	1
9	21358	GGPS BUDHNI	PESHAWAR	BUDHNI	Girls	PST	12	1
10	21512	GGPS SHAGAI PAYAN	PESHAWAR	KHATKI	Girls	PST	12	1
11	21509	GGPS SARKHANA	PESHAWAR	JOGANI	Girls	PST	12	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
12	21514	GGPS SHAGHALI BALA	PESHAWAR	JOGANI	Girls	PST	12	1
13	21515	GGPS SHAGHALI PAYAN	PESHAWAR	JOGANI	Girls	PST	12	1
14	21522	GGPS SHEENA GARHI	PESHAWAR	SHAHI BALA	Girls	PST	12	1
15	21516	GGPS SHAH ALAM	PESHAWAR	TAKHTABAD AWAL	Girls	PST	12	1
16	21338	GGCMS BAGH COLONY	PESHAWAR	TAKHTABAD AWAL	Girls	PST	12	1
17	21375	GGCMS ESA KHEL TOPCHIAN	PESHAWAR	PAJJAGI	Girls	PST	12	1
18	21392	GGPS GARHI SHARIF GUL	PESHAWAR	GULBAILA	Girls	PST	12	1
19	21502	GGPS SAMAR BAGH	PESHAWAR	KANKOLA	Girls	PST	12	1
20	21360	GGPS CHAGHAR MATTI	PESHAWAR	CHAGHAR MATTI	Girls	PST	12	1
21	21459	GGPS MIAN JEE BABA CHAGHAR MATTI	PESHAWAR	CHAGHAR MATTI	Girls	PST	12	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
22	28106	GGPS SHEIKH KILLI	PESHAWAR	KANIZA	Girls	PST	12	1
23	40281	GGPS KHUSHAL BAGH (BABU GARHI)	PESHAWAR	HASAN GHARI-II	Girls	PST	12	1
24	32852	GGPS GARANGA BALA	PESHAWAR	CHAGHAR MATTI	Girls	PST	12	1
25	38393	GGPS ZOORE GARHI	PESHAWAR	KANIZA	Girls	PST	12	1
26	21490	GGPS PIR KALAY NO.1	PESHAWAR	KANIZA	Girls	PST	12	1
27	21329	GGPS ALI ZAI	PESHAWAR	KANIZA	Girls	PST	12	1
28	21266	GGPS HASSAN GARHI	PESHAWAR	HASAN GHARI-II	Girls	PST	12	1
29	21417	GGPS KANIZA	PESHAWAR	KANIZA	Girls	PST	12	1
30	21364	GGCMS CHARPARIZA	PESHAWAR	KANIZA	Girls	PST	12	1
31	21450	GGPS MERA KICHORI NO.1	PESHAWAR	MERA KACHORI	Girls	PST	12	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
32	21524	GGPS SHEIKH MUHAMMADI NO.1	PESHAWAR	SHEIKH MUHAMMADI	Girls	PST	12	1
33	21401	GGPS BADABER HAROZAI NO.1	PESHAWAR	BADABER HURI ZAI	Girls	PST	12	3
34	21410	GGPS KAGA WALA NO.1	PESHAWAR	SHEIKH MUHAMMADI	Girls	PST	12	2
35	21334	GGPS BADABER MARYAMZAI	PESHAWAR	BADABER MARYAMZAI	Girls	PST	12	4
36	21405	GGPS JAGRA MALOGO	PESHAWAR	MERA KACHORI	Girls	PST	12	1
37	21548	GGPS URMAR MIANA NO.1	PESHAWAR	URMAR MIANA	Girls	PST	12	3
38	21555	GGPS YARAN KHEL	PESHAWAR	SHERKIRA	Girls	PST	12	1
39	21486	GGPS PASSANI PAYAN	PESHAWAR	MARYAMZAI	Girls	PST	12	1
40	21396	GGPS GUL RAOOF KALAY SHERKERA	PESHAWAR	MARYAMZAI	Girls	PST	12	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
41	21551	GGPS URMAR PAYAN NO.2	PESHAWAR	URMAR PAYAN	Girls	PST	12	1
42	21409	GGPS JOGIAN	PESHAWAR	MERA KACHORI	Girls	PST	12	1
43	21391	GGPS GARHI MALIK SHER BAHADAR KHAN	PESHAWAR	SHERKIRA	Girls	PST	12	1
44	21531	GGPS SURIZAI MIANA	PESHAWAR	SURIZAI BALA	Girls	PST	12	1
45	21437	GGPS MASHO GAGAR BADABER NO.1	PESHAWAR	MASHOGAGAR	Girls	PST	12	1
46	21454	GGPS SURIZAI PAYAN NO. 3	PESHAWAR	SURIZAI PAYAN	Girls	PST	12	1
47	38151	GGPS KASHINGER ADEZAI	PESHAWAR	ADEZAI	Girls	PST	12	1
48	21335	GGPS BADABER HAROZAI NO.2	PESHAWAR	BADABER HURI ZAI	Girls	PST	12	2
49	21381	GGPS GHALIB KHEL (TELA BAND)	PESHAWAR	AZAKHEL	Girls	PSHT	15	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
97	40401	GGMS POLICE COLONY	PESHAWAR	MALAKANDHER	Girls	T.T.	15	1
98	38154	GGMS PISHTAKHARA PAYAN	PESHAWAR	PISHTAKHARA PAYAN	Girls	C.T	15	1
99	21258	GGPS GOAR GATHRI	PESHAWAR	KARIM PURA	Girls	PST	12	1
100	21231	GGPS AKHOON ABAD	PESHAWAR	AKHOON ABAD	Girls	PST	12	2
101	21252	GGPS FIDA ABAD	PESHAWAR	YAKA TOOT-II	Girls	PST	12	2
102	35080	GGMS SATTAR SHAH COLONY	PESHAWAR	BAHANAMARI	Girls	C.T	15	1
103	32846	GGPS HAIDAR COLONY	PESHAWAR	AKHOON ABAD	Girls	PST	12	1
104	37345	GGMS SARBILAND PURA	PESHAWAR	KHALISA-I	Girls	C.T	15	2
105	38698	GGPS GUL ABAD PESHAWAR	PESHAWAR	MAHAL TERAI-II	Girls	PST	12	2
106	35113	GGMS SUFAID DHERI	PESHAWAR	SUFAID DHERI	Girls	T.T.	15	1

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S.NO	EMISCODE	SCHOOL NAME	DISTRICT	UC	GENDER	DESIGNATION	BPS	NO OF POST(S)
107	21289	GGPS MOHALLA ISLAM ABAD	PESHAWAR	SHEIKH JUNAID ABAD	Girls	PST	12	1
108	21310	GGPS SHAIKH ABAD	PESHAWAR	SHEIKH JUNAID ABAD	Girls	PST	12	2
109	41715	GGMS Yousaf Khail	PESHAWAR	URMAR PAYAN	Girls	D.M.	15	1
110	21290	GGPS MOHMAND ABAD	PESHAWAR	KAKSHAL-I	Girls	PST	12	2
111	21313	GGPS WAZIR BAGH NO.1	PESHAWAR	YAKATOOT-I	Girls	PST	12	1
112	39991	GGPS ZAHID ABAD	PESHAWAR	WAZIR BAGH	Girls	PST	12	1
113	41715	GGMS Yousaf Khail	PESHAWAR	URMAR PAYAN	Girls	P.E.T.	15	1
114	38697	GGPS IJAZ ABAD SHAHEEN MUSLIM TOWN	PESHAWAR	SHAHEEN MUSLIM TOWN-I	Girls	PST	12	1
115	35066	GGMS NO.1 PESHAWAR CANTT	PESHAWAR	NAUTHIA QADEEM	Girls	C.T	15	1

SERVICE APPEAL NO.14226/2020

Sumaira Naseem.....Petitioner

Vs

Secretary (E&SE) KPK Peshawar.....Respondents

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS.

Respectively Sheweth:

The Respondent submits below:

PRELIMINARY OBJECTIONS:

1. That the Appellant has got no cause of action /locus standi.
2. That the Appellant has concealed material facts from this Hon,ble Tribunal.
3. That the Appellant has been estopped by her own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant Appeal is badly time barred.
5. That the instant Appeal is not maintainable in its present form.
6. That the instant Appeal is bed for mis- joinder and non- joinder of the necessary parties.
7. That the Appellant has not come with clean hands to this Hon'ble Tribunal.
8. That the instant Appeal is barred by law.

ON FACTS.

1. That Para No.1 is incorrect and misleading the appellant is the permanent resident of District Bajaur, therefore, she got appointment against PST post at District Bajaur. Because PST post is District Carder post and according to Regularity act 2011 cheptar APT rules **Section.3 of the Khyber Pakhtunkhwa Appointment, Deputation, Posting and transfer of teachers, lecturers, instructors and doctors Regulatory Act of 2011, the vacancy of Primary school teacher shall be filled from the candidates belonging to the Union Council of their Permanent Residence mentioned in their computerized National Identity Card and Domicile on merit and if no eligible candidate in that Union Council is available where the school is situated, such appointment shall be made on merit from amongst eligible candidates belonging to the adjacent Union Councils.**

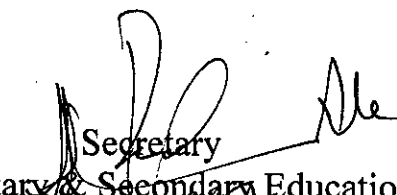
(Copy of Regularity Act, 2011 is attached)

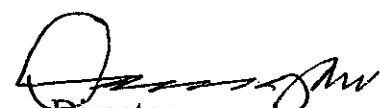
2. That Para No.2 also pertains to record.
3. That in reply to Para No.3, it is submitted that there is no vacant post in District Peshawar.
4. That Para No.4 is incorrect. No departmental appeal has been filed till date.
5. That in reply to Para No.5, the appellant has no cause of action to file this appeal in this Hon'ble Service Tribunal.

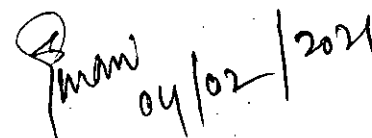
GROUNDS

- A. That Ground-A is incorrect, misleading and against the facts.
- B. That in reply to Ground-B, it is submitted that in District Peshawar there is no vacant post and if the appellant want to transfer to District Peshawar. She can come with post from District Bajawar to District Peshawar without disturbing the others Govt: employees and candidates.
- C. That Ground-C is incorrect and misleading. The appellant is not the permanent resident of District Peshawar. Because she was appointed in District Bajawar on District Bajawar Domicile and CNIC according to regularity Act 2011 Section-3 of APT.
- D. That in reply to Ground-D, it is submitted that the appellant is a Govt: servant and according to law and rules the appellant perform her duty where she belongs or having Domicile.
- E. That Ground-E is incorrect and misleading. The said post has been already given to NTS and if the appellant want transfer to District Peshawar. She is liberty to come with post from District Bajawar to District Peshawar.
- F. That Ground-F is already been given in the facts Para.
- G. That Ground-G, it is submitted that the law has also clear that the employee can come with post from one District to other District and if the appellant wants to transfer to District Peshawar she can come with post to District Peshawar accordingly.
- H. That Ground-H is incorrect, misleading and against the facts. The appellant has the permanent resident of District Bajawar because she got her appointment on her permanent address of her Domicile and CNIC on PST post.
- I. That Ground-I pertains to record.
- J. That Ground-J is incorrect and misleading. The detail reply has been given in the above Para.
- K. That the Respondent also seeks permission to submit other case grounds and proofs at the time of arguments.

It is therefore, very humbly prayed that on acceptance of this reply, the instant appeal may very kindly be dismissed with cost.


Secretary
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.


Director,
Elementary & Secondary, Education,
Khyber Pakhtunkhwa, Peshawar.


District Education Officer (Female)
Peshawar.

**THE KHYBER PAKHTUNKHWA EMPLOYEES OF THE ELEMENTARY &
SECONDARY EDUCATION DEPARTMENT (APPOINTMENT AND
REGULARIZATION OF SERVICES) ACT, 2017.**

(KHYBER PAKHTUNKHWA ACT NO. I OF 2018)

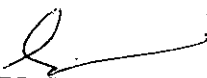
CONTENTS

PREAMBLE

SECTIONS

1. Short title, application, extent and commencement.
2. Definition.
3. Regularization of services of employees.
4. Determination of seniority.
5. Overriding effect.

Attested


**ADEO (Litigation)
District Education Office
(Female) Peshawar**

**THE KHYBER PAKHTUNKHWA EMPLOYEES OF THE ELEMENTARY &
SECONDARY EDUCATION DEPARTMENT (APPOINTMENT AND
REGULARIZATION OF SERVICES) ACT, 2017.**

(KHYBER PAKHTUNKHWA ACT NO. I OF 2018)

*[First published after having received the assent of the Governor of
the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa
(Extraordinary), dated the 8th January, 2018 J.]*

**AN
ACT**

*to provide for the appointment and regularization of the services of certain
employees appointed on adhoc or contract basis or appointed in certain projects in the
Elementary and Secondary Education Department in
the Province of the Khyber Pakhtunkhwa.*

WHEREAS it is expedient to provide for the appointment and regularization of the services of certain employees appointed on adhoc or contract basis or appointed in certain projects in the Elementary and Secondary Education Department in the Province of the Khyber Pakhtunkhwa, in the public interest;

It is hereby enacted as follows:


1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Employees of the Elementary and Secondary Education Department (Appointment and Regularization of Services) Act, 2017.

(2) It shall apply to all the employees in the Elementary and Secondary Education Department, as defined in clause (c) of sub-section (1) of section 2 of this Act.

(3) It shall come into force at once **and it shall be deemed to have taken effect from the date of the initial appointment of the employees as referred to in clause (c) of sub-clause (1) of section 2 of this Act.**

2. Definitions.---(1) In this Act, unless the context otherwise requires,-

- (a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (b) "contract appointment" means appointment of a duly qualified person for a specific period made otherwise than in accordance with the prescribed method of recruitment;
- (c) "employees" mean duly qualified persons,-

Attested


**ADEO (Litigation)
District Education Office
(Female) Peshawar**

- (i) who are appointed as teachers on adhoc or contract basis by the Government after 2013 through National Testing Service but does not include the teachers engaged on work charge basis or who are paid out of contingencies;
 - (ii) who are appointed in the projects on contract basis in accordance with the project policy; and
 - (iii) who are appointed as Junior Clerk in the Elementary and Secondary Education Department by Government after 2013 through National Testing Service;
- (d) "Government" means the Government of the Khyber Pakhtunkhwa;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants;
- (f) "project" means,-
- (i) IT/Computer Teachers in Computer Labs Projects in Khyber Pakhtunkhwa (Phase-II);
 - (ii) establishment of five hundreds (500) IT Labs in Government High and Secondary Schools in Khyber Pakhtunkhwa; and
 - (iii) establishment of five hundreds (500) IT Labs in Government High Schools in Khyber Pakhtunkhwa (Phase-III); and
- (g) "teacher" means a teacher of primary, middle, secondary or higher secondary school.

(2) The expressions "adhoc appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.XVIII of 1973).

3. Regularization of services of employees.---(1) Notwithstanding anything contained in any other law or rules, the employees, who hold posts till the commencement of this Act, shall be deemed to have been validly appointed on regular basis from the day of the **initial appointment**; provided that-

- (i) they possess the same qualification and experience required for a regular post;
- (ii) they have not resigned from their services or terminated from services on account of misconduct, inefficiency or any other ground, before the commencement of this Act; and

Attested

[Signature]

**ADEO (Litigation)
District Education Office
(Female) Peshawar**

(iii) the service promotion quota of all service cadres shall not be affected.


(2) The services of the employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

4. Determination of seniority.---(1) The employees whose service are regularized under this Act or in the process of attaining service at the commencement of this Act, shall rank junior to all other employees belonging to the same Cadre, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the Cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of those employees, whose services are regularized under this Act within the Cadre, shall be determined on the basis of their continuous service in Cadre:

Provided that if the date of continuous service in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

5. Overriding effect.--- Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules to the extent of inconsistency to this Act shall cease to have effect.

Attested


**ADEO (Litigation)
District Education Office
(Female) Peshawar**