


FORM OF ORDER SHEET

Court of _____

Appeal No. 1264/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/06/2023	<p>The appeal of Mr. Muhammad Nadir Khan presented today by Mr. Muhammad Maaz Madni Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>06-06-2023</u>.</p> <p>By the order of Chairman  REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 1964 /2023

MUHAMMAD NADIR KHAN

V/S

GOVT. OF KP
& OTHER

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Dated: June 2nd, 2023

APPELLANT

Through:



**MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT, PESHAWAR**

Office: TF-338, 339, Deans Trade Centre,
Peshawar Cantt:

0333-9313113, 0345-9090737
muhammad.m3adv@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1264 /2023

MUHAMMAD NADIR KHAN (Tehsildar, BPS-16),
Peshawar Museum, Peshawar
r/o Gulgash Colony, H# 1, Street No. 2, Peshawar Cantt:.

.....APPELLANT

VERSUS

- 1- SENIOR MEMBER BOARD OF REVENUE (SMBR),
Khyber Pakhtunkhwa, Peshawar.
- 2- THE COMMISSIONER, Malakand Division,
Said Sharif, Swat.
- 3- Mr. AJMAL KHAN, (Tehsildar, Acting Charge Basis),
O/o Commissioner, Malakand Division, Saidu Sharif Swat
Transferred as Tehsildar HQ Dir.

.....RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 READ
WITH ALL ENABLING LAWS & RULES AGAINST THE
IMPUGNED TRANSFER ORDER DATED 26/05/2023
WHEREBY THE APPELLANT HAS PRE-MATURE BEEN
TRANSFER FROM HQ DIR TO MULKHOW/TOKHOW AND
AGAINST APPELLATE ORDER DATED 31/05/2023 WHEREBY
THE DEPARTMENTAL APPEAL DATED 26/05/2023 OF THE
APPELLANT ON NO GOOD GROUND.**

PRAYER:

That on acceptance of this appeal the impugned transfer order dated 26-05-2023 & appellate order dated 31-05-2023 may very kindly be set aside to the extent of the appellant and the appellant be retained as Tehsildar at HQ Dir to complete his normal tenure on the post. Any other remedy which this August Tribunal deems fit that may also be awarded in favor of the appellant.

Respectfully Sheweth;

FACTS:

Brief facts giving raise to the instant appeal are as under:

1. That appellant is a regular employee of the respondent Department and is performing his duty as a regular Tehsildar at Malakand Division quite efficiently whole heartedly and as such the appellant has an unblemished service record of approximately 18 Years.
2. That the appellant while waiting for posting as Tehsildar transfer & posted as Tehsildar Dir HQ Dir Upper vide Respondent No. 1 order dated 24-03-2023. The appellant took over the charge of the post at HQ Dir Upper 02/04/2023 and started performing duties in Dir Upper.
Copy of Order dated 24.03.2023 is attached as ANNEXUREA.
3. That the appellant performed duty at HQ Dir Upper for just 54 days that the appellant was pre-maturely been transferred from Hard area of Dir Upper to another hard area of Mulkhaw/Torkhaw Upper Chitral vide the impugned pre-mature transfer order dated 26-05-2023 without any cogent or plausible reason.
Copy of Impugned Order dated 26.05.2023 is attached as Annexure ... B.
4. That feeling aggrieved from the impugned pre-mature transfer order dated 26-05-2023 the appellant preferred Departmental Appeal dated 26-05-2023 before the Respondent no. 1, but the same was regretted on no good ground vide order dated 31-05-2023.
Copy of Departmental Appeal dated 26.05.2023 & Appellate Order dated 31.05.2023 is attached as AnnexureC & D.
5. That the appellant feeling highly aggrieved and is left with no other remedy but to file the instant service appeal before this Tribunal on the following grounds:

GROUND:

- A- That the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 passed by the respondents against the appellant is against the law, rules, facts, void ab initio, Norms of Natural Justice and materials available on the record hence not tenable in the eye of Law and is liable to be set aside to the extent of the appellant.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above

and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

- C-** That as per various judgments passed by the Superior Courts as *“that when the ordinary tenure posting and transfer 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”*.
And in the instant case the respondent has completely ignore such aspect and issued the impugned pre-mature transfer order dated 26-05-2023.
- D-** That the respondents acted in an arbitrary and malafide manner by issuing the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023.
- E-** That the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 passed by the respondents is against Article 38 (e) of the Constitution of Pakistan, 1973 which is as:
- “state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan.*
- F-** That the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 passed by the respondents is a clear violation of Article-37 of the Constitution of Islamic Republic of Pakistan which is regarding the eradication of social evils in the society and promotion of social justice.
- G-** That the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 passed by the respondents is a clear violation of the Fundamental Rights as enshrines the Constitution of Pakistan & also against various judgments passed by the Apex Supreme Court of Pakistan.
- H-** That appellant has been transfer from one place to another in such a short span of about **54 days** vide the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 and hence the same is against the norm of Natural Justice.
- I-** That act & omission on the part of the respondents while issuing the impugned pre-mature transfer order dated 26-05-2023 & appellate order dated 31-05-2023 is against Clause-IV of the Posting and Transfer Policy of the Provincial Government.

Copy of Posting Transfer Policy is attached as Annexure E.

J- That such pre-mature transfer is nothing but just to harass the appellant on one way or the other and to accommodate their blue eyed person.

K- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 02-06-2023


APPELLANT

MUHAMMAD NADIR KHAN

Through:


MUHAMMAD MAAZ MADNI

Advocate High Court, Peshawar

0333-9313113, 0314-9965666

CERTIFICATE

No, such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.


ADVOCATE

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Service Laws
3. Other relevant case Laws

AFFIDAVIT

I, MUHAMMAD NADIR KHAN, do hereby solemnly affirm on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.


DEPONENT

17301-9920905-5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

CM No. _____/2023

IN

APPEAL NO. _____/2023

MUHAMMAD NADIR KHAN

V/S

GOVT. OF KP
& OTHERS


APPLICATION FOR SUSPENSION OF THE IMPUGNED
PRE-MATURE TRANSFER ORDER DATED 26-05-2023 TO
THE EXTENT OF THE APPELLANT

Respectfully Sheweth:

1. That the appellant has filed the above titled service appeal before this Honourable Tribunal which has not been fixed so far.
2. That the appellant has challenged the pre-mature & frequent transfer order dated 26-05-2023.
3. That balance of convenience lies in favour of the appellant.
4. That appellant has good prima facie case and is sanguine about the success of the case.
5. That appellant has pre-maturely been transferred in just a short span of about 54 DAYS and if the transfer order dated 6-05-2023 has not been suspended the appellant would suffer with irreparable loss.
6. That the ingredients of the instant application may very kindly be considered as part and parcel of the main appeal.
7. That any grounds would be agitated at the time of argument with prior permission of this Honourable Tribunal.


It is, therefore, most humbly prayed that on acceptance of the instant petition the operation on the impugned pre-mature transfer order dated 26-05-2023 may very kindly be suspended to extent of the appellant and till final disposal of the main appeal.

Date: 02-06-2023



Appellant

Through:



MUHAMMAD MAAZ MADNI,
Advocates, High Court, Peshawar

AFFIDAVIT

It is solemnly affirm that the contents of the above application are true and correct to the best of knowledge & belief and nothing has been concealed from this Honourable Tribunal



DEPONENT
17301-9920905-5

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ANNEXUR-

A

OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDI SHARI SWAT

Dated: 24/03/2023

ORDER

No. 459-60 /2/18/Estt: In pursuance to the notification of Board of Revenue, Revenue & State Department Khyber Pakhtunkhwa bearing No.Estt./Posting/Transfer/2023/6185-94, dated 06/03/2023, the following posting/transfer of Tehsildars and Naib Tehsildars within Malakand Division, is hereby ordered with immediate effect, in the larger public interest

S#	Name & Designation	From	To
1	Mr. Nadir Khan Tehsildar BS-16	Waiting for posting	Tehsildar Dir HQ Dir Upper
2	Mr. Sher Ajmal Tehsildar BS-16	Waiting for posting	Tehsildar Booni/Mastuj Upper Chitral against the vacant post.
3	Mr. Afsar Jan Tehsildar BS-16 (ACB)	Waiting for posting	Tehsildar Kalkot Dir Upper vice S No 8.
4	Mr. Hamayoun Khan Tehsildar BS-16 (ACB)	Tehsildar Dargai District Malakand	Tehsildar Khal Dir Lower vice S No 5 (Two Years Tenure policy)
5	Mr. Habib Ur Rahman Tehsildar BS-16 (ACB)	Tehsildar Khal Dir Lower	Tehsildar Barikot District Swat vice S.No.6
6	Mr. Muhammad Ghulran Tehsildar BS-16 (ACB)	Tehsildar Barkot District Swat	Report to this office.
7	Mr. Shafr Ur Rahman Tehsildar ACB	Tehsildar HQ Dir	Tehsildar Drosh Lower Chitral against the vacant post. (Two Years Tenure policy)
8	Mr. Muhammad Fayyaz DRA BS-14	Tehsildar Kalkot Dir Upper	Tehsildar Chamarkand Bajuar in his own pay & scale against the vacant post (Two Years Tenure policy)
9	Mr. Anjad Farid Naib Tehsildar (BS-14)	Naib Tehsildar LA Lower Chitral	Naib Tehsildar LA Upper Chitral against the vacant post. He will also holds additional charge of Naib Tehsildar Mastuj/Booni in addition to his own duties until further orders (Two Years Tenure policy)
10	Mr. Bilal Sajid Kanungo (BPS-11)	Kanungo office of the Deputy Commissioner Dir Upper	Naib Tehsildar Sheringal Dir Upper in his own pay & scale by relieving Mr. Muhammad Ali, Naib Tehsildar (OPS) HQ Dir from additional charge
11	Mr. Rahim Ullah Kanungo (BPS-11)	Kanungo office of the Deputy Commissioner Swat	Naib Tehsildar Barikot Swat in his own pay & scale against the vacant post

By order
COMMISSIONER MALAKAND DIVISION

ATTESTED

BETTER COPY:

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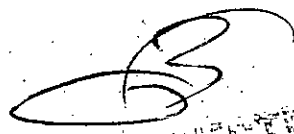
Office of the commission Malakand
Division Saidu Sharif Swat
Dated: 24-03-2023

OFFICE:

No. 459-60/2/18/Estt: In pursuance to the notification of the Board of Revenue, Revenue & Estate Department Khyber Pakhtunkhwa bearing No. Estt:/Posting/Transfer/2023/6185-94, dated 06-03-2023 with immediate effect in the larger public interest

S#	Name & Designation	From	To
1.	Mr. Nadir Khan Teshildar BS-16	Waiting for Posting	TehsildarDir HQ Dir Upper
2.	NOT RELEVANT		
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			

By Order
Commissioner Malakand Division


ATTESTED

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ANNEX - B¹³

secretarylocind@gmail.com

Commissioner Malakand Division

@commisslonerind

OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHABIE SWAT

Dated: 26/05/2023

ORDER

No. 1033-35 12/19/Estt: The following posting/transfer of Tehsildars and Naib Tehsildar within Districts Shangla, Dir Upper and Chitral Lower is hereby ordered with immediate effect, in the larger public interest:

S#	Name & Designation	From	To
1	Mr. Ajmal Khan Tehsildar ACB (BS-16)	Waiting for posting	Tehsildar HQ Dir vice S.No.2
2	Mr. Nadir Khan Tehsildar ACB (BS-16)	Tehsildar HQ Dir	Tehsildar Mulkhaw/Torkhaw Upper Chitral against the vacant post.
3	Mr. Irfan Ali, Kanungo (BPS-11)	Kanungo office of the Deputy Commissioner Shangla	Naib Tehsildar Arandu Lower Chitral in his own pay & scale against the vacant post.

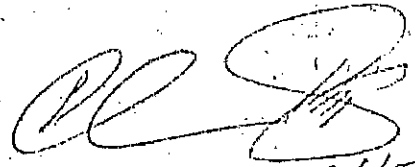
By Order

COMMISSIONER MALAKAND DIVISION

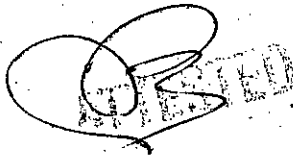
ENDST: NO & DATE EVEN

Copy forwarded to:-

1. The Deputy Commissioners, Shangla, Dir Upper and Chitral Lower.
2. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officers Shangla, Dir Upper and Chitral Lower.
4. The Officers/Official concerned, for compliance.
5. Office order File.


(SHAKIR ULLAH) 26/5/2023

ASSISTANT TO COMMISSIONER (REV/GEN)
MALAKAND DIVISION



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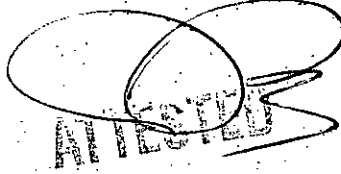
Office of the commission Malakand
Division Saidu Sharif Swat
Dated: 26-05-2023

OFFICE:

No. 1033-35 /2/19/Estt: The following posting/transfer of Tehsildar and NaibTehsildar within District Shangla, Dir Upper and Chitral Lower is hereby order with immediate effect in the larger public interest

S#	Name & Designation	From	To
1	Mr. Ajmal Khan Tehsildar ACB (BS-16)	Waiting for Posting	Tehsildar HQ Dir Vice No. 2
2	Mr. Nadir Khan Teshildar BS-16	Tehsildar HQ Dir	TehsildarMulkhow/Torkhow Upper Chitral Against the vacant Post
3	Mr. Irfan Ali, Kanungo (BPS-11)	Not Relevant	

By Order
Commissioner Malakand Division


MILK

(9) ANNEX C

The Honorable Senior Member,
Board of Revenue, Government of Khyber Pakhtunkhwa,
Revenue and Estate Department.

**SUBJECT: DEPARTMENTAL APPEAL REGARDING CANCELLATION OF
ORDER BEARING NO. 1033-35/2/19-ESTB, DATED 26/05/2023.**

Respected Sir,

**IT IS SUBMITTED IN YOUR HONOR THAT THE TRANSFER ORDER ISSUED BY THE
COMMISSIONER MALAKAND DIVISION SAIDU SHARIF SWAT DATED
26/05/2023 IS REQUIRED TO CANCEL IS THE BASIC REQUEST.**

FACTS OF THE CASE.

1. That I have served in the Revenue and Estate Department for the last 18 years and now working as Tehsildar (BPS-16) on Regular Basis.
2. That my services was placed at the disposal of Commissioner Malakand Division Swat by the Board of Revenue for further posting as Tehsildar and was posted as Tehsildar Dir Upper (HQ) on 24/03/2023 vide Order No. 459-60/2/18-Estb; (copy of the order is attached).
3. That in compliance with I have resumed the Charge to the Post of Tehsildar Dir Upper (HQ) on 02/04/2023 and performed my duties with the entire satisfaction of my Superiors.
4. That I have serve for one month and 21 days as Tehsildar Dir Upper (HQ) and unfortunately my transfer order has been issued to upper Chitral by the Commissioner Malakand Division vide Office Order No. 1033-35/2/19-Estb; dated 26/05/2023 (Copy enclosed).
5. That the said order issued by the Commissioner Malakand Division Swat without keeping the Law and Rules of Business. As per APT Rules the maximum tenure of posting at one station is 3 years and minimum 2/1 years.
6. That I was transferred and replaced by one Tehsildar who is not Regular Tehsildar and he is working Tehsildar on Acting Charge Basis so junior to me.
7. That my immediate officers i.e Worthy D.C, ADC (G) and AC HQ are satisfied from my duties and they are appreciated me.

PRAYER.

Keeping in view the above facts, and acceptance of my appeal / request it is humbly requested that due to not completion of my posting tenure as per Provision under Rules of Business and APT Rules, the impugned Transfer order may kindly be stayed and issue necessary directions to the worthy

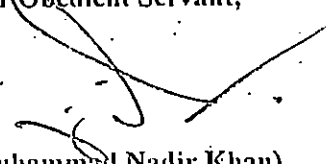
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Commissioner Malakand Division Swat to withdraw the said order in the best interest of General Public. It is also mentioned here that the Tehsildar who is posted against me is not a regular Tehsildar may be adjust any other vacant post in the Division.

I shall pray for your long life.

Your Obedient Servant,




(Muhammad Nadir Khan)
Tehsildar (BPS-16) Dir Upper (HQ)

26/05/2023

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(11)

ANNEX- D^m


	GOVERNMENT OF KHYBER PAKHTUNKHWA, BOARD OF REVENUE, REVENUE & ESTATE DEPARTMENT.	
	091-9212726	091-9214208
No.Estt:I/PF/M. Nadir/ 22177		Peshawar Dated the 3/05/2023

To

Mr. Muhammad Nadir Khan,
Tehsildar (HQ) Dir Upper.

**SUBJECT: DEPARTMENTAL APPEAL REGARDING CANCELLATION OF ORDER
BEARING NO. 1033-35/2/19-ESTB, DATED 26.05.2023.**

I am directed to refer to the subject noted above and to state that your Departmental Appeal dated 26.05.2023 has been examined and regretted by the Competent Authority please.


(NOOR KHAN)
Assistant Secretary (Estt)
Board of Revenue.



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GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

①-②
③-④
⑤-⑥
⑦-⑧
⑨-⑩
⑪-⑫
⑬-⑭

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.
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.
- vi(a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

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

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

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

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

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

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 3

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

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

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

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

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

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

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

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

ATTESTED

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.

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(POWER OF ATTORNEY)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2023

MUHAMMAD NADIR KHAN

VS

GOVT. OF KP& OTHERS

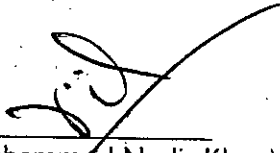
I, Muhammad Nadir Khan do hereby nominated and appointed **MUHAMMAD MAAZ MADNI**, Advocate High Court, Peshawar, to be counsel in the above matter for me/us and on my/our behalf as agreed to appear, plead, act and answer in the above court or any appellate court or any court to which the business is transferred in the above matter as and is agreed to sign and file petition, appeals, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc and to apply for and issue summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrants or order and to conduct any proceedings that may arise there out; and to apply for and receive payment of any or all sums or submit the above matter to arbitration, and to employ an other legal practitioner authorizing him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

AND to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.

AND I/WE hereby agree to ratify and confirm all lawful acts done on my/our behalf; under or by virtue of these present or of the usual practice in such matter. PROVIDED always that I/WE undertake at the time of calling of the case by the court I/MY authorized agent shall inform the advocate and make him appear in the court, if the case, may be dismissed in default, it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHERE OF I/We hereunto set MY/OUR hand to these presents, the contests of which have been explained to and understood by ME/US this 01ST day of June 2023.

EXECUTANT


(Muhammad Nadir Khan)

Accepted subject to the terms regarding fees:


MUHAMMAD MAAZ MADNI,

ADVOCATE HIGH COURT, PESHAWAR

BC No. (BC-11-1460)

CNIC No. 17101-9263898-1

OFFICE: **TF-291, 292**, Deans Trade Centre, Peshawar Cantt.,
0333-9313113, 0345-9090737, 0314-9965666