

4. The learned counsel submits that from the impugned order dated 12.12.2022, it appears that the order dated 13.06.2022 was cancelled as a result of some inquiry, whereas, he submits that the posting/transfers could not be made as a punishment. Notice of this application be given to the other side. Operation of impugned order shall remain suspended in the meantime.

5. This original order sheet be placed on the file at Principal Seat and be duly scanned, so, that it could be made part of the soft file also.



(Kalim Arshad Khan)
Chairman
Camp Court, Swat

**Mutazem Shah **

Service Appeal No.368/2023

5th June, 2023

1. The Reader informed that the original appeal file was not brought from Peshawar, therefore, the Reader was directed to get the scanned copy of the file in PDF form from the office on WhatsApp and get printout of that, so that the preliminary arguments could be heard. The file was accordingly received and printed.
2. Learned counsel for appellant present and heard.
3. Against the impugned order dated 12.12.2022 whereby, earlier order of transfer dated 13.06.2022 was withdrawn due to recommendation of inquiry report of Miss. Safia, Principal GGHS Palonow and Shagufta Begum, Principal GGHSS Haryan Kot. It appears from the order dated 13.06.2022 that Mrs. Shabnam Begum was transferred from the GGHS Batkhela to the GGMS Karkani Khar against the post on which the appellant was serving while the appellant was transferred to GGHS Jalala against the vacant post. The appellant filed departmental appeal, which was regretted on 17.02.2023 by the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa and she filed this appeal against the above two orders on 27.02.2023. The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 10 days. The respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days. To come up for reply/comments on 03.07.2023 before S.B at Camp Court, Swat. P.P given to the appellant.



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F)
MALAKAND



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ADDRESS: CANAL ROAD NEAR GOVERNMENT GIRLS DEGREE COLLEGE BAIKHELA MALAKAND

No. 2358

Dated: 22/12/2022

To

The Director,
E&SE Khyber Pakhtunkhwa
Peshawar.

Subject: INQUIRY REPORT REGARDING MRS. SHABNAM BEGUM SST (G)
GGMS KARKANI KHAR DISTRICT MALAKAND.

Memo,

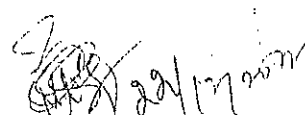
Reference to the Whatsapp message received regarding report in the instant case, it is stated that this office nominated inquiry officers vide Endst: bearing.

No.2358-61 Dated 21-11-2022. Inquiry report submitted by the inquiry officers to the office of the undersigned. After detailed study of the inquiry it was found that the applicant Mst. Shabnam Begum SST (G) suffered and transferred to GGHS Jalala. (Inquiry report attached).

As per Notification issued for Rationalization policy vide Director E&SE Khyber Pakhtunkhwa Peshawar Letter No.4916-70/SNE Rationalization dated Peshawar the 18-01-2019, the EX-DEO (F) Malakand has transferred some surplus SSTs to other schools on need basis vide Endst: bearing No.788 dated.11/02/2019. In this connection one SST General Post was transferred from GGHS Badam Baghicha to GGHS No.2 Batkhela on need basis.

After that district cadres promotion order issued vide DEO (F) Malakand Endst: No.155-59/Promotion of AT/CT/DM/PST to SST dated Batkhela the 26-02-2019 in which Mst. Shabnam Begum was promoted from Senior CT to SST (G) and adjusted at GGHS No.2 Batkhela. And when the posts were reconciled with the Government of Khyber Pakhtunkhwa, Finance Department, the same post was again shifted to Badam Baghicha and Shabnam Begum salary was drawing from GGHS No.2 Batkhela but there was no post in the Budget Book and it was counted as surplus. After one year Miss Anisa Chand SST (G) was transferred from GGHS Dara Rainota District Dir Lower to GGHS Badam Baghicha Thana order vide Director E&SE Khyber Pakhtunkhwa Peshawar Endst:1335-38/A-17/P.F/Aneesha Chand SST Dir Lower Dated 20-02-2020. One SST post became vacant in GGHS Jalala, on which by order of Worthy Director E&SE Khyber Pakhtunkhwa Peshawar letter No. 7810/A-17/Transfer/Malakand dated Peshawar the 13-04-2022 Mst. Shabnam Begum SST Surplus was transferred from GGHS No.2 Batkhela to GGHS Jalala vide order DEO (F) Malakand Endst: No.20135-41 dated.07-05-2022. After a month, the transfer order of Mst. Shabnam Begum was cancelled vide DEO (F) Malakand Endst: No.20590-06 Dated.11-06-2022 And two days later an order was issued transferring Mst. Shabnam Begum from GGHS No.2 Batkhela to GGMS Karkani Khar and another SST (G) teacher Mrs. Shazia from GGMS Karkani Khar to GGHS Jalala.

The report is hereby submitted for further necessary action please.


DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.