

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 107/2023

Mst. Imtaiz Tabasam, CIPE.....Appellant.

VERSUS

Govt: of Khyber Pakhtunkhwa & others.....Respondents.

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Despondent

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal # 107/2023

Mst. Imtaiz Tabasam, CIPE.....Appellant

VERSUS

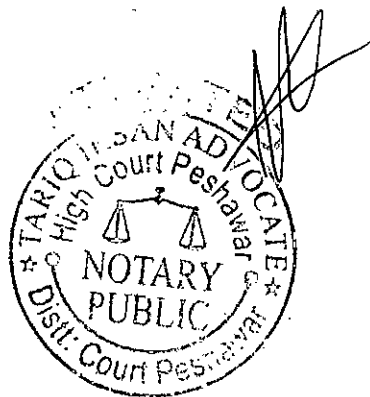
Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

I, **Mr. Amjad Ali**, Section Officer (Litigation-II) Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor their defense has been struck off.

DEPONENT



Mr. Amjad Ali
Section Officer (Lit-II)
E&SE Department Peshawar

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

AUTHORITY LETTER

It is certified that **Mr. Fahim, Focal person (Litigation-II)** Elementary & Secondary Education Department is hereby authorized to submit parawise comments on behalf of Secretary Elementary & Secondary Education Department Peshawar **in Service Appeal No. 107/2023 Case Titled Mst. Imtaiz Tabasam** vs Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Mr. Amjad Ali
Section Officer (Lit-II)
E&SE Department Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**In Service Appeal No. 107/2023****Mst. Imtiaz Tabasam.....Appellant.****VERSUS****Chief Secretary to Govt of KPK Peshawar..... Respondents.****PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NOS. 01, 02 & 03.****Respectfully Sheweth,****Preliminary Objections:****Khyber Pakhtunkhwa
Service Tribunal****Diary No. 6309****Dated 06/07/23**

1. The appellant has not come to this Tribunal with clean hands.
2. The appellant is not an aggrieved person nor has any locus standi to file the present appeal.
3. That the appellant has concealed material facts from this Tribunal.
4. That the appellant is estopped by his own conduct to file the present appeal.
5. That the present appeal is against the prevailing law and rules.
6. That the appellant is not entitled for any relief, she has sought from this Honorable Tribunal.
7. That the present appeal is liable to be dismissed being devoid of any merits.
8. That the present appeal is barred by law and hence not maintainable.

On Facts


1. Needs no comments.
2. Pertains to record.
3. Pertains to record.
4. Pertains to record.
5. Para-5 is incorrect and misleading towards. It is pertinent to mention here that section-10 of Civil Servants Act, 1973 empowers this Honorable Tribunal competent authority to place the services of the appellant throughout the province. Furthermore, the statement that District Charsadda is a far flung area is very much incorrect and wrong. The distance between the two districts is only 30 to 40 KM. Furthermore, the transfer order of appellant is in accordance with law and in best of public interest.
6. Para-6 is subject to official record, however the transfer/posting of appellant is also subject to availability of posts, which in District Peshawar, now a days not available.
7. Para-7 is incorrect and hence denied. All the transfer/posting in E&SED are made in public interest and not for an individual's personal interest and choice.
8. Para-8 is incorrect, false and hence denied. The detail reply is given above.
9. Para-9 is incorrect, hence denied. The case of the appellant is different in nature and is replied in detail in above para's.
10. Para-10 is incorrect, hence denied being un-true & false. Detail reply has been given above.

11. As replied in the above para's, there is no availability of vacant post, therefore her representation was useless.

On Grounds:

- a) Incorrect, hence denied, the Respondents/Competent Authority is empowered u/s 10 of Civil Servants Act, 1973 for placing the services of appellant anywhere throughout the province.
- b) Incorrect, the transfer/posting of appellant is in accordance with law & rules.
- c) Incorrect, there is no vacant post available at Peshawar.
- d) Incorrect, hence denied, the detail reply is given above.
- e) Incorrect. The appellant was treated according to law, rule and in the best public interest.
- f) Incorrect, and is subject to the official record. Detail has been given above.
- g) Incorrect, there is nothing unlawful in the transfer/posting of appellant.
- h) Incorrect, hence denied in the above mentioned circumstances.
- i) Incorrect, there is no case of appellant at all and the present case is liable to be dismissed summarily. The respondents also seek permission to raise additional grounds at the time of arguments.

It is therefore, requested that the appeal of the appellant may kindly be dismissed with cost.


SECRETARY
Elementary & Secondary Education,
Department (Respondent Nos. 01, 02 & 03)



(5)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

Dated Peshawar, September 14th, 2022

NOTIFICATION

NO.SO(S/F)E&SED/4-16/2022/Posting/Transfer/50: Upon their promotion vide notification No.SO(S/F)E&SED/2-3/2022/Promotion dated:20.04.2022 the following CIPEs (BS-19) Officers are hereby posted against the post mentioned against each.

Sr. #	Name/ Designation	Present Posting	To	Remarks
1	Mst. Shaheen Anwar	GGCHSS Abbottabad, CIPE (OPS)	GGCHSS Abbottabad, CIPE (BS-19)	(Already occupied)
2	Mst. Rehana Parveen	GGHSS Proa D.I Khan, SIPE (BS-18)	GGHSS Ghoriwala Bannu, CIPE (BS- 19)	AVP
3	Mst. Shahida Begum	GGHSS Nowshera Kalan, SIPE (BS- 18)	GGHSS Shah Mansoor Swabi, CIPE (BS-19)	AVP
4	Mst. Shabnam Jadoon	GGHSS Dhamtour Abbottabad, SIPE (BS-18)	GGHSS Havalian Abbottabad, CIPE (BS-19)	Vice Sr. NO.32
5	Mst. Tamseela Naz	RPDC (Female) D.I khan, CIPE (BS-18 OPS)	RPDC (Female) D.I khan, CIPE (BS- 19)	(Already occupied)
6	Mst. Naureen Anwar	RPDC (Female) Peshawar, SIPE (BS-18)	RPDC (Female) Peshawar, CIPE (BS-19)	(Already occupied)
7	Mst. Saeeda Begum	GGHSS Chamkani Peshawar, SIPE (BS- 18)	GGHSS No.2 Peshawar Cantt, CIPE (BS-19)	Vice Sr. No.14
8	Mst. Misbah Seema	GGHSS No.6 D.I Khan, SIPE (BS-18)	GGHSS Karak CIPE (BS-19)	Vice Sr. No.34
9	Mst. Raheela Bano	GGHSS No.5 Qasaban D.I Khan, SIPE (BS-18)	GGHSS No.5 Qasaban D.I Khan, CIPE (BS-19)	(Already occupied)
10	Mst. Rafia Khattak	GGHSS Mathra Peshawar, SIPE (BS- 18)	GGHSS Shabqadar Fort Charsadda, CIPE (BS-19)	AVP

Section Officer (S/E)
Elementary & Secondary Education
Govt. of Khyber Pakhtunkhwa



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

11	Mst. Hamida Begum	GGHSS No.2 Kili Alizai D.I Khan, (CIPE OPS)	GGHSS No.9 Din Pur D.I. Khan, CIPE (BS-19)	AVP
12	Mst. Abida Parveen	GGHSS Malak Pura Abbottabad, SIPE (BS-18)	GGHSS No.2 Mansehra, CIPE (BS-19)	AVP
13	Mst. Robina Shaheen	GGHSS Sikandar Khel Bala Banu, SIPE (BS-18)	GGHSS No.2 Bannu, CIPE (BS-19)	Vice Sr. No.35
14	Mst. Nabila Tabasum	GGHSS No.2 Peshawar Cantt, SIPE (BS-18)	GGHSS Taru Jabba Nowshera, CIPE (BS-19)	Vice Sr. No. 33
15	Mst. Danish Begum	GGHSS Shah Dand Mardan, SIPE (BS-18)	GGHSS Sawal Dheri Mardan, CIPE (BS-19)	AVP
16	Mst. Sughra Afandi	GGHSS Baghichal Dheri Mardan, SIPE (BS-18)	RPDC (Female) Charsadda, CIPE (BS-19)	Vice Sr. No. 40
17	Mst. Nigar Akhtar	GGHSS Shaidu Nowshera, SIPE (BS-18)	GGCMHSS Mardan, CIPE (BS-19)	Vice Sr. No.36
18	Mst. Naheed Gohar	GGHSS Jungle Khel Kohat, CIPE (OPS)	GGHSS Jangal Khel Kohat, CIPE (BS-19)	(Already occupied)
19	Mst. Asma Qureshi	GGHSS Lady Grifith Peshawar, SIPE (BS-18)	GGCHSS Peshawar, CIPE (BS-19)	Vice. Sr. No.37
20	Mst. Munaza Jabeen	GGHSS Tarnab Farm Peshawar, SIPE (BS-18)	GGHSS University Town, CIPE (BS-19)	AVP
21	Mst. Azra Naz	GGHSS Toru Mardan, SIPE (BS-18)	GGHSS No.1 Mardan, CIPE (BS-19)	AVP
22	Mst. Ghazala Naeem	GGHSS Behzadi Chakarkot Kohat, SIPE (BS-18)	RPDC (Female) Kohat, CIPE (BS-19)	AVP
23	Mst. Shujaat Begum	GGHSS Takhtbhai Mardan, SIPE (BS-18)	GGHSS Nowshera Cant, CIPE (BS-19)	AVP
24	Mst. Baseerat Afzal	GGHSS Hathian Mardan, SIPE (BS-18)	RPDC (Female) Malakand, CIPE (BS-19)	AVP



(7)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
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25	Mst. Rohila Gul	GGHSS Koti Sadat Bannu, SIPE (BS-18)	RPDC (Female) Swabi (AVP), CIPE (BS-19)	AVP
26	Mst. Saima Andleeb	GGHSS Kot Najibullah Haripur, SIPE (BS-18)	GGHSS Kot Najibullah Haripur, CIPE (BS-19)	(Already occupied)
27	Mst. Shahana	GGHSS Domel Bannu, SIPE (BS-18)	RPDC (Female) Bannu, CIPE (BS-19)	AVP
28	Mst. Imtiaz Tabassum	GGHSS Joghiwara Peshawar, SIPE (BS-18)	GGHSS Sherpao Charsadda, CIPE (BS-19)	Vice Sr. No.38
29	Mst. Saima Gul	GGHSS Sherazi No.8 D.I Khan, SIPE (BS-18)	RPDC (Female) Swat, CIPE (BS-19)	AVP
30	Mst. Maryam Mustafa	RPDC Abbottabad, Instructor (BS-18)	RPDC Abbottabad, CIPE (BS-19)	(Already occupied)
31	Mst. Fakhar e Anjum	GGHSS Sawal Dher Mardan, SIPE (BS-18)	GGHSS Katlang Mardan, CIPE (BS-19)	AVP
CONSEQUENTIAL POSTING				
32	Mst. Shahida Jadoon IPE (BS-17) working against CIPE (BS-19)	GGHSS Havalian Abbottabad	GGHSS Damtour Abbottabad (OPS)	Vice Sr. No.4
33	Mst. Asmat Ara IPE (BS-17) working against CIPE (BS-19)	GGHSS Taru Jaba Nowshera	GGHSS Chamkani Peshawar (OPS)	Vice Sr. No.7
34	Mst. Sardar Bibi SIPE (BS-18) working against CIPE (BS-19)	GGHSS Karak	GGHSS Chokara karak	AVP
35	Mst. Samar Bibi IPE (BS-17) working against CIPE (BS-19)	GGHSS No.2 Bannu	GGHSS Sikandar Khel Bala Bannu (OPS)	Vice Sr. No.13
36	Mst. Robina Akhtar IPE (BS-17) working against CIPE (BS-19)	GGCMHSS Mardan	GGHSS Qasim Toru Mardan	AVP
37	Mst. Samina Akhtar SIPE (BS-18) working against CIPE (BS-19)	GGHS Comprehensive Peshawar	GGHSS Lady Griffith Peshawar	Vice Sr. No. 19
38	Mst. Haseena Gul, IPE (BS-17) working against CIPE (BS-19)	GGHSS Sherpao Charsadda	GGHSS Ziam Charsadda	Vice Sr. No.39



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

39	Farzana Ihsan, IPE (BS-17)	GGHSS Ziam Charsadda	GGHSS Mathra Peshawar (OPS)	Vice sr. No.10
40	Mst. Yasmeen IPE (BS-17) working against CIPE (BS-19)	RPDC (Female) Charsadda	GGHSS Muslim Abad Shakoor Charsadda (Against SIPE BS- 18 in OPS)	AVP

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. CSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) concerned.
5. District Account Officer, concerned.
6. Director EMIS, E&SE Department for uploading at official website at the earliest.
7. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department.
9. PA to Additional Secretary, E&SE Department.
10. Officers/Officials Concerned.
11. Office order file.

ECOM.
15-9-22

o/c

(MUHAMMAD FAIZAN ZEB)
SECTION OFFICER (S/F)

Section Officer (S/F)
Elementary & Secondary Education
Deptt; Govt; of Keyber Pakhtunkhw