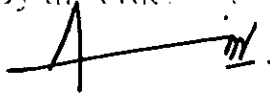


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. 1423/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/07/2023	<p>The appeal of Mst. Shabana M... by Mr. Inayat Ullah Khan Advocate... preliminary hearing before Single Bench at Peshawar...</p> <p>By the order of  REGISTRAR</p>

This is an appeal filed by Mst. Shabana Mir today on 16/05/2023 against the order dated 30.03.2023 against which she made/preferred departmental appeal/representation on 31.03.2023 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 1423/ST,

Dt. 17/5/2023.

  
REGISTRAR  
SERVICE TRIBUNAL,  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Inayat Ullah Khan Adv.  
High Court Peshawar.

*The instant Service Appeal is again presented after lapse of statutory period of ninety days. Since it is a matter relating to transfer hence it is requested to fix it immediately for hearing before the court.*

*Please put up the case file alongwith the Honble chairman of the Government transfer policy appeal filed by the appellant within 15 days, however after lapse of the said period yet no final order has been passed by the official authority. The point raised need judicial determination to resolve this anomaly to advance the cause of justice.*

*Resubmitted.*

*Inayat Ullah Khan  
4/7/2023  
Adv. (UK)*

*27/5/2023  
Inayat Ullah Khan  
Advocate Supreme Court  
UK (UK)*

شماره 1423

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. 1423 /2023

Mst. Shabana Mir..... Appellant

Versus

Chief Secretary, Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar and others..... Respondents

**INDEX**

S.No.	Description of documents.	Annexure	Pages.
1.	Grounds of appeal.		1-7
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3.	Addresses of the parties.		11
4.	Copy of order dated 22.03.2023	A	12
5.	Copy of impugned order dated 30.03.2023	B	13
6.	Copy of order dated 27.03.2023	C	14
7.	Copy of corrigendum order dated 29.03.2023	D	15
8.	copy of order dated 29.03.2023 issued by respondent No.3	D/1	16
9.	Copies of departmental appeal dated 31.03.2023	E	17-18
10.	Copy of letter of personal hearing dated 07.04.2023	F	19
11.	Wakalatnama.		20

Note:

**That since the matter is relating to posting and transfer of appellant and according to clause-xiv of Posting Transfer Policy promulgated by Provincial Government, the appellate authority shall dispose off departmental appeal within 15 days, hence the instant service appeal is being filed before this Hon'ble Tribunal in terms of Posting Transfer Policy, which is well within time.**

Dated: 16.05.2023

شماره 1423  
Appellant

Through

**Inayat Ullah Khan**

Advocate

Supreme Court of Pakistan

LL.M (U.K)

Cell: 0333-9227736

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 1423 /2023

**Mst. Shabana Mir** d/o Mir Zakam Khan Wazir  
R/o House No.32, St.No.5, Shaheen Housing Society, Mathra,  
District Peshawar  
SST (G) BPS-17, GGHS Dab Kor, Mohmand..... Appellant

**Versus**

- 1) Chief Secretary, Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2) Secretary Elementary and Secondary Education Department Block-A, Opposite MPAs Hostel, Civil Secretariat, Peshawar.
- 3) Director Elementary and Secondary Education Department, near GHSS No.1, G.T. Road, Peshawar.
- 4) District Education Officer (female) Mohmand
- 5) Mst. Nazia Rehman SST (BPS-16) Qafila Road, Naseer Street, Tehkal Payan-1, Peshawar..... Respondents

Appeal u/s 4 of the K.P Service Tribunal Act, 1974 r/w clause-ii and clause x of Posting/ Transfer Policy of the Provincial Government against the impugned Transfer order No.18380-83/ E-6/Nazi Rehman SST dated Peshawar 30.03.2023 whereby notification dated 29.03.2023 was withdrawn in respect of the posting transfer of the appellant while the previous notification issued vide office Endst.No.3812-17 dated 22.03.2023 regarding adjustment of fresh appointed

SST was intact, hence files the instant appeal before this Hon'ble Tribunal, which is well within time.

---

**PRAYER:**

**On acceptance of this Service appeal** it is therefore, earnestly prayed from this Hon'ble Tribunal to set aside the **impugned order dated 30.03.2023** and restore the **corrigendum order dated 29.03.2023** issued by respondent No.3 for posting of the appellant at **GGHS Dab Kor Mohmand**, which is a nearest school to the residence of her parents in terms of **clause-x of the Posting and Transfer Policy** promulgated by the Provincial Government.

It is further requested that the official respondents may kindly be restrained from taking any adverse action against the appellant till final disposal of instant appeal.

---

***Respectfully Sheweth;***

Brief facts giving rise to the instant appeal are as under:-

- 1) That the appellant SST (G) (BPS-17) was regularly performing her duties at GGHS Dab Kor Mohmand to the entire satisfaction of her immediate seniors and no complaint whatsoever was filed against her from any quarter.
- 2) That vide order dated 22.03.2023 the DEO (F) Mohmand Tribal District transferred Nazia Rehman SST (G) (BPS-16)

from GGHS Dab Kor Mohmand to GGHS Elam Kor Mohmand in best public interest with immediate effect.

**It is pertinent to mention that Nazia Rehman SST (BPS-16) General was working against the wrong post of SST (Bio/ Chemistry), therefore, she was transferred from GGHS Dab Kor Mohmand to GGHS Elam Kor, Pandwali Mohmand against the vacant post of SST General in the best public interest, however, the ibid order was illegally withdrawn by the Director Elementary and Secondary Education Khyber Pakhtunkhwa on her political influence, which is violative of Posting and Transfer Policy formulated by the Provincial Government.**

***(Copy of order dated 22.03.2023 is Annex: "A")***

- 3) That due to political influence exerted by Mst.Nazia Rehman SST (G) BPS-16, the order dated 22.03.2023 was withdrawn/ cancelled as referred in para No.2 above through impugned order dated 30.03.2023, while the appellant was illegally transferred as SST (G) BPS-17 from GGHS Dab Kor to GGHS Elam Kor Pandwali Mohmand vide order dated 27.03.2023 Ensdst No.3845-41.

***(Copy of impugned order dated 30.03.2023 is Annex: "B" while order dated 27.03.2023 is Annex: "C").***

- 4) That feeling aggrieved from illegal order dated 27.03.2023 Endst: No.3845-41, the appellant approached the office of DEO (F) who was kind enough to redress the genuine grievance of the appellant being (un-married teacher) by withdrawing the ibid order and restoring the posting of the appellant at GGHS Dab Kor Mohmand while the original

order Endst No.3812-17 dated 22.03.2023 regarding posting/ transfer order was restored and kept intact vide corrigendum order dated 29.03.2023.

It is pertinent to mention that the District Education Officer (F) Mohmand Tribal District i.e. respondent No.3 vide order dated 29.03.2023 Endst. No.3849-56 withdrawn/ cancelled the notification Endst.No.3835-41 dated 27.03.2023.

***(Copy of corrigendum order dated 29.03.2023 is Annex: "D" and copy of order dated 29.03.2023 issued by respondent No.3 is Annex: "D/1").***

- 5) That the Hon'ble Director Elementary and Secondary Education KP, Peshawar without assigning any reason or cause and without hearing the appellant withdrawn/ cancelled the order dated 29.03.2023 due to which the appellant was again illegally transferred and posted as SST (G) from GGHS Dab Kor Mohmand to GGHS Elem Pandyali Kor Mohmand without taking into consideration the fact that an un-married female teacher shall be posted at the nearest station to her parents house.

It is pertinent to mention that GGHS Dab Kor Mohmand situated near the parents' house of the undersigned while the school i.e. GGHS Elem Kor situated at a distance of 3 to 4 hours traveling from the residence of appellant, which is against the rules and policy of Government of Khyber Pakhtunkhwa. Copy of impugned order dated 30.03.2023 is already annexed as Annexure "B".

- 6) That the appellant feeling aggrieved and dissatisfied from the impugned order dated 30.03.2023, preferred Departmental Appeal dated 31.03.2023 to the respondent

No.2, which was fixed for personal hearing on 12.04.2023 at 11:00 am in the office Additional Secretary Elementary and Secondary Education Department, but the same was postponed and till date no further hearing has been fixed in the matter in hand.

**(Copies of departmental appeal dated 31.03.2023 is Annexure "E" and letter of personal hearing dated 07.04.2023 is Annex: "F").**

Being dissatisfied with the impugned Transfer Order/ Notification dated 30.03.2023, the appellant having no other remedy but constrained to approach this Hon'ble Service Tribunal for redressal of her grievance on the following amongst other grounds.

GROUNDS FOR APPEAL:

- a) That the impugned transfer/ posting notification dated 30.03.2023 is violative of **clause-x** of the Posting & Transfer Policy promulgated by the Provincial Government wherein it has been categorically mentioned that **unmarried female government servants** may be facilitated to be posted at the station of the residence of their parents.

It is necessary to reproduce clause-x in verbatim for the convenience of this Hon'ble Tribunal;

**Clause (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.**

- b) That it is pertinent to mention that Nazia Rehman SST (BPS-16) General was working against the wrong post of SST (Bio/ Chemistry), therefore, she was transferred from GGHS Dab Kor Mohmand to GGHS Elam Kor, Pandiyali Mohmand against the vacant post of SST General in the best public interest, however, the ibid order was illegally



withdrawn by the Director Elementary and Secondary Education Khyber Pakhtunkhwa on her political influence, which is violative of clause-ii of the Posting and Transfer Policy formulated by the Provincial Government.

It is necessary to reproduce clause-ii in verbatim for the convenience of this Hon'ble Tribunal;

**Clause (ii). All government servants are prohibited to exert political, Administrative or any other pressures upon the posting/ transfer authorities for seeking posting/ transfers of their choice and against the public interest.**

- c) That this Hon'ble tribunal has time and again declared posting and transfer orders passed by the authorities, which are violative of the Posting and Transfer Policy promulgated by the Provincial Government in the spirit that the policy itself indicates its strict compliance.
- d) That from bare perusal of the available record regarding the illegal transfer of the appellant speaks volume of malafide and indicative of **high handedness, favoritism and misuse of authority, therefore, violative of the most celebrated judgment rendered by the Supreme Court of Pakistan in Anita Turab's case reported in PLD 2013 SC 195.**
- e) That additional ground will be raised at the time of arguments with the kind permission of this Hon'ble Tribunal at the time of hearing.

Keep in view what has been stated above, it is therefore, earnestly prayed from this Hon'ble Tribunal to set aside the **impugned order dated 30.03.2023** and restore the **corrigendum order dated 29.03.2023** issued by respondent No.3 for posting of appellant at

GGHS Dab Kor Mohmand, which is a nearest school to the residence of her parents in terms of **clause-x of the Posting and Transfer Policy** promulgated by the Provincial Government.

It is further requested that the official respondents may kindly be restrained from taking any adverse action against the appellant till final disposal of instant appeal.

Any other relief, to whom the appellant found entitle, may also be granted.

Dated: 16.05.2023

شہاز میر  
Appellant

Through



**Inayat Ullah Khan**  
Advocate  
Supreme Court of Pakistan  
LL. M (U.K)

**AFFIDAVIT**

I, do hereby affirm and declare on oath that the contents of the accompanying **appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



شہاز میر

Deponent  
CNIC No.17301-1399983-8

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

C.M No. \_\_\_\_\_/2023

IN

S.A.No. \_\_\_\_\_/2023

Mst. Shabanã Mir..... Appellant

Versus

Chief Secretary, Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar and others..... Respondents

**APPLICATION FOR SUSPENSION OF  
IMPUGNED ORDER DATED 30.03.2023 TILL  
THE FINAL DISPOSAL OF INSTANT SERVICE  
APPEAL WITH FURTHER PRAYER NOT TO  
FURTHER TRANSFER THE APPELLANT  
DURING PENDENCY OF ACCOMPANYING  
APPEAL.**

**It is also requested that official respondents may kindly be restrained from taking any adverse action against the appellant till the final disposal of the instant appeal.**

**Respectfully Sheweth:-**

1. That the accompanying service appeal has been filed before this Honorable Service Tribunal against the impugned transfer order dated 30.03.2023, hence seeking early fixation of the same.
2. That the accompanying service appeal may kindly be treated as part and parcel of this application.

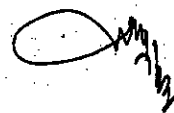
3. That through the instant Misc. application, the appellant is seeking suspension of the impugned order dated 30.03.2023 till the final decision of the main service appeal in the best interest of justice, fair play and equity.
4. That balance of convenience also lies in favour of appellant having a good prima facie case in her favour.

It is therefore humbly prayed that on acceptance of this application the impugned order dated 30.03.2023 be suspended till the final disposal of the accompanying service appeal with further direction to the respondents not to further transfer the appellant during pendency of the service appeal.

It is further requested to restrain the official respondent not to take any adverse action against the appellant till final adjudication of the appeal.

Dated: 16.05.2023

  
Appellant

Through 

**Inayat Ullah Khan**  
Advocate  
Supreme Court of Pakistan  
LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

C.M No. \_\_\_\_\_/2023

IN

S.A.No. \_\_\_\_/2023

Mst.Shabana Mir..... Appellant

Versus

Chief Secretary, Government of Khyber Pakhtunkhwa Civil  
Secretariat, Peshawar and others..... Respondents**AFFIDAVIT**

I, **Mst.Shabana Mir** d/o Mir Zakam Khan Wazir R/o House No.32, St.No.5, Shaheen Housing Society, Mathra, District Peshawar SST (G) BPS-17, GGHS Dab Kor, Mohmand do hereby affirm and declare on oath that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Deponent

CNIC No. 17301-1399983-8

(11)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

S.A.No. \_\_\_\_/2023

Mst.Shabana Mir..... Appellant

Versus

Chief Secretary, Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar and others..... Respondents

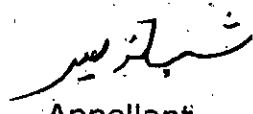
ADDRESSES OF THE PARTIES

APPELLANT:

**Mst.Shabana Mir** d/o Mir Zakam Khan Wazir  
R/o House No.32, St.No.5, Shaheen Housing Society, Mathra,  
District Peshawar  
SST (G) BPS-17, GGHS Dab Kor, Mohmand

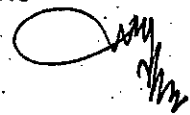
RESPONDENTS:

- 1) Chief Secretary, Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2) Secretary Elementary and Secondary Education Department Block-A, Opposite MPAs Hostel, Civil Secretariat, Peshawar.
- 3) Director Elementary and Secondary Education Department, near GHSS No.1, G.T. Road, Peshawar.
- 4) District Education Officer (female) Mohmand
- 5) Mst.Nazia Rehman SST (BPS-16) Qafila Road, Naseer Street, Tehkal Payan-1, Peshawar



Appellant

through



Inayat Ullah Khan  
Advocate  
Supreme Court of Pakistan  
LL.M (U.K)



**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) MOHMAND TRIBAL DISTRICT**

Phone # 0924290302

Email:- [deomohmandfemale@gmail.com](mailto:deomohmandfemale@gmail.com)

12



**ADJUSTMENT ORDER**

Consequent upon the advertisement bearing No. INF(P)3203/21 dated 03-12-2021 & recommendation of Departmental Selection Committee and in pursuance of the notification of Director of Elementary & Secondary Education Khyber Pakhtunkhwa Appointment Endst: No. **17872-79 E-6/SSTs Contract Appointment (FY2022)** Dated Peshawar: **15-03-2023**, the following Differed Candidates appointed to the post of SST (Bio/Chem) BPS.16 @ (Rs.28070-2260-95870) @ 28070/- fixed plus usual allowances as admissible under the rules on regular basis under the existence policy of the Provincial Government on the terms and conditions given below are hereby adjusted at the schools noted against their names in the interest of Public with immediate effect

**SST (Bio/Chemistry)**

S.No	Roll No	Name & Father Name	CNIC	Total Score	Adjusted at	Remarks
1	40435	Ghazala D/O Sher Muhammad	16102-2756379-8	126.30	GGHS Dab kor	Vice No. 1
2	40511	Faiza Zarf D/O Zarf Khan	16102-6075404-4	125.70	GGHS Shalam Salay	Vice No. 2
3	40437	Asma Zeb D/O Alam Zeb	16102-2959198-4	122.36	GGHS Kachkool	AVP
4	40735	Khushnuma Safi D/O Zahir Shah	17102-1972770-0	118.41	GGHS Imdad Ullah	Vice No. 3
5	40814	Tahira Minadar D/O Minadar	21402-622485-4	117.62	GGHS Mia Mandi	AVP

**Consiquential Transfer**

S.No	Name With Designation	BPS	Prsent School	Adjusted at	Remarks
1	Nazia Rehman SST (G)	16	GGHS Dab Kor	GGHS Elem kor	AVP
2	Salma SST (G)	16	GGHS Shalam Salay	GGHS Elem kor	AVP
3	Shakeela Hassan SST (P/M)	16	GGHS Imdad Ullah	GGHS Kachkool	AVP

**Terms and condition**

- No TADA is allowed
- Appointment is purely made on temporary basis (initially for one year with immediate effect)
- Their services are liable to termination on one months notice from either side. In case of leaving the department without notice, there one month pay/allowances forfeited, Governmented treasury
- The should not be handed over charge if their age exceed 35 years or fall below 18 years of age. Age relaxation case may be submitted to competent authority
- If any meritorious candidate is deprived of appointment by this order and the competent authority accept her appeal, appointment order of the low merit candidate will be with drawn and the adjustment order will be received according to the merit
- Appointment is subject to the condition that the certificate/Degrees must be verified from the concerned authorities by the DEO (Concerned) any one found producing bogus certificate will be reported to the law enforcing agencies for further action
- They will be governed by such rules & regulations issued from time to time by the government.
- Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed from time to time.
- They will give an undertaking to be recorded in their service Books to the effect that if any overpayment is made to them in light of said notification the same will be recovered and if they are wrongly appointed
- Charge report should be submitted to all concerned
- Their services are liable to termination on one months notice from either side. In case of leaving the department without notice, there one month pay/allowances forfeited, Governmented treasury
- Before handing over charge once again their documents may be checked if they have not the prescribed qualifications as per rules, they may not be handed over charge of the post
- The prescribed qualifications/ documents may be verified from the concerned universities/Board by the DEO concerned.

(Abdia Shaheen)

District Education officer (F)  
Mohmand Tribal District.

Endst: No. 382-17 /Adjustment SST/2022 Dated 22/03/2023.

Copy forwarded for information and necessary action to the:

- Director E&S Education Khyber Pakhtunkhwa Peshawar
- District Account's Officer Mohmand Tribal District
- DMO Education Monitoring Authority District Mohmand
- Principals/Head Mistress Concerned
- Accountant/Pay clerks concerned local office
- Teachers concerned

District Education officer (F)  
Mohmand Tribal District



Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar  
PH No. 091-9330242

OFFICE ORDER.

Consequent upon approval of the Competent Authority, the Notification issued by the District Education Officer (Female) Mohmand vide No 3849-56/(Adjustment SST) dated 29.03.2023 is hereby withdrawn from the date of its issuance.

**DIRECTOR**

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst:No. 18386-83 / E-6/Nazia Rehman SST Dated Peshawar the 30/3 /2023

Copy forwarded for information and necessary action to the:-

1. District Education Officer (Female) Mohmand
2. District Accounts Officer Mohmand
3. Principal Headmistress concerned
4. P.A to Addl; Director ( Estab: ) local Office

Deputy Director (Estab ;)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



OFFICE OF THE DISTRICT EDUCATION OFFICER  
MOTIMAND TRIBAL DISTRICT



14

NOTIFICATION

In pursuance of the approval of the Competent Authority the transfer order in  
No. 3812-17 Dated 22-03-2023 in consequential transfer  
of Mrs. Shabana Min SSI (G) Govt. S.S.I. (G) Dabkor to Govt. S.S.I. (G) Hamkor issued  
is hereby withdrawn cancelled and Mrs. Shabana Min SSI (G)  
Govt. S.S.I. (G) Dabkor is to work on her own pay and scale in  
the same post with immediate effect.

(Abida Shaheen)  
District Education officer (F)  
Motimand Tribal District

Encls. to 1875-41 Dated 27/03/2023

District Education officer (F)  
Motimand Tribal District

**BETTER COPY**

(14)

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) MOHMAND TRIBAL DISTRICT**

Phone: 092429032

**NOTIFICATION**

Consequent upon the approval of the Competent Authority the transfer order in respect of Mst. Nazia Rehman SST (G) GGHS Dab Kor to GGHS Elam kor Issue vide this office Endst No. 3812-17 dated 22-03-2023 in consequential transfer serial No is hereby withdrawn/ Cancelled and Mst Shabana Mir SST (G) GCHSS Dab Kor is transferred to GGHS Elam Kor on her own pay and scale in the best interest of public with immediate effect.

( Abida Shaheen)  
District Education Officer (F)  
Mohmand Tribal District

Endst No. 3835-41 Adjustment SST dated 27.03.2023.

Copy forwarded for information and necessary action to the

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Mohmand Tribal District.
3. DMO Education Monitoring Authority District Mohmand
4. Principal/ Head Mistress Concerned.
5. Accountant/ Pay Clerks Concerned local office.
6. Official Concerned
7. Office record

Sd/-  
District Education Officer (F)  
Mohmand Tribal District

OFFICE OF THE DISTRICT EDUCATION OFFICER  
 (FEMALE) MOHMAND TRIBAL DISTRICT  
 Phone # 0024290302  
 Email # [education@mohtd.com](mailto:education@mohtd.com)

(15)

**CORRIGENDUM**

Corrigendum in Adjustment order of rest appointed SST (H.C) in  
 transferred from this office Endst No 3812-17 Dated 22-03-2023  
 approved by the Competent Authority is hereby order against the name of the following  
 teacher in the best interest of public with immediate effect

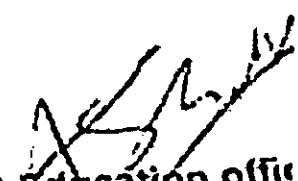
S.No	Read as	Instead of	Adjusted at	Remarks
1	Shabana MIV SST (G) G.G.I.S Dabkud	Nazki Rehman SST (G) G.G.I.S Dabkud	G.G.I.S Dabkud	W.P

The terms and conditions mentioned in appointment Notification Dated No. 17872 79 Dated  
 2023

(Abida Shaheen)  
 District Education officer (F)  
 Mohmand Tribal District

Endst: No. \_\_\_\_\_ / Corrigendum Dated 29 / 03/2023.

1. Director ESSE Khyber Pakhtunkhwa Peshawar
2. District Account's Officer Mohmand Tribal District
3. DMC Education Monitoring Authority District Mohmand
4. Principals / Head Mistress Concerned
5. Accountant / Pay clerks concerned local office
6. Official concerned
7. Office record

  
 District Education officer  
 Mohmand Tribal District

**BETTER COPY**

15

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) MOHMAND TRIBAL DISTRICT**

Phone: 092429032

**CORRIGENDUM**

Corrigendum in Adjustment order of fresh appointed SST (B/Ch) in consequential transfer issued vide this office Endst. No. 3812-17 dated 22.03.2023 as approved by the Competent authority is hereby ordered against the name of the following teacher in the best interest of public with immediate effect.

S. No	Read as	Instead of	Adjusted at	Remarks
1	Shabana Mir SST (G) GGHS Dab Kor	Nazia Rehman SST (G) GGHS Dab Kor	GGHS Elam Kor	AVP

The terms and conditions mentioned in appointment Notification dated No. 17872-.79 dated (sic) 2023.

( Abida Shaheen)

District Education Officer (F)

Mohmand Tribal District

Endst No. \_\_\_\_\_ corrigendum dated 29/03/2023.

Copy forwarded for information and necessary action to the

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Mohmand Tribal District.
3. DMO Education Monitoring Authority District Mohmand
4. Principal/ Head Mistress Concerned.
5. Accountant/ Pay Clerks Concerned local office.
6. Official Concerned
7. Office record

Sd/-

District Education Officer (F)

Mohmand Tribal District



OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) MOHMAND TRIBAL DISTRICT

Phone # 0924290302

Email [deomohmandfemale@gmail.com](mailto:deomohmandfemale@gmail.com)



16

D/1

**NOTIFICATION**


Consequent upon the direction of the Competent Authority notification Endstt. No. 3835-41 Dated 27-03-2023 issued by this office is hereby withdrawn/Cancelled with immediate effect in the best interest of public. The previous notification issued vide this Office Endstt No. 3812-17 Dated 22-03-2023 regarding adjustment of fresh appointed SST shall intacet

(Abida Shagoon)  
District Education officer (F)  
Mohmand Tribal District

Endst: No. 3849-56 (Adjustment SST) Dated 29/03/2023.

Copy forwarded for information and necessary action to the:

1. Secretary Elementary & Secondary Education Khyber Department Paktunkhwa Peshawar
2. Director Elementary & Secondary Education Khyber Paktunkhwa Peshawar.
3. District Account's Officer Mohmand Tribal District
4. DMO Education Monitoring Authority District Mohmand
5. Principals/Head Mistress Concerned
6. Accountant/Pay clerks concerned local office.
7. Official concerned
8. Office record.

  
District Education officer (F)  
Mohmand Tribal District

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

E

(17)

**Subject: Departmental Appeal against the impugned office order dated 30.03.2023 passed by Director Elementary & Secondary Education, Peshawar whereby notification dated 29.03.2023 was withdrawn in respect of the posting transfer of the undersigned.**

*Respectfully submitted;*

Brief facts giving rise to the instant Departmental Appeal are as under:-

- 1) That the undersigned namely Shabana Mir SST (G) (BPS-17) was regularly performing her duties at GGHS Dab Kor Mohmand to the entire satisfaction of her immediate seniors and no complaint whatsoever was filed against me from any quarter.
- 2) That vide order dated 22.03.2023 the DEO (F) Mohmand Tribal-District transferred Nazia Rehman SST (G) (BPS-16) from GGHS Dab Kor Mohmand to GGHS Elam Kor Mohmand in best public interest with immediate effect.

It is pertinent to mention that Nazia Rehman SST (BPS-16 General was working against the wrong post of SST Bio/Chemistry), therefore she was transferred from GGHS Dab Kor Mohmand to GGHS Elam Kor Pandialy Mohmand against the vacant post of SST General in the best public interest however the ibid orders was illegally withdrawn by the Director Elementary and Secondary Education Khyber Pakhtunkhwa on her political influence which is violating of posting and transfer policy formulated by the provincial government.

- 3) That due to political influence exerted by Mst.Nazia Rehman SST (G) the order dated 22.03.2023 was withdrawn & cancelled as referred in para No.2 above while the undersigned was illegally transferred as SST (G) from GGHS Dab Kor to GGHS Elam Kor Pandialy Mohmand vide order dated 27.03.2023 endst No.3845-41.

SECRETARY  
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4) That feeling aggrieved from illegal order dated 27.03.2023 Endst: No.3845-41, approached in the office of DEO (F) who was kind enough and redressed the genuine grievance of the undersigned being (un-married teacher) by withdrawing the ibid order and restored the posting of the undersigned at GGHS Dab Kor Mohmand while the original order Endst No.3812-17 dated 22.03.2023 regarding posting/ transfer order was restored and kept intact vide order dated 29.03.2023. (18)

5) That the Hon'ble Director Elementary and Secondary Education KP, Peshawar without assigning any reason or cause and without hearing the undersigned withdrawn/ cancelled the order dated 29.03.2023 due to which the undersigned was again illegally transferred and posted as SST (G) from GGHS Dab Kor Mohmand to GGHS.Elem Pandialy Kor Mohmand without taking into consideration the fact that an un-married female teacher shall be posted at the nearest station to her parents house.

It is pertinent to mention that GGHS Dab Kor Mohmand situated near the parents' house of the undersigned while the school i.e. GGHS Elem Kor situated at a distance of 3 to 4 hours traveling from the residence of appellant, which is against the rules and policy of Government of Khyber Pakhtunkhwa.

**Keeping in view the aforesaid submissions, it is, therefore, humbly prayed that the impugned order dated 30.03.2023 Endst: No.18386-83 may kindly be set aside and the undersigned being unmarried female teacher posting be restored at GGHS Dab Kor Mohmand in best public interest.**

**Any other relief to which the undersigned found entitle may also be granted.**

  
Shabana Mir  
SST (BPS-17)

Dated: 31.03.2023

CC to: 1) District Education Officer (F) Tribal District, Mohmand  
2) Director Elementary and Secondary Education. Peshawar.



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY & SECONDARY EDUCATION DEPARTMENT,**  
**CIVIL SECRETARIATE PESHAWAR.**  
**(PHONE NO. 091-9223587)**

**No. SO(P.F)/E&SE/D/2-1/Transfer/Shabana Mir /2023**  
**Dated Peshawar the 7<sup>th</sup> April, 2023**

MS. Shabana Mir, SST (BPS-17),  
GCHS Dab Koh District Mohmand.

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Subject: **PERSONAL HEARING**

I am directed to refer to the subject noted above and to state that personal hearing has been fixed on **12<sup>th</sup> April, 2023 at 11:00 AM** in the office of Additional Secretary (Estab), E&SE Department.

You are, therefore, requested to attend the said personal hearing on date, time and venue above.

*Wasim*  
**SECTION OFFICER (PRIMARY/F)**

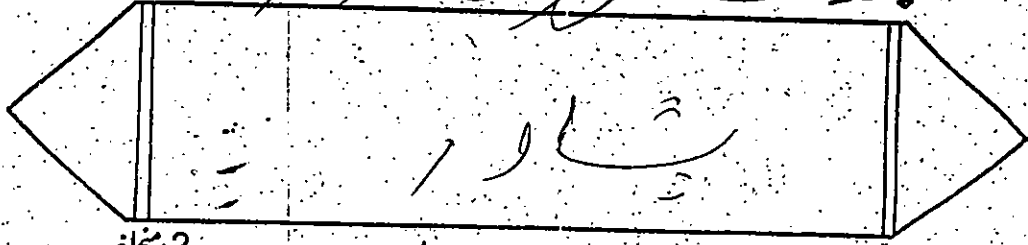
Copy forwarded to the:

1. Director, E&SE Khyber Pakhtunkhwa, Peshawar is requested to depute your representative to attend the said personal hearing on date, time & venue as mentioned above (copy attached).
2. District Education Officer (Female), District Mohmand to depute well conversant officer/official to attend the above personal hearing on date, time & venue as mentioned above (copy attached).
3. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
4. PA to AS (Establishment), E&SE Department, Khyber Pakhtunkhwa.

*Wasim*  
**SECTION OFFICER (PRIMARY/F)**



# بعدالت سرکس ٹریبونل



مورخہ \_\_\_\_\_  
 مقدمہ \_\_\_\_\_  
 دعویٰ \_\_\_\_\_  
 جرم \_\_\_\_\_

سببندہ صیر بنام \_\_\_\_\_  
 2 منجانب \_\_\_\_\_  
 اے۔ کوشی

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکل کارروائی متعلقہ

NA-C-17301-9257870-3  
 03339227736  
 03339059746

آن مقام \_\_\_\_\_ کیلئے \_\_\_\_\_  
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقریر ثالثہ فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک دروپید اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی بزدگی اور منسوخی  
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
 کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ  
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائد التوائے مقدمہ کے سبب سے وہوگا۔  
 کوئی تاریخ پیشی مقام دورہ پر ہو یا خدمت سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
 مذکورہ کریں۔ لہذا ادکالت نامہ لکھدیا کہ سند ہے۔

Appellant

شاہین

المرقوم \_\_\_\_\_  
 20 \_\_\_\_\_  
 2023  
 واہ

Addressed by  
 Inayat ul Haq  
 Advocate  
 Supreme Court  
 Pakistan  
 LHM  
 UK

بمقام