

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal # 517/2023

Mr. Sheraz Ahmad, MC (BPS-19).....Appellant.

VERSUS

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

I N D E X

S#	Description of Documents	Annex	Pages
1.	Affidavit	A	1
2.	Authority Letter	B	2
3.	Para-wise comments/reply	C	3-4
4.	Annexures	D	5-7



Despondent

(C)

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

Service Appeal #517/2023

Mr. Sheraz Ahmad, MC (BPS-19).....Appellant

VERSUS

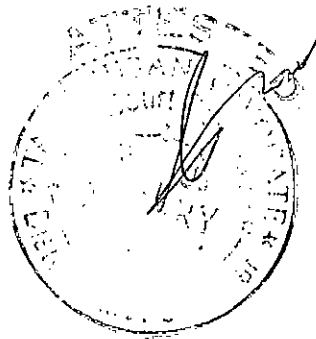
Govt. of Khyber Pakhtunkhwa & others..... Respondents

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 has their defense been struck off/ cost.

DEPONENT



Handwritten signature of Mr. Amjad Ali.

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



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 **ex-parte** application on behalf of Secretary Elementary & Secondary Education Department Peshawar **in Service Appeal No. 517/2023 Case Titled Mr. Sheraz Ahmad, MC (BPS-19) 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. 517/2023

Mr. Sheraz Ahmad, MC (BPS-19).....Appellant.

VERSUS

Chief Secretary to Govt of KPK Peshawar..... Respondents.

PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NOS. 1,&2.

Respectfully Sheweth,

**Khyber Pakhtunkhwa
Service Tribunal**

Preliminary Objections:

**Diary No. 6636
Dated 21/07/23**

1. The appellant has not come to this Honorable 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 Honorable 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, he 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 limitation.

On Facts

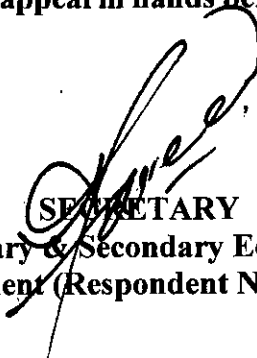
1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. Incorrect, hence denied. The appellant was transferred in the best of public interest, the appellant holds a Management Cadre seat and is duty bound to serve anywhere throughout the Province.
5. Pertains to record.
6. Para-6 is correct to the extent that for the best public interest Mr. Liaqat Ali, (DEO) has been posted on the post of DEO (Male) Mohmand on (OPS).
7. Incorrect the appellant is not an aggrieved person.
8. Para- 8 rest of para pertains to record.

On Grounds:

- A. Incorrect the transfer/posting of appellant is in public interest and in accordance with law.
- B. Incorrect hence denied. There is nothing incorrect in the transfer order of the appellant.
- C. Incorrect, the respondents are empowered u/s 10 of Civil Servant Act, 1973 to place the services of appellant anywhere throughout the province.
- D. Incorrect hence denied.
- E. Incorrect, the appellant transfer order is in accordance with law.

- F. Incorrect, the appellant is duty bound to serve anywhere throughout the province.
- G. Incorrect, hence denied as detail reply has been given in above para's.
- H. Incorrect, the respondents seeks permission to advance other grounds at the time of arguments.

It is therefore, most humbly requested that the appeal in hands being meritless may kindly be set aside with cost.


SECRETARY
Elementary & Secondary Education,
Department (Respondent No. 1 & 2)



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Phone No. 091-9223333

D. 10/5

Dated Peshawar the November 04th, 2022

NOTIFICATION

NO. SOIS/IE&SED/4-19/Posting/Transfer/2021: The Competent Authority has been pleased to order the transfer of Mr. Shiraz Ahmad (MC BS-19) DEO (Male) Mohmand and direct him to report to Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa with immediate effect in the best public interest.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst. of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Accounts Officer Mohmand.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
6. Officer concerned.
7. Master file.

11/11/22
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Naseer
4/11/22

(NASEER ABBAS KHALIL)
SECTION OFFICER (Management Cadre)

SA



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

E-11 6

Dated: 18th November, 2022

NOTIFICATION

NO. SO(MC)E&SED/4-16/2021/PT/MC: Mr. Abdul Manan Khan, Deputy Director (F&A) Directorate of E&SE is hereby authorized to hold Additional Charge of the post of DEO (Male) Mohmand till the arrival of regular officer.

SECRETARY TO THE GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Male/Female) Mohmand.
4. District Accounts Officer Mohmand.
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. PS to Minister E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.

114/2021
Section Officer (Management Cadre)
Elementary & Secondary Edu. Deptt.
Govt of Khyber Pakhtunkhwa

Naseer
15.11.22
(NASEER ABBAS KHALIL)
SECTION OFFICER (Management Cadre)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated: 10th February, 2023.

NOTIFICATION

NO.SO(MC)E&SED/4-16/2022/PostinnfTransfer/MC: Consequent upon the approval of the Competent Authority and subsequent NOC from the Election Commission of Pakistan, the following posting/ transfer are hereby ordered with immediate effect, in the best public interest:-

S #	Name & Designation	From	To	Remarks
1.	Mr. Zahid Muhammad (MC BS-19)	DEO (Male) Bannu	DEO (Male) Mardan	A.V.P
2.	Mr. Jaffar Mansoor Abbasi (MC BS 19)	Awaiting Posting	Additional Director, Directorate (DCTE) Abbottabad	V.S.No.3
3.	Syed Amjad Ali (TC BS-19)	Additional Director DCTE Abbottabad	Principal (BS-19) GHSS Salabat Mansehra	A.V.P
4.	Mr. Aurangzeb (MC BS-18)	DEO (Male) Karak	DEO (Male) Lower Kohistan	Vice S.No.5
5.	Mr. Zahoor Khan (MC BS-18)	DEO (Male) Lower Kohistan	DEO (Male) Karak	Vice S.No.4
6.	Mr. Liaqat Ali (MC BS-18)	Deputy DEO Dir Lower	DEO Mohmand in OPS	By relieving Abdul Manan, Deputy Director, Directorate of E&SE, of the Additional Charge.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Ends: of even No. & date:

Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. Section Officer (Schools Male) E&SE Department.
5. District Education Officer (Male) Concerned.
6. District Accounts Officer Concerned.
7. PS to Minister, E&SE, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Master file.

(NASEER ABBAS KHALILI)
SECTION OFFICER (Management Cases)