


FORM OF ORDER SHEET

Court of _____

Appeal No. 1789/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/09/2023	<p>The appeal of Mst. Lubna Irum presented today by Mr. Mir Zaman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 08-09-2023.</p> <p>By the order of Chairman  REGISTRAR.</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1789 /2023

LUBNA IRUM

V/S

EDUCATION DEPTT:

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APPELLANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO. 1789 /2023

Mst; Lubna Irum, CT (BPS-15),
GGHS Razmak Camp, Razman, District North Waziristan.

.....APPELLANT

VERSUS

- 1- The Secretary, E&SE Department Khyber Pakhtunkhwa, Peshawar.
- 2- The Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), North Waziristan.

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 25.03.2023 COMMUNICATED TO THE APPELLANT AFTER HER ARRIVAL WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM GGHS RAZMAK CAMP TO GGMS PASHAM KOT DOSSALI ON ADMINISTRATIVE GROUND AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER

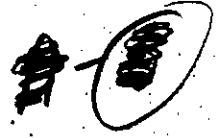
That on acceptance of this service appeal the impugned order dated 25.03.2023 may very kindly be set aside to the extent of appellant and the respondents may further please be directed not to transfer the appellant from GGHS Razmak Camp, North Waziristan. Any other relief which this august Tribunal deems fit that may also be awarded in favor of appellant.

R/SHEWETH;

ON FACTS:

The brief facts of the present appeal are as under:-

1. That the appellant is the employee of the Elementary & Secondary Education Department and is serving as GGHS Razmak Camp, NWD quite efficiently and up to the entire satisfaction of her superiors.
2. That the appellant while performing her duty as CT (BPS-15) was requested for the grant of Ex-Pakistan leave for performing Umrah and in this regard the appellant was obtained proper NOC from the competent authority vide dated 08.03.2023. That on 21.03.2023 the appellant



submitted written application before the competent authority for the grant of such leave which was sanctioned on the same date. Copies of the NOC and application are attached as annexure:..... A & B.

3. That after sanctioned the above mentioned leave to the appellant, she went to Saudi Arabia for performing Umrah. That after completion of her Umrah when the appellant came back to her native country Pakistan, she was unable to join her duty due to illness and in this regard the appellant preferred application for leave on different dates till her recovery from such illness. Copies of the applications are attached as annexure:.....C.
4. That after recovery from the said illness the appellant approached to her duty station but she was astonished that she has been transferred from GGHS Razmak Camp to GGMS Pasham Kot Dossali during her leave period vide impugned order dated 25.03.2023. Copy of the impugned order is attached as annexure:.....D.
5. That it is pertinent to mention that inspite of proper sanctioned leave the respondent No.3 also called explanation from the appellant vide dated 24.05.2023 which was properly replied by the appellant and thoroughly explained her position. Copies of the explanation and reply are attached as annexure:.....E & F.
6. That the appellant feeling aggrieved from the impugned order dated 25.03.2023 preferred departmental appeal and subsequently filed civil suit before the Civil Court and the Civil Court has granted interim relief in favor of the appellant vide its order dated 24.06.2023 and despite of clear directions/interim order in favor of the appellant the respondent No.3 issued show cause notice to the appellant vide dated 08.08.2023 which shows clear malafide on the part of respondent No.3. Copies of the departmental appeal, stay order and show cause notice are attached as annexure:.....G & H.
7. That it is pertinent to mention here that the respondent department has not been decided the departmental appeal of the appellant till date. That the appellant feeling aggrieved and having no other remedy but to file the instant service appeal before this august Tribunal on the following grounds amongst the others.

GROUND:

A- That the impugned order dated 25.03.2023 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

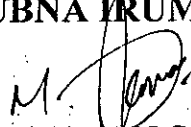
~~2~~ - ~~2~~

- B- That the appellant has not been treated by the respondent Department in accordance with law and rules 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 the respondent No.3 acted in arbitrary and malafide manner while issuing the impugned order dated 25.03.2023 by transferring the appellant from GGHS Razmak Camp to GGMS Pasham Kot Dossali in violation of law and rules ibid.
- D- That the respondent Department violated Clause-I and X of the transfer/Posting Policy of the Provincial Government by issuing the impugned order dated 25.03.2023. Copy of the transfer/posting policy is attached as annexure.....I.
- E- That the impugned Notification dated 25.03.2023 is violative of the principle of natural justice, hence the same is not tenable and liable to be set aside to the extent of appellant.
- F- That the impugned order dated 25.03.2023 has been issued in the absence of appellant, whereas the appellant was proceeded to Saudi Arabia for performance of Umrah, therefore; the impugned order is illegal and unlawful to the extent of appellant and liable to be set aside.
- G- 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 appellant may kindly be accepted as prayed for.

APPELLANT


LUBNA IRUM

THROUGH: 
MIR ZAMAN SAFI
ADVOCATE

CERTIFICATE:

It is certified that no other earlier appeal was filed between the parties.


DEPONENT

LIST OF BOOKS:

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. _____/2023

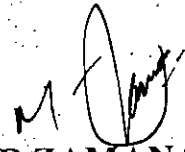
LUBNA IRUM

VS

EDUCATION DEPTT:

AFFIDAVIT

I Mir Zaman Safi, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



MIR ZAMAN SAFI,
Advocate
High Court, Peshawar



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. _____ /2023

LUBNA IRUM

V/S

EDUCATION DEPTT:

APPLICATION FOR SUSPENSION OF OPERATION OF THE
IMPUGNED ORDER DATED 25.03.2023 TILL THE FINAL
DISPOSAL OF THE ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned service appeal along with this application has been filed by the appellant before this august Service Tribunal in which no date is fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 25.03.2023 whereby the appellant has been transferred from GGHS Razmak Camp to GGMS Pasham Kot Dossali, NWD.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 25.03.2023 has been issued by the respondent No.3 in utter disregard of law and prevailing Rules.

It is, therefore, most humbly prayed that on acceptance of this application the operation of the impugned order dated 25.03.2023 may very kindly be suspended till the final disposal of the above mentioned service appeal.

Dated: 25.08.2023

APPLICANT


LUBNA IRUM



THROUGH:


MIR ZAMAN SAFI
ADVOCATE

A - (C)

(Page 1 of 1)


ELEMENTARY & SECONDARY EDUCATION DEPARTMENT, GOVERNMENT OF KHYBER PAKHTUNKHWA

	DISTRICT EDUCATION OFFICER FEMALE NORTH WAZIRISTAN DISTRICT	
NO: <u>4690</u>	/ DATED <u>08/03</u> /2023	
Phone: 0928-311907	Email: <u>deofemalenwtd@gmail.com</u>	

NO OBJECTION CERTIFICATE:

Certified that Miss: Lubna Irum daughter of Syed Mukkmal shah is working in Education Department as CT BPS-15 at GGHS Razmak camp tehsil Razmak.

This office has no objection on his proceeding to Saudi Arabia for performance of Umrah w.e.f 20-03-2023 to 30-04-2023.


DISTRICT EDUCATION OFFICER (F)
FEMALE NORTH WAZIRISTAN



B-7

To,

The District Education Officer (F)
North Waziristan District

Subject: Application for Umrah Leave.

August Madam,

It is humbly requested that, I Miss Lubna Irum, holding CNIC No. 11101-3624778-8, Designation: GT, BPS: 15 has been working at school GGHS Razmak Camp. I want to go for Umrah during the holy month of Ramazan for 45 days. I request you to please approve my leaves from 20 March to 30 April. Thanking You.

Date 21-03-2023

Your Sincerely

Miss Lubna Irum

CT-15

Allowed from 20 March
to 30 April
Arwa Jil
21-03-2023

M A

حکومت صواب ڈیویڈنڈ اسٹیٹ ایجنسیز اور سروسز ٹریڈ یونین عمالہ اور دیگر

عنوان :- درخواست برائے سٹول Leave

صبار عالی

گزارشیں کی حالت ہے کہ میں لینڈ ازم جو گورنمنٹ ہائی اسکول ٹرل میں

CT پوسٹ پر ایسا ڈیوٹی سرچارج دے رہے ہیں۔ جو کہ میں بحران کی

کے واسطے پر میں شدید بیمار ہو گیا۔


ہذا جمعہ تین دن کے چوٹی عیاض فرماؤں پر اس سبب سے ہو گیا۔
عین خواجہ ہو گیا

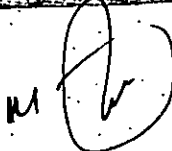
الحاج

ایکمال عبدالقدیر Lubna Iram

تاریخ
2-05-2023

CT - Designation


DY: D.O (F)
NORTH WAZIRISTAN
09-05-2023



خدمت صدارت ریور لاسٹر ایجوکیشن آفیسر جنرل، میانوالی
عنوان: درخواست برای سکول

صدار عالی

تدارک آن طاقی ہے۔ تم میں Lubna Iram جو گورنمنٹ پرائمری سکول گرا

رزنگ میں آئی ہوگی اور اس کا پورے سیریکل کے رہنے کے

مخبرہ داسیہ کے میں مستند رہی ہیں ان کا شمار پورے
سیریکل کے 3 حصوں میں ہے ان کی خصوصیت درمیان میں
عین نواز رہا ہے

العارضہ

ایک تالدار Lubna Iram

Attached

CT

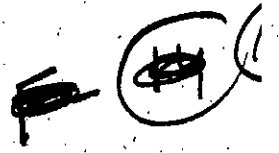
Designation

تاریخ: 06-05-2023

DY: D.O (F)
NORTH WAZIRISTAN

06-05-2023

M




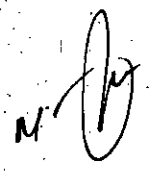
خدمت صواب و مسترد دین ایجوکیشن آفیسر فی میل
 عنوان : درخواست برائے سکول Lubna
 صابر عالی

گزارش کی حالت ہے کہ میں Lubna iram جو گورنمنٹ ہائی سکول گزر
 زمین میں اپنی ڈیڑھی سراجام دے رہی ہوں
 چونکہ میں عمرہ کے لئے آئی تھی۔ واپس میں میں سٹیڈیو بیماری کا
 شکار ہو گئی۔ لہذا مجھے تین دن کی چوٹی منابت فرمائی۔
 عین توارس ہو گئی۔

الحاضر :- Lubna iram
 منط مور 08-05-2023

Approved.


 DY: D.O (F)
 NORTH WAZIRISTAN
 08-05-2023





DITRICT EDUCATION OFFICER FEMALE
NORTH WAZIRISTAN DISTRICT



Phone: (0928) 311907 Email Address: deofemalenwtd@gmail.com

No. 7135 /DEO(F)/NWD

Dated 25 /03/2023

TRANSFER ORDER:


The posting/transfer of the following Teachers are hereby ordered with immediate effect, in the best interest of public interest:-

S.#	Name & Designs	From	To	Remarks
1.	Mrs. Kalsoom DM	GGHS Miranshah Bazar (ID: 64132)	GGHS Samandar Khan Kot Miranshah (ID: 64249)	Vice S.No: 02
2.	Mrs. Ruqia DM	GGHS Samandar Khan Kot Miranshah (ID: 64249)	GGMS Rehmat Ullah Kot Miranshah (ID: 64255)	Vice S.No: 01
3.	Mrs. Lubna Rehman DM	GGHS Zawab Kot Ghulam Khan (ID: 63989)	GGHS Miranshah Bazar (ID: 64132)	AVP
4.	Mrs. Romana Daraz DM	GGMS Taj Muhammad Kot Mirali (ID: 66351)	GGMS Gul Shin Kot Miranshah (ID: 64255)	AVP
5.	Mrs. Akhtar Sultana Sr.DM	GGMS Riaz Ahmad Kot Mirali (ID: 64473)	GGMS Sadat Khan Kot Mirali (ID: 64007)	AVP
6.	Mrs. Salma Saleem PET	GOMS Naseeb Khan Kot	GGMS Saleem Kot Humzoni (ID: 64252)	AVP
7.	Mrs. Anila Saced PET	GGHS Razmak Camp (ID: 64519)	GGMS Janat Mir Kot Mirali (ID: 64439)	AVP
8.	Mrs. Rema Gul PET	GGMS Dost Muhammad Kot	GGMS Aman Ullah Jan Kot Miranshah (ID: 64251)	AVP
9.	Mrs. Aama Khan PET	GGMS Alif Khan Kot Miranshah	GGHS Zawab Kot Ghulam Khan (ID: 64251)	AVP
10.	Mrs. Fozia Ramzan AT	GGMS Mir Akbar Kot (ID: 64088)	GGMS Sharif Ullah Kot Datta Khel (ID: 64095)	AVP
11.	Mrs. Kausar Shaheen CT	GGMS Mir Ghulam Kot Miranshah	GGMS Alif Khan Kot Miranshah	AVP
12.	Mrs. Rohena CT	GGMS Rehmat Ullah Kot (ID: 64265)	GGMS Alif Khan Kot Miranshah (ID: 64307)	AVP
13.	Mrs. Ahmad Rehana CT	GGMS Saleem Kot Humzoni	GGMS Aman Ullah Jan Kot Miranshah	AVP
14.	Mrs. Bena Ghulam CT	GGMS Noor Khan Kot Banda	GGMS Asal Jan Kot Miranshah	AVP
15.	Mrs. Salma Begum CT	GGMS Rafi Gul Kot Mirali (ID: 64325)	GGMS Jan Bahadur Kot Mirali (ID: 64456)	AVP
16.	Mrs. Usrina CT	GGHS Miranshah Bazar (ID: 64132)	GGHS Samandar Khan Kot Miranshah (ID: 64249)	AVP
17.	Mrs. Javerin CT	GGMS Jan Bahadur Kot Mirali (ID: 64456)	GGMS Hayat Ullah Kot Mirali (ID: 66375)	AVP
18.	Mrs. Shaheen CT	GGMS Bakhtai Kot Mirali	GGMS Alif Khan Kot Miranshah	AVP
19.	Mrs. Asma Mindar CT	GGMS Gulrati Kot Dossali (ID: 64496)	GGMS Darya Jan Kot Dossali (ID: 64500)	AVP
20.	Mrs. Lubna Irum CT	GGHS Razmak Camp (ID: 64519)	GGMS Pasham Kot Dossali (ID: 64219)	AVP
21.	Mrs. Namkina Yousof S.CT	GGHS Miranshah Bazar Kot (ID: 64132)	GGHS Zawab Kot Ghulam Khan (ID: 64251)	AVP
22.	Mrs. Asia Gul CT	GGMS Dost Muhammad Kot Miranshah	GGMS Aman Ullah Kot Miranshah (ID: 64251)	AVP
23.	Mrs. Bushra Begum CT	GGMS Khonia Khel (ID: 64017)	GGMS Dost Muhammad Kot Miranshah	AVP

24.	Mrs. Shaista CT	GGMS Nek Daraz Kot Datta Khel (ID: 66328)	GGMS Aman Ullah Kot Miranshah (ID: 64251)	AVP
25.	Mrs. Irum Hussan CT	GGMS Mir Sahib Gul Kot (ID: 64420)	GGMS Hafiz Abad Kot (ID: 64327)	AVP
26.	Mrs. Sadia Azam CT	GGMS Noor Janat Gul Kot (ID: 64449)	GGMS Riaz Ahmad Kot (ID: 64473)	AVP
27.	Mrs. Sajida Rehman Sr. CT	GGMS Gul Rauf Kot Datta Khel (ID: 64624)	GGMS Gul Khan Kot Kot Datta Khel (ID: 66326)	AVP
28.	Mrs. Zahira Bibi Qaria	GGHS Miranshah Bazar (ID: 64095)	GGHS Laiq Zuman Kot Miranshah (ID: 64184)	AVP
29.	Mrs. Mehrin Wazir TT	GGHS Razmak Camp (ID: 64519)	GGPS Shad Amin Kot Dossali (ID: 66364)	AVP

NOTE:

- 1-No TA/DA is allowed.
- 2-Charge report should be submitted in duplicate to all concerned.


 (ANIQA HUMA TAUQEER)
 DISTRICT EDUCATION OFFICER (F)
 NORTH WAZIRISTAN DISTRICT

No: 7235-41 / Transfer / Female



Dated M/Shah the 25/03/2023

Copy to the:

- 1- Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2- District Accounts Officer North Waziristan District at M/Shah.
- 3- Head Mistress/Head Teacher Concerned
- 4- Teachers Concerned.
- 5- Accountant local office.
- 6- Personal file.


 DISTRICT EDUCATION OFFICER (F)
 NORTH WAZIRISTAN DISTRICT

④
E-13

	OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE	
	NORTH WAZIRISTAN DISTRICT	
Phone: (0928) 311907 Email Address: deofemalenwtd@gmail.com		
No. <u>3093-97/DEO(F)/NWTD</u>	Dated <u>24/05/2023</u>	

To: Mrs. Lubna Irum CT
GGHS Pasham Kot Dossali.


Subject: EXPLANATION.

You were transferred from GGHS Razmak Camp to GGMS Pasham kot Dossali vide transferred order No:7235-41 dated: 25/03/2023, but you have not taken over the charge while you were relieved by the Head Mistress of GGHS Razmak Camp, apparently that you are not obeying the official orders of the competent authority and challenging the immediate boss.

Whereas, you left for Umerah without approval of the undersigned, being a Govt; Servant you must be taken Ex-Pakistan leave section from the competent authority, but you feel unnecessary and not adopt the proper procedure, even that still you didn't join your new place of posting.

After that again you submitted an application for getting another 10 days leave, which is not approved by the undersigned and still you are not in your school.

In view of the above, if you failed to submit your explanation in written form, as required, through your personal contact with this office, it will be presumed that you admit the charges and have no defense to offer, strict disciplinary action shall be taken against you under the Khyber Pakhtunkhwa E&D rules 2011, which can lead to serious consequences.


DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT

- Copy to:
1. Director, E&SE Khyber Pakhtunkhwa Peshawar.
 2. Head Quarter 7-Division Camp Area Miranshah
 3. District Monitoring Officer North Waziristan District.
 4. Office record.

— Sel —
DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT



18
F-14

To

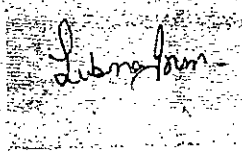
The District Education Office (F)
North Waziristan District

Subject: Explanation

I hope this letter finds you in good health and high spirits. I am writing in the reply of explanation asked.

- 1- Despite my absence in the country, I have been transferred to GGMS Pesham Kot Dossali. While according to the regulations, transfer orders can be canceled within 14 days if the concerned individual has not reported to the new school. Furthermore, the transfer was scheduled for 25th March, which is after my departure date. So in these circumstances sticking to my transfer make no sense.
- 2- As per your objection towards Umrah without approval, I would like to clarify that I had obtained prior approval and submitted the necessary documents in District Education Office and secretariat. I want to emphasize that the accusation of not obtaining an NOC and leaving without permission is baseless. I have duly obtained the approved NOC and leave from the District Education Officer (Female), and the copies of the NOC and application are attached for your reference.
- 3- In the elaboration of my 10 days leave, I have the approved application signed by Deputy DO (F). The copy of the application is attached for your reference.

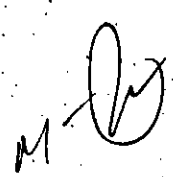
Yours sincerely,



Lubna Irum

CT (BPS-15)

Date: , May 2023



Gr-15
9

To
The Additional Director (estab)

Subject: Request for Cancellation of Transfer

Respected Sir,

I hope this letter finds you in good health and high spirits. I am writing to appeal for the cancellation of my transfer order from GGHM Razmak camp to GGMS Pesham kot Dossali.

I would like to clarify that I had obtained prior approval and submitted the necessary documents, including a No Objection Certificate (NOC) and leave application, for my trip to perform Umrah from 20th March 2023 to 30th April 2023. However, it has come to my attention that I have been transferred to GGMS Pesham kot Dossali during my absence, on the grounds that I left for Umrah without proper authorization.

I want to emphasize that the accusation of not obtaining an NOC and leaving without permission is baseless. I have duly obtained the approved NOC and leave from the District Education Officer (Female), and the copies of the NOC and application are attached for your reference. Furthermore, the transfer was scheduled for 25th March, which is after my departure date.

According to the regulations, transfer orders can be canceled within 14 days if the concerned individual has not reported to the new school. Considering the circumstances, I have made multiple visits to the DEO's office and requested the cancellation of the transfer. Additionally, the new school where I have been transferred lacks the necessary facilities and security for non-locals, which would pose significant challenges for me to serve effectively.

I kindly request your esteemed authority to reconsider my case and cancel the transfer order. I assure you that if my request is granted, I will continue to serve with utmost dedication and enthusiasm at GGHM Razmak camp. Your understanding and favorable decision in this matter would be highly appreciated.

Thank you for your time and attention. I remain at your disposal for any further information or clarification required.

Yours sincerely,

Lubna Irum

CT (BPS-15)

Date: 22 May 2023

[Handwritten signature]

DEO (F) North Waziristan
Please cancel window
order dated 25 March 2023
& all her to continue her job
at GGHM Razmak camp.
Additional Secretary (General)
Elementary & Secondary Edu. Dept
Govt of Khyber Pakhtunkhwa
22-5-23

(2) (1)
H-1

INAMULLAH LAHORI
CIVIL JUDGE-II

Order - 03
24-06-2023

In the Court of learned Senior
Civil Judge, District Court, Faisalabad

The plaintiff has been appointed as a partner who is
presently residing at [illegible] the plaintiff as true

[illegible]

[illegible]

[illegible]



[illegible]

[illegible]

[illegible]

[illegible]

17

	DITRICT EDUCATION OFFICER FEMALE NORTH WAZIRISTAN DISTRICT	
	Phone: (0928) 313040 Email Address: deofemalenwtd@gmail.com	
No. /DEO-F/NWD	Dated / /2023	

To
Mst: Lubna Irum CT Per: 50168463
GGMS Pasham Kot Dosali
North Waziristan District.

Subject: SHOW CAUSE NOTICE

I **Aniqa Huma Tauqeer**, District Education Officer (F) North Waziristan at Miranshah, the competent authority, do hereby serve Show Cause Notice upon you Mst: Lubna Irum CT GGMS Pasham Kot Dosalli P.No : 50168463, on the following grounds of charges.

1. Reportedly, you have been willfully/Habitually absent from your duty without prior permission/intimation to this office.
2. You have been transferred from GGHS Razmak Camp to GGMS Pasham Kot Dosalli on 25/03/2023 and you have been absent till date.
3. You have presented fake documents (NOC to travel abroad) in the court of Civil Judge No 1, North Waziristan at Bannu.
4. You have been served Explanation Notice No 3093-97/DEO (F)/NWTD dated 24/05/2023 but you fail to submit Satisfactory Reply.
5. You have committed misconduct and violated the civil servants conduct rules 2011.

Accordingly, you are required to show cause of your misconduct within 14 days of the receipt of this notice as to why you should not be dismissed or otherwise punished.


If you failed to submit your explanation in written form, as required, through your personal contact with this office along with your original Service Book, CNIC and 1st appointment order, it will be presumed that you admit the charges and have no defense to offer and the matter will be disposed of without any further reference to you.

(ANIQA HUMA TAUQEER)
DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT



Endst: No: 7383-91 /Show Cause/Dated Miran Shah the 08/08 /2023
Copy to the: -

1. Deputy Commissioner Tribal District North Waziristan.
2. Additional Director Establishment, Directorate of Merged Areas.
3. District Monitoring Officer North Waziristan Tribal District.
4. ADEO concerned local office to pay frequent visits to the school and report performance of the staff.
5. Establishment Section Local Office.
6. Accountant Local Office with the direction to deduct to credit salaries of the teacher to the Govt. treasury through Source-II at fort night of each month till decision the case.
7. EMIS Cell Local office.
8. Notice Board

Aniqa Huma
DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT

M 

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	DITRICT EDUCATION OFFICER FEMALE NORTH WAZIRISTAN DISTRICT Phone: (0928) 313040 Email Address: deofemalenwtd@gmail.com	
No. /DEO-F/NWD	Dated	/ /2023

To
Mst: Lubna Irum CT Per: 50168463
GGMS Pasham Kot Dosali
North Waziristan District.

Subject: SHOW CAUSE NOTICE

I **Aniqa Huma Tauqeer**, District Education Officer (F) North Waziristan at Miranshah, the competent authority, do hereby serve Show Cause Notice upon you Mst: Lubna Irum CT GGMS Pasham Kot Dosali P.No : 50168463, on the following grounds of charges.

1. Reportedly, you have been willfully/Habitually absent from your duty without prior permission/intimation to this office.
2. You have been transferred from GGHS Razmak Camp to GGMS Pasham Kot Dosali on 25/03/2023 and you have been absent till date.
3. You have presented fake documents (NOC to travel abroad) in the court of Civil Judge No 1, North Waziristan at Bannu.
4. You have been served Explanation Notice No 3093-97/DEO (F)/NWD dated 24/05/2023 but you fail to submit Satisfactory Reply.
5. You have committed misconduct and violated the civil servants conduct rules 2011.

Accordingly, you are required to show cause of your misconduct within 14 days of the receipt of this notice as to why you should not be dismissed or otherwise punished.

If you failed to submit your explanation in written form, as required, through your personal contact with this office along with your original Service Book, CNIC and 1st appointment order, it will be presumed that you admit the charges and have no defense to offer and the matter will be disposed of without any further reference to you.

(ANIQA HUMA TAUQEER)
DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT

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DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

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) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained
- vi) 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.

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) 1-4/2003/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1983, 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)1-4/2003, dated 21-09-2004

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- 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.
- (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:	

Added vide Urdu circular letter No: SOR-VI (E&AD)/I-4/2005, dated 9-9-2005.

[Handwritten signatures and marks]

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a) Within the same Department	Secretary of the Department concerned.
b) To and from an Attached Department	Secretary of the Dept in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another	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.

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 posting/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.

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2023

Lubna Irum

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

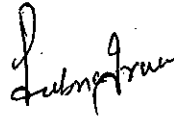
Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Lubna Irum

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 28 / 08 / 2023



CLIENT



MIR ZAMAN SAFI
ADVOCATE

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.
Mobile No.0333-9991564
0317-9743003