

07.09.2016

Counsel for the appellant and Mr. Bashir Ahmad, Headmaster alongwith Mian Amir Qadar, Sr.GP for the respondents present. Learned counsel for the appellant requested for adjournment as grievances of the appellant being considered by the department. Adjourned for final hearing before the D.B on 03.1.2017 at camp court, Swat.



Member

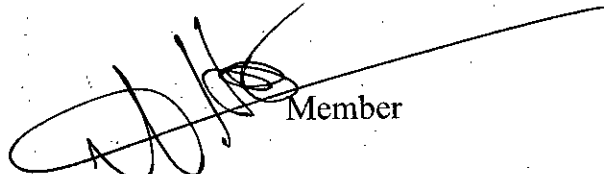


Chairman  
Camp Court, Swat.


03.1.2017

None present for the appellant despite repeated calls. Mr. Muhammad Zubair, Sr.GP for the respondents present. The court time is about to over.

Dismissed for want of prosecution. File be consigned to the record room.



Member



Chairman  
Camp court, Swat  
03-01-17

ANNOUNCED  
03.01.2017


07.03.2016


Counsel for the appellant and Mr. Bashir Ahmad, Headmaster alongwith Mr. Muhammad Zubair, Sr.G.P for respondents present. Due to non-availability of D.B arguments could not be heard. To come up for rejoinder and final hearing before D.B on 11.7.2016 at Camp Court Swat.

  
Chairman  
Camp Court Swat

11.07.2016

Appellant in person and Mr. Bashir Ahmad, Headmaster alongwith Mr. Muhammad Zubair, Sr. G.P for the respondents present. Counsel for the appellant is not in attendance due to strike of the bar. Adjourned for final hearing on 7.09.2016 before D.B at camp court, Swat.

  
Member

  
Chairman  
Camp court, Swat.

07.09.2016

Counsel for the appellant and Mr. Bashir Ahmad, Headmaster alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Counsel for the appellant requested for adjournment as grievances of the appellant being considered by the department. Adjourned for final hearing before the D.B on 11.07.2017 at camp court, Swat.

Counsel for the appellant and Mr. Bashir Ahmad, Headmaster alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Counsel for the appellant requested for adjournment as grievances of the appellant being considered by the department. Adjourned for final hearing before the D.B on 11.07.2017 at camp court, Swat.

Member

Chairman

03.07.2015

Counsel for the appellant present. Learned counsel for the appellant argued that identical service appeal No. 494/2015 in respect of the same controversy has been admitted to regular hearing today.

In view of the above, this appeal is also admitted to regular hearing. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 07.9.2015 before S.B at Camp Court Swat as the appeal pertains to the territorial limits of Malakand Division.

Appellant Deposited  
Security & Process Fee



  
Chairman


07.09.2015

None present for appellant. Mr. Bashir Ahmed, Headmaster alongwith Mr. Muhammad Zubair, Sr. GP for respondents present. Requested for adjournment. To come up for written reply/comments on 2.11.2015 before S.B at Camp Court Swat.

  
Chairman  
Camp Court Swat

2.11.2015





Mr. Hazrat Muhammad on behalf of appellant and Mr. Bashir Ahmad, Headmaster alongwith Mr. Muhammad Zubair, Sr. GP for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 7.3.2016 at Camp Court Swat.

  
Chairman  
Camp Court Swat

Form- A  
FORM OF ORDER SHEET

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

Case No. 499/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.05.2015	<p>The appeal of Mst. Arifa resubmitted today by Mr. Umar Ali Shah Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	22-5-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>29-5-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3	29.05.2015	<p>Counsel for the appellant present. Seeks adjournment. Adjourned for preliminary hearing to 12.6.2015 before S.B.</p> <p style="text-align: right;"> Chairman</p>
4	12.06.2015	<p>Junior to counsel for the appellant present. Requested for adjournment as senior counsel is not in attendance. Adjourned for preliminary hearing to 3.7.2015 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mst. Arifa W/o Hazrat Muhammad PST Teacher resubmitted to-day i.e. on 20.05.2015 is incomplete on the following score which is returned again to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned transfer order in respect of appellant is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- One copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 774 /S.T,

Dt. 21/5 /2015

*to*  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Umar Ali Shah Adv. Pesh.

Resubmitted after completion.  
Transfer order dt ~~16/5/2015~~ 1-9-2014  
is placed at Page No. 8  
of this appeal

26/5/2015  
*[Signature]*

2105/2/20  
J. J. J.


• interchanged up to 2000  
• 2105/2/20 to 2000  
• on 2000 to 2000  
• 2000 to 2000

The joint appeal of Mst. Arifa, Jamila and Badshahi Bakht received to-day i.e. on 28.04.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellants.
- 2- Copy of transfer order of appellant <sup>not</sup> is not attached with the appeal which may be placed on it.
- 3- Appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately/individually, therefore the appeal of the above named appellant may be filed separately/individually.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each appeal be submitted.

No. 640 /S.T,

Dt. 29/4 /2015

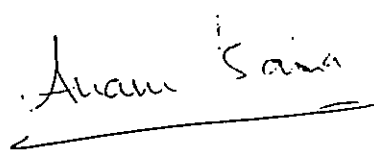
  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR. 29/4/15.

Mr. Umar Ali Shah Adv. Pesh.

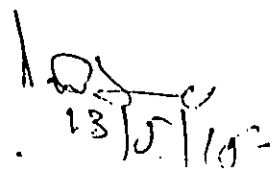
Re- Submitted today i.e 29.04.15  
with complete documents and file.

Submitted by  
Adv. Umar Ali  
Shah.

Request For Extension of time.)

  
Aman Sain

are were extended.

  
13/5/15

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR**

Service Appeal No. 499 /2015

Mst. Arifa. .... Appellant

Versus

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

**I N D E X**

<b>S.No</b>	<b>DESCRIPTION OF DOCUMENTS</b>	<b>ANNEX</b>	<b>PAGES</b>
1.	Service Appeal		1-5
2.	Affidavit		6
3.	Addresses of the parties		7
4.	Copies of orders dated 16.08.2014 and 01.09.2014 with better copy		8-9
5.	Copy of the application		10
6.	Copy of order dated 28.01.2015 of Darul Qaza, Swat		11-13
7.	Copy of affidavit		14
8.	Copy of the guideline for posting with better copy		15-16
9.	Copy of the application		17
10.	Wakalatnama		18

Through

Appellant

  
**Umar Ali Shah**

Advocate, Peshawar

Dated: 18.05.2015



7/9  
Swat

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR**

Service Appeal No. 499 /2015

Mst. Arifa W/o Hazrat Muhammad,  
Primary School Teacher (PST),  
R/o Village & P .O Dargai, District Malakand. . . . Appellant

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar.
2. Director, Elementary & Secondary Education, Peshawar.
3. District Education Officer (Female), District Malakand at Batkhela.
4. Deputy Commissioner, District Malakand.
5. Mst. Rehana, SPST GGPS Dargai. . . . . Respondents

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**APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974, AGAINST THE ORDERS OF  
RESPONDENT NO.3 (DEO), DATED  
16.08.2014 AND 01.09.2014, WHEREBY  
THE TRANSFER ORDER OF RESPONDENT  
NO.5 IS HEREBY RESTORED AND THE  
APPELLANT HAS BEEN TRANSFERRED TO  
GGPS MAYAR, FROM HER UNION  
COUNCIL/ VILLAGES AGAINST THE  
ABOVE MENTIONED ORDER, THE  
APPELLANT HAS FILED THE APPLICATION/  
REPRESENTATION WHICH HAS NOT BEEN  
REPLIED BY THE RESPONDENTS, SO FAR.**

102-0  
27/5/15

**PRAYER:** On acceptance of this appeal, the impugned transfer orders dated 16.08.2014 and 01.09.2014 may be set aside and the respondents may be directed to remain the appellant on her previous station.

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**Respectfully Sheweth:**

**FACTS:**

1. That the appellant is permanent residents of District Malakand and is serving as (PST) in Tehsil Dargai, District Malakand, for the last several years.
2. That the respondent No.3 vide his orders dated 16.08.2014 and 01.09.2014 transferred the appellant from her Union Council to another Union Council/ Station. (Copies of the transfer orders dated 16.08.2014 and 01.09.2014 are attached).
3. That the appellant has submitted application against the above mentioned transfer order, which has not been replied yet by the respondents. (Copy of the application is attached).
4. That the appellant and other colleagues challenged the above mentioned transfer order through Writ Petition No.597-M/2014 before Peshawar High Court,

Mingora Bench/Darul Qaza, Swat, which was dismissed, being not maintainable. (Copy of the order dated 28.01.2015 is attached).

5. That the appellant aggrieved with the transfer orders dated 16.08.2014 and 01.09.2014, filed this appeal, on the following grounds, amongst others;

**GROUND S:**

- A. That the impugned transfer orders dated 16.08.2014 and 01.09.2014 are illegal, unjustified, against the Government policy, void-ab-initio and based on malafide on the part of the respondents.
- B. That the appellant is the permanent resident of District Malakand and she is rendering her services without any complaint since 1997, therefore, her transfer order is ineffective upon her rights.
- C. That the appellant has been promoted to BPS-15, but she refused to be prompted and in this regard she has submitted the affidavit with the competent authorities, stating therein that having domestic problems she may be remained in her respective Union Council. (Copy of affidavit is attached).
- D. That it is the policy of Khyber Pakhtunkhwa Elementary & Secondary Education that the most

junior may be transferred and the most senior be retained in their school on existing post, therefore, on this score alone the impugned transfer order needs cancellation. (Copy of the guideline for posting is attached).

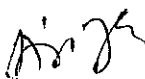
- E. That the transfer order had been made politically and the manner adopted by the respondents was just pick and choose. The rules/ law provide that the employees may be adjusted specially in case of spouses.
- F. That the Headmistress of the concerned school requested the competent authorities that there is shortage of teachers as compared to the strength of the students, but this fact was also ignored by the respondents. (Copy of the application is attached).
- G. That the appellant has been discriminated, which is violation of the provision of Constitution of Islamic Republic of Pakistan, 1973, Article-25 provides equal treatment to every citizen of Pakistan.
- H. That the act of respondents is clear violation of fundamental rights, which are guaranteed by the constitution of Pakistan, 1973, therefore, the impugned transfer order, needs interference.

1. That the appellant seeks permission from this Honourable Tribunal to rely on additional grounds at the time of arguments.

It is, therefore, respectfully prayed that on acceptance of this appeal, this Honourable Tribunal may be pleased to declare the transfer orders dated 16.08.2014 and 01.09.2014 issued by the respondents No.3 (EDO) illegal, unjustified, without jurisdiction and the same may be set aside, and the appellant may be remained on her previous station/union council.

Any other relief, which this Honourable Tribunal deems fit may also be granted in the favour the appellant.

Through



Appellant



**Umar Ali Shah**

Advocate, Peshawar

Dated: 18.05.2015

8

CORRIGENDUM/

Mst.Rehana SPST GGPS Dargai under transfer to GGPS Mayar at S.No.42 of this office order No.3161-68 dated 16.8.2014 is hereby restored and Mst.Arifa SPST of the said School is adjusted/transfer to GGPS Mayar.(Being junior as per S/Book entry)in the interes of public service.

Note. 1.No.TA/DA is allowed.

2.Charge report should be submitted to all concerned.

3.Terms and conditions remain the same in the order issued vide this office No.3161-68 dated 16.8.2014.

(RABBIA BIBI)  
DISTRICT EDUCATION OFFICER (FEMALE)  
MALAKAND AT BATKHELA.

Endst:No. 3377-80 /FNo.Promotion of PST (F)/DEO(F)/Mkd: dated 1/9 /2014.

Copy of the above is forwarded for information and necessary action to:-

1. The SDEO(F), Sama Ranizai at <sup>Dargai</sup> ~~Batkhele~~.
2. The Head Teachers ,concerned schools.
3. Mst.Rehana SPST w/r to her appeal dated nil.
4. DA O Malakand.

*Copy*  
DISTRICT EDUCATION OFFICER (FEMALE)  
MALAKAND AT BATKHELA. *No*

*Have copy*  
*[Signature]*

**Office Of The District Education Officer (F) Malakand At Batkhela**

**TRANSFER/ADJUSTMENT UNDER RATIONALIZATION SCHEME 2014**

In pursuance of the rationalization policy of emanatory and secondary education department and with reference to the Director (E&SE) KPK Peshawar, letter No.610459/rationalization/estab: dated Peshawar the 1/4/2014, transfer/ adjustment of the following supprlu: Female Primary School Teachers alongwith post occupied by them in Govt. Girls Primary Schools in District Malakand are herby ordered with immediate effect in the interest of public service.

S.N	Senio rity No.	Name of teacher	Design.	From	To	Against
1.	530	MUMLIKAT BEGUM	SPST	GGPS Gat Koto	GGPS LAL COLONY	ZULFIA KHANAM
2.	377	SALMA KHURSHID	"	GGPS Thana No.1	GGPS CC THANDA	ISHRAT BEGUM
3.	430	SHAZIA	"	GGPS Jalala	GGPS CC THANDA	TASLEEM BEGUM
4.	484	ZAHINA	"	GGPS Nal No.11	GGPS CC THANDA	DILSHAD GHULAM
5.		TAUHEED KAUSAR	"	GGPS Nal No.11	GGPS CC THANDA	SHAHEED ZAREEN
6.	270	MARYAM BEGUM	"	GGPS Thana No.11	GGPS CC THANDA	RAFIA PST
7.	574	SADIA NAWAB	"	GGPS Thana No.11	GGPS HAIBATGRAM	NARGUS JABIN
8.	464	ALIA SUBHANI	"	GGPS Maizara Thana	GGPS L.C. TANDA	SHAHIDA WAHID
9.	348		"	GGPS Maizara Thana	GGPS ZOORMANDI	ZAHIDA NASREEN
10.		ROMINA	"	GGPS Nall No.1	GGCMS MALANG ABAD	NAHEED PST
11.	376	NASIRA	"	GGPS Thana No.1	GGPS CC THANDA	HAHRA GHULAM
12.	526	MALKUN NISA	"	GGPS Thana No.1	GGPS BATKHELA No.11	MUMLIKAT PST
13.	382	RISALAT	"	GGPS ALLHADAND	GGCMS SAID ABAD	SHANILA PST
14.	405	SHAHNAZ AKHTAR	"	GGPS ALLHADAND	GGCMS MALANGABAD	SHAZIA PST
15.	436	CHAND BIBI	"	GGPS ALLHADAND	GGCMS MALANGABAD	KHAIST BIBI PST
16.	371	NASIM AKHTAR	"	GGPS Maizara Btk	GGPS KANDAKO	BAS PARI PST
17.	474	ZEBNAT ARA	"	Gharibabad Btk	GGPS AMANDARA	KHAIST BIR PST
18.	527	HINA GUL	"	GGPS Kandako Kass	GGCMS KARKANI	KAUSAR PST
19.	390	AZRA NAZ	"	GGPS totakan No.11	GGPS TOTAKAN No.1	KHATIMA PST
20.		ISRAJ	"	GGPS Rahmat Abad	GGSA SAIDRA JAWAR	AGAINST VACANT POST
21.		NUSRAT	"	GGPS Mehardai	GGPS SHARIF ABAD	ANEELA
22.		HUBULWARA	"	GGPS Khattak Korona	GGPS ASHAKAI	FARZANA
23.		SHAMIM	"	GGPS Khattak Korona	GGPS GHANI DHERAI	AGAINST VACANT POST
24.		HIDAYAT	"	GGPS Mehardai	GGPS MAKHNAWALA	MADIHA
25.		DILSHAD	"	GGPS Kharkai No.2	GGPS MUSA MINA	HAVIDA
26.		ALIMAT	"	GGPS Kharkai No.1	GGPS SALGARO	MUSLIMA
27.		BIBI AYESHA	"	GGPS Sakhakot No.1	GGPS PALOWATAL	AFSHEENA
28.		NOOR JEHAN	"	GGPS Sakhakot No.1	GGPS GULO SHAH	AGAINST VACANT POST
29.		SHAHREEN	"	GGPS Sakhakot No.1	GGPS SAKHAKOT No.2	MADIHA
30.		ZUBAIDA	"	GGPS Dargai	GGPS BADRAGGA	HAVIDA
31.		NARGUS AMEER	"	GGPS Sakhakot No.1	GGPS JABBAN No.2	MUSLIMA
32.		SHAZIA HALIM	"	GGPS Dargai	GGPS SAKHAKOT No.2	AFSHEEN
33.		MINHAS	"	GGPS Sakhakat No1	GGPS JHARAI	AGAINST VACANT POST
34.		BAKHT SULTANA	"	GGPS Bana Kandow	GGPS KACHI KOPER	FARJIDA
35.		NOREENA	"	GGPS Kas Korona Koper	GGCMS WARTAIR	AGAINST VACANT POST
36.		FOUZIA	"	GGPS Wartair	GGPS G.U.WARTAIR	NIZAKAT
37.		FARIDA	"	GGPS Anar Tangai	GGPS G.U.KHAIL	SABINA
38.		SAFIA	"	GGPS Khaikai Banda	GGPS ZANGAL BANDA	AGAINST VACANT POST
39.		JAMILA	"	GGPS Khaikai Banda	GGPS SORANA	AGAINST VACANT POST
40.		RASHIDA	"	GGPS Hero Shah No.1	GGPS GARANG DARA	HARGUS
41.		BADSHAI BAKHT	"	GGPS Dargai	GGCMS ZOORMANDI	AGAINST VACANT POST
42.		REHANA	"	GGPS Dargai	GGPS GARANG DARA	AGAINST VACANT POST
43.		NAHEED	"	GGPS Mir Ahmad Banda	GGPS BADRAGGA	AGAINST VACANT POST

*Handwritten signature and initials*

9

**Better Copy No.9**

Disciplinary action will be initiated against defaulter teachers under the Khyber Pakhtunkhwa govt. Servants (E&D) Rules 2011 which may entail their removal from services.

Charge report should be submitted to all concerned.

District Education Officer  
(F) Malakand at Batkhela


Endst: 3161-681

Dated 16/8/2014

Copy of information and necessary action is forwarded to the:-

1. Section Officer (General) (E&SE) Deptt: Khyber Pakhtunkhwa Peshawar
2. Director (E&SE) Deptt. Khyber Pakhtunkhwa Peshawar with reference to his letter No.6104-59/rationalization/estab: Dated Peshawar the 1/4/2014.
- 3-4 SDEOs (F) Bakhela & Dargai with the direction to implement the above order and in case of non compliance by the concerned teachers with fifteen days, timely report against the defaulters teacher to be furnished to this office.
5. District Accounts Officer Malakand.
6. Assistant Programmer (DEMIS) Cell Local Office
7. Teachers concerned for compliance.
8. Head teacher of the concerned schools.

Sd/-  
District Education Officer  
(F) Malakandi at Batkhela

*True Copy*  





OFFICE OF THE DISTRICT EDUCATION OFFICER (F) MALAKAND AT BATKHELA

TRANSFER / ADJUSTMENT UNDER RATIONALIZATION SCHEME 2014

In pursuance of the rationalization policy of the elementary and secondary education Department and with reference to the Director (E&SE) KPK Peshawar, letter No. 6104 59/rationalization/estab: dated Peshawar the 1/4/2014, transfer/adjustment of the following surplus female Primary School Teachers along with post occupied by them in Govt. Girls Primary Schools in District Malakand are hereby ordered with immediate effect in the interest of public service.

S.NO	SENIORITY NO	NAME OF TEACHER	Design	FROM	TO	AGAINST
1	530	Mumilkat Begum	SPST	GGPS,GAT KOTO	GGPS,LAL COLONY	ZULFIA KHANAM
2	377	SALMA KHURSHID	"	GGPS,THIANA NO.1	GGPS,CC,THIANA	ISHRAT BEGUM P
3	430	SHAZIA	"	GGPS,JALALA	GGPS,CC THIANA	TASLEM BEGUM
4	464	ZAHINA	"	GGPS,NAL NO.II	GGPS,CC THANA	DILSHAD GHULAM IIU
5		TAUHEED KAUSAR	"	GGPS,NAL NO.II	GGPS,CC THANA	SHAHJEN ZARIFA
6	370	MARIYAM BEGUM	"	GGPS,THIANA NO.II	GGPS,CC THIANA	HAFIA PST
7	534	SADIA HAWAN	"	GGPS,THIANA NO.II	GGPS,THIANA THANA	MARGUS JARIN PS
8	464	ALIA SUHJANI	"	GGPS,MAIZARA THANA	GGPS,L.C.THIANA	SHAHIDA WAHID
9	548	NASIRA	"	GGPS,MAIZARA THANA	GGPS,ZOORIMANDI	ZAHIDA NASSREEN
10	376	HUMIRA	"	GGPS,NALL NO.1	GGCMS,MALANG ABAD	NAHIED PST
11	376	NASIRA	"	GGPS,THANA NO.1	GGPS,CC THANA	HAFIA GHULAM
12	526	MALKUN NISA	"	GGPS,THIANA NO.1	GGPS,BATKHELA NO.II	MUMLIKAT PST
13	389	HISALAT	"	GGPS,ALLAHDAND	GGCMS,SAID ABAD	SHANILA PST
14	405	SHAHNAZ AKHTAR	"	GGPS,ALLAHDAND	GGCMS,MALANGABAD	SHAZIA PST
15	436	CHAND BIBI	"	GGPS,ALLHADAND	GGCMS,MALANGABAD	KHAIST BIBI PST
16	371	NASIM AKHTAR	"	GGPS,MAIZARA DTK	GGPS,KANDAKO	BAS PAH PST
17	474	ZENAT ARA	"	GGPS,KANDAKO KASS	GGPS,AMANDARA	KHAIST BIBI PST
18	527	HINA GUL	"	GGPS,KANDAKO KASS	GGCMS,KARKANI	KAUSAR PST
19	390	AZRA NAZ	"	GGPS,TOTAKAN NO.11	GGPS,TOTAKAN NO.1	KHATIMA PST
20		ISHAJ	"	GGPS RAHMAT ABOD	GGPS SAIDRA JOWAH	Against Vacant pos
21		NUSRAT	"	GGPS MEHARDAI	GGPS SHARIF ABOD	ANEELA
22		HUBUL WARA	"	GGPS KHATAK KORONA	GGPS ASHAKAI	FARZANA
23		SHAMIM	"	GGPS KHATAK KORONA	GGPS GHANI DHEIRAI	Against Vacant pos
24		HIDAYAT	"	GGPS MEHARDAI	GGPS MAKHNAWALA	MADHIA
25		DILSHAD	"	GGPS KHARKAI NO.2	GGPS MUSA MINA	HAVIDA
26		ALIMAT	"	GGPS KHARKAI NO.1	GGPS SALGARO	MUSLIMA
27		BIBI AYESHA	"	GGPS SAKHAKOT NO.1	GGPS PALOWTAL	AFSHIEN
28		NOOR JEHAN	"	GGPS SAKHAKOT NO.1	GGPS GULO SHAH	Against Vacant pos
29		SHAHJEN	"	GGPS SAKHAKOT NO.1	GGPS SAKHAKOT NO.2	FARIDA
30		ZUBAIDA	"	GGPS SAKHAKOT NO.1	GGPS BADRAGGA	Against Vacant pos
31		MARGUS AMEER	"	GGPS DARGAI	GGPS JABBAN NO.2	Against Vacant pos
32		SHAZIA HALIM	"	GGPS SAKHAKOT NO.1	GGPS SAKHAKOT NO.2	Against Vacant pos
33		MINHAS	"	GGPS BAMA KANDOW	GGPS JHARAI	NIZAKAT
34		BAKHIT SULTANA	"	GGPS KAS KORONA KOPER	GGPS KACHU KOPER	Against Vacant pos
35		MOREENA	"	GGPS WARTAIR	GGCMS WARTAIR	NCELAM
36		FOUZIA	"	GGPS AHAR TANGAI	GGPS G.U.KHAIL	SHAHJEN
37		FARIDA	"	GGPS KHARKAI BANDA	GGPS ZALIGAL BANDA	SABINA
38		SAFIA	"	GGPS KHARKAI BANDA	GGPS SORANA	Against Vacant post
39		JAMILA	"	GGPS KHARKAI BANDA	GGPS GARANG DARA	Against Vacant post
40		NASHIDA	"	GGPS HERO SHAH NO.1	GGCMS ZOORNALIDAI	MARGUS
41		BADSHAMI BAKHT	"	GGPS DARGAI	GGPS GARANG DARA	Against Vacant post
42		REHANA	"	GGPS DARGAI	GGPS MATRA	Against Vacant post
43		NAHEED	"	GGPS KHARKAI BANDA	GGPS BADRAGGA	Against Vacant post

*True copy*  


Disciplinary action will be initiated against the defaulter teachers under the Khyber Pakhtunkhwa Govt: Servants (E&D) Rules, 2011 which may entail their removal from services.

2. Charge report should be submitted to all concerned.

(DISTRICT EDUCATION OFFICER  
(F) MALAKAND AT BARKHELA)

Endst: 3161-68

Dated: 16 / 8 / 2014

Copy for information and necessary action is forwarded to the:

1. Section Officer (General) (E&SE) Deptt: Khyber Pakhtunkhwa Peshawar.
2. Director (E&SE) Deptt: Khyber Pakhtunkhwa Peshawar with reference to his letter No. 6104-59/rationalization/estab: dated Peshawar the 1/4/2014.
- 3-4 SDEOs (F) Barkhela & Dargai with the direction to implement the above order and in case of non-compliance by the concerned teachers with fifteen days, timely report against the defaulters teacher to be furnished to this office.
5. District Accounts Officer Malakand.
6. Assistant Programmer (DEMIS) Cell Local office.
7. Teachers concerned for compliance.
8. Head teachers of the concerned schools.

(DISTRICT EDUCATION OFFICER  
(F) MALAKAND AT BARKHELA)

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بخدمت جناب E.D.O صاحب محکمہ پرائمری اینڈ سیکنڈری ایجوکیشن بمقام بٹ حیلہ، مالاکنڈ

عنوان: درخواست بمراد کہ سائلہ کی ٹرانسفر آرڈر کو کنسل کر کے سائلہ کو اپنے سکولز میں ڈیوٹی جاری کرنے کا حکم صادر فرمایا جائے۔

جناب عالیہ! حسب ذیل عرض ہے۔

۱- یہ کہ سائلہ ضلع مالاکنڈ کے رہائشی ہوں اور آپ کے زیر سایہ PST پوسٹ پر ڈیوٹی سرانجام دے رہی ہوں۔

۲- یہ کہ اب صاحبان نے سائلہ کو بذریعہ آرڈر نمبر 3161-68 مورخہ 16-08-2014 اپنے یونین کونسل سے دور دراز ٹرانسفر کی ہے۔

۳- یہ کہ سائلہ چونکہ ذنا نہ ذات ہوں اور اپنے یونین کونسل سے کسی دوسرے یونین کونسل میں آنے جانے میں کافی مشکلات کا سامنا ہے۔

۴- یہ کہ سائلہ چونکہ اپنے ہی سکول میں ڈیوٹی جاری رکھنا چاہتی ہے اس لئے اس نسبت سائلہ نے بیان حلفی بھی دی ہے۔

۵- یہ کہ سائلہ کا مذکورہ ٹرانسفر آرڈر کنسل کرنے کا حکم صادر فرمایا جا کر سائلہ کو اپنے ہی سکولز میں ڈیوٹی جاری رکھنے کا حکم صادر فرمایا جائے۔ اس لئے درخواست ہذا کی ضرورت لاحق ہوئی۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا حسب عنوان عرضی

درخواست احکامات صادر فرمائے جائے۔

مورخہ 03-09-2014

عویض

مسماة عارفہ ----- سائلہ

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(11)

BEFORE THE PESHAWAR HIGH COURT BENCH  
MINGORA / DARUL QAZA SWAT

Writ Petition No. 597--M of 2014

1. Mst. Arifa wife of Hazrat Muhammad Resident of Village & P.O Dargai, District Malakand.
2. Mst. Jamila wife of Khan Muhammad Resident of Kharkai, Dargai, District Malakand.
3. Mst. Badshahi Bakht wife of Muhammad Rahman Resident of Meherdi, Dargai, District Malakand.

.....Petitioner

VERSUS

1. Government of KPK through Secretary Elementary & Secondary Education at Peshawar.
2. Director Elementary & Secondary Education at Peshawar.
3. District Education Officer Female Malakand at Batkhela.
4. Deputy Commissioner District Malakand.

.....Respondents

Writ Petition under article 199 of the  
constitution of Islamic Republic of  
Pakistan, 1973.

*Khan Arifa*

FILED TODAY

Additional Registrar

9 DEC 2014

**PESHAWAR HIGH COURT, MINGORA BENCH**  
**(DAR-UL-QAZA), SWAT**

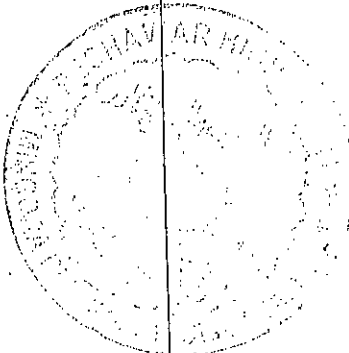
**FORM OF ORDER SHEET**



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Court of .....

Case No..... of.....

Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
	28.01.2015	<p><b><u>W.P. No.597-M/2014 with Interim Relief.</u></b></p> <p><b>Present:</b> Mr. Zia-ur-Rahman, advocate for the petitioners.</p> <p style="text-align: center;">***</p> <p><b><u>HAIDER ALI KHAN, J.-</u></b> Petitioners through the instant writ petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, have prayed for setting aside the impugned order dated 16.8.2014 with regard to their transfer.</p> <p><u>2.</u> Having heard the learned counsel for petitioners, perusal of record would reveal that petitioners have challenged the transfer order bearing Endst: No.3161-68 dated 16.8.2014 of District Education Officer (F) Malakand at Batkhela/respondent No.3, whereby they have been transferred to different stations. The claim of petitioners squarely falls under Chapter II (Terms and Conditions of Service) of the Civil Servant Act, 1973, wherein jurisdiction of this Court under</p>

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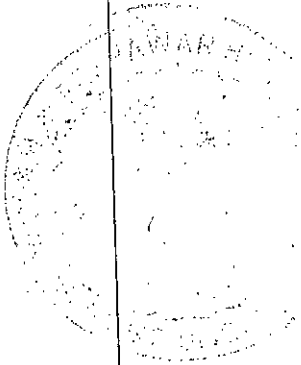
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Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 is exclusively barred.

3. In view of the above, this writ petition, being not maintainable, is dismissed in *limine*.

**Announced.**  
**Dt: 28.01.2015.**



Case No. 11405  
 Name of Applicant Q. M. Jilani  
 Date of Presentation 6-4-15  
 Date of Completion 7-4-15  
 No. of Copies 3-P  
 Fee Charged 6/-  
 Date of Delivery of Copies 7-4-15

**Certified to be true copy**

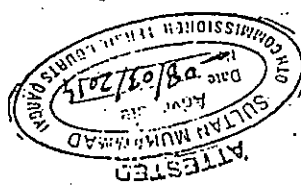
Periswan High Court, Mirpur/Dar-el-Qaza, Swat  
 Government Order No. 87 of 2015-16-17 dated 28.01.2015

7/4/15

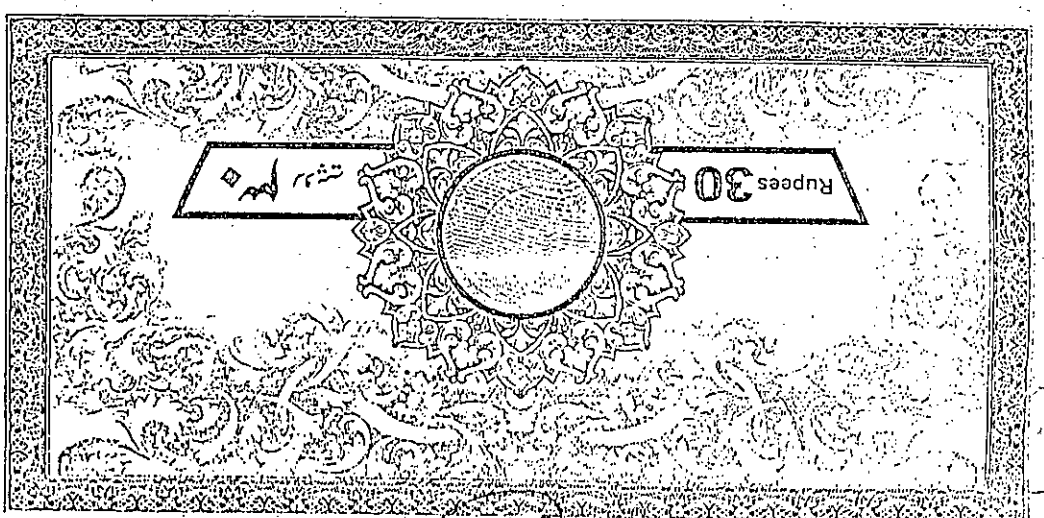
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08/03/2014  
 15401.8/149083-0  
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Handwritten text in Urdu, likely a legal document or affidavit, detailing a case or agreement. The text is written in a cursive style and covers the middle and lower portions of the page.



149

Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa, Peshawar

PH No.091-9201389, 9210938,  
9210437, 9210957, 9210468

Fax 091-9210936 0800-33857

No.2412-2550/A/Promotion/Estab

Dated Peshawar the 21/01/2013

To

All the District Education Officers,  
(Male & Female), in Khyber Pakhtunkhwa.

Subject:

**Guidelines for Posting of PST B-12 on Promotion to the post of Senior PST B-14 and PSHT B-15, Qari B-12 to B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16.**

Memo:

I am directed to refer to the subject noted above and to clarify that posts of PST B-12/Senior PST B-14/ PSHT B-15 may be rationalized and re-distributed among the Primary schools in the following manner and on Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted as under:-

Up gradation of Posts in Primary Schools (Female) After Rationalization @ 1-40 ratio											
S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization							
				SST B-16	CT B-16	PSHT B-15	SPST B-14	PST B-12	NQ	Caller	Chow
1	25288	GGPMS A (HCA)	208	1	2	0	2	3	1	1	1
2	25048	GGPMS B (HCA)	306	1	2	0	2	6	1	1	1
3	25143	GGCMS C	173	1	0	0	2	3	1	1	1
4	30056	GGCMS D	50	0	0	1	0	1	0	0	1
5	25224	GGPS E	110	0	0	1	1	1	0	0	1
6	25244	GGPS F	160	0	0	1	1	2	0	0	1
7	25277	GGPS G	198	0	0	1	1	3	0	0	1
8	25221	GGPS H	240	0	0	1	2	3	0	0	1
9	22912	GGPS I	285	0	0	1	2	4	0	0	1
10	25097	GGPS J	120	0	0	1	2	5	0	0	1
11	25138	GGPS K	360	0	0	1	2	6	0	0	1
12	32606	GGPS L	400	0	0	1	3	6	0	0	1
13	25278	GGPS M	440	0	0	1	3	7	0	0	1
Total			3250	3	4	10	23	59	3	3	13

Up gradation of Posts in Primary Schools (Male) After Rationalization @ 1-40 ratio							
S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization			
				PSHT B-15	SPST B-14	PST B-12	Chow
1	30056	GPS A	50	1	0	1	1
2	25224	GPS B	110	1	1	1	1
3	25244	GPS C	160	1	1	2	1
4	25277	GPS D	198	1	1	3	1

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5	25277	GPS E	240	1	2	3	1
6	32912	GPS F	285	1	2	4	1
7	25097	GPS G	320	1	2	5	1
8	25138	GPS H	360	1	2	6	1
9	32606	GPS I	400	1	3	6	1
10	25278	GPS J	440	1	3	7	1
<b>Total</b>			<b>2563</b>	<b>10</b>	<b>17</b>	<b>38</b>	<b>10</b>

**Note:-**

1. Each Primary School (except JICA & Community Model School where SST post is sanctioned) will have one post of PSHT B-15.
2. There will be no post of PSHT B-15 & SPST B-14 in MPS.
3. No of posts of PSHT B-15, SPST B-14 & PST B-12 will not exceed the already communicated sanctioned posts.

**Posting on Promotion**

4. On Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted in the same UCs Subject to the provisions of sanctioned post.
5. Senior most PSHT B-15, SPST B-14 & PST B-12 (According to the Seniority list) may be retained in the school of their present posting and junior most may be transferred to other schools.
6. In their promotion order it should be mentioned that their Inter-se -Seniority on lower post will remain intact.
7. If anyone forego promotion, Entry to this effect may be made if his/her Service book.
8. Minimum qualifications for the above posts have already been prescribed in the Service Rules notified vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre Dated the November 13, 2012.

I am further directed to further clarify that:

1. On promotion Qari B-12 to the post of Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15, to Senior DM B-16 and PET B-15 to Senior PET B-16, will be posted in High and Higher Secondary Schools.
2. 1/3 Qari B-12 posts will be upgraded to Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15, to Senior DM B-16 and PET B-15 to Senior PET B-16 in High and Higher Secondary Schools only in Elementary and Secondary Education Department at District level.
3. No post of CT B-15, PET B-15, AT B-15, DM B-15, TT-15, will be upgraded to B-16 in Middle Schools.
4. Senior most Senior CT B-16, Senior AT B-16, Senior DM B-16, Senior PET B-16, Senior TT B-16 (According to the Seniority list) may be retained in the schools of their present posting and junior most may be transferred to other schools.
- 5.

Sd/-

Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst: No. \_\_\_\_\_ /File No.1/A-88/KC/S.list: Dated Peshawar the 18/01/2013.

Copy forwarded for information and necessary action to the:-

1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. M/File.

Sd/-

Dy: Director (Estab)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

*[Handwritten signatures and initials]*

Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

PH No. 091-9201389, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936 0800-33857

No. 210-33A // Promotion / Estab

Dated Peshawar the 23/01/2013.

To

All the District Education Officers,  
(Male & Female), in Khyber Pakhtunkhwa.

Subject:- Guidelines for Posting of PST B-12 on Promotion to the post of Senior PST B-14 and PSHT B-15, Qari B-12 to B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16.

Memo:

I am directed to refer to the subject noted above and to clarify that posts of PST B-12 /Senior PST B-14/PSHT B-15 may be rationalized and re-distributed among the Primary schools in the following manner and on Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted as under:-

Up gradation of Posts in Primary Schools (Female) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization							
				SNP B-10	CT B-15	PSHT B-15	SPST B-15	PST B-12	NT	Caller	Chow
1	25288	GGPMS A (JICA)	208	1	2	0	2	3	1	1	1
2	25048	GGPMS B (JICA)	306	1	2	0	2	6	1	1	1
3	25043	GGCMS C	173	1	0	0	2	3	1	1	1
4	30056	GGPS D	250	0	0	1	0	1	0	0	1
5	25224	GGPS E	110	0	0	1	0	1	0	0	1
6	25044	GGPS F	110	0	0	1	1	2	0	0	1
7	25277	GGPS G	198	0	0	1	1	3	0	0	1
8	25221	GGPS H	240	0	0	1	2	3	0	0	1
9	33912	GGPS I	205	0	0	1	2	4	0	0	1
10	25097	GGPS J	320	0	0	1	2	5	0	0	1
11	25138	GGPS K	360	0	0	1	2	6	0	0	1
12	32606	GGPS L	400	0	0	1	3	6	0	0	1
13	25278	GGPS M	440	0	0	1	3	7	0	0	1
Total			3250	3	4	10	23	50	3	3	13

Up gradation of Posts in Primary Schools (Male) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization			
				PSHT B-15	SPST B-15	PST B-12	Chow
1	30056	GPS A	50	1	0	1	1
2	25224	GPS B	110	1	1	1	1
3	25044	GPS C	160	1	1	2	1
4	25277	GPS D	198	1	1	3	1

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5	25291	GPS E	240	1	2	3	1
6	31912	GPS F	205	1	2	4	1
7	25092	GPS G	150	1	2	5	1
8	25138	GPS H	360	1	2	6	1
9	32606	GPS I	400	1	3	6	1
10	25278	GPS J	440	1	3	7	1
Total			2503	10	17	38	10

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Note:-

1. Each Primary School (except JICA & Community Model School where SST post is sanctioned) will have one post of PSHT B-15.
2. There will be no post of PSHT B-15 & SPST B-14 in MPS.
3. No of posts of PSHT B-15, SPST B-14 & PST B-12 will not exceed the already communicated sanctioned posts.

**Posting on Promotion**

4. On Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted in the same UCs Subject to the provisions of sanctioned post,
5. Senior most PSHT B-15, SPST B-14 & PST B-12 (According to the Seniority list) may be retained in the school of their present posting and junior most may be transferred to other schools.
6. In their promotion order it should be mentioned that their Inter-se-Seniority on lower post will remain intact.
7. If anyone forego promotion, Entry to this effect may be made if his/her Service book.
8. Minimum qualifications for the above posts have already been prescribed in the Service Rules notified vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre Dated the November 13, 2012.

I am further directed to further clarify that:

1. On promotion Qari B-12 to the post of Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16, will be posted in High and Higher Secondary Schools
2. 1/3 Qari B-12 posts will be upgraded to Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16 in High and Higher Secondary Schools only in Elementary and Secondary Education Department at District Level.
3. No post of CT B-15, PET B-15, AT B-15, DM B-15, TT-15 will be upgraded to B-16 in Middle Schools.
4. Senior most Senior CT B-16, Senior AT B-16, Senior DM B-16, Senior PET B-16, Senior TT B-16 (According to the Seniority list) may be retained in the schools of their present posting and junior most may be transferred to other schools.
- 5.

*[Signature]*  
 Dy: Director (Estab)  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar.

Encl: No. / File No. / A-88/KC/S list: Dated Peshawar the 13/01/2013.

- Copy forwarded for information and necessary action to the:-
1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
  2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
  3. M/File

*[Signature]*  
 Dy: Director (Estab)  
 Elementary and Secondary Education  
 Khyber Pakhtunkhwa Peshawar

*True copy*  
*[Signature]*

مت ہذا۔ ڈسٹرکٹ ایجوکیشن آفیسر صاحب (روزانہ) صلح ملاکنڈ ڈام اتھانہ

(17)

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عنوان:- نفلکائی آرڈر نمبر 3181

Amount

موضوع: تدریس کی جاتی ہے کہ گورنمنٹ گریڈ پرائمری سکول

درگئی میں طالبات کی تعداد 600 ہے۔ حالیہ ریشٹلائزیشن پروگرام میں سکول ہذا سے تین عملیات کو تبدیل کر دیا گیا ہے۔ سکول ہذا میں عملیات کی فورت 5 ہے۔

عملیات عمارت اور بادشاہی بخت کافی تجربہ کار۔ نقابی اور مصفی ہیں۔ سکول اور بچیوں کی بہترین تعلیم و تربیت کو مدنظر رکھتے ہوئے ان کے آرڈر پر نظر ثانی کر کے سکور فرمائیں۔  
بڑی مہربانی ہوگی۔

الغرضی

سید مسٹرین G.G.P.S درگئی

Nabeed Begum  
Head Mistress  
G.G.P.S Dargai  
Malakand Area

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# بعدالت حسینہ تختونخواہ سپروٹس ٹراستوں کے پاس



2 جناب

20/5/15

موزخہ

مقدمہ

دعویٰ

جرم

بنام گورنمنٹ KPK وغیرہ

صماۃ عارفہ زوجہ حضرت محمد

سپروٹس ٹراست

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام سپروٹس ٹراست کے لیے عمر علی شاہ انڈسٹریل سٹور ایجنٹس لیسٹریٹس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور

بہ صورت ڈگری کرنے اجراء اور صولی چیک دروپیا 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 برآمدگی 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 کاروائی 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 باختیارات حاصل ہوں گے اور اس کا ساختہ

پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔

کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی

مذکورہ کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 20 ماہ 20

واہ العب

کے لئے منظور ہے۔

بمقام سپروٹس

Anam Sava

Accepted

Shah

Chaman

Shah