


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

1731/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	
1-	25/08/2023	<p>The appeal of Dr. Zulfiqar Ali is presented today by Mr. Ahmad Sultan Tareen. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>28-08-2023</u>.</p> <p>By the order of Chairman  REGISTRAR</p>

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Dr. Zulfiqar Ali

Versus

Govt of KPK

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?	√	
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____	√	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Ahmad Sultan Tareen

Signature:-

Dated:- 25/8/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ,
PESHAWAR

Service Appeal No. 1731 /2023

Dr. Zulfiqar AliAPPELLANT

VERSUS

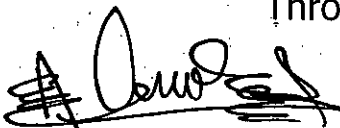
Government of Khyber Pakhtunkhwa and othersRESPONDENTS


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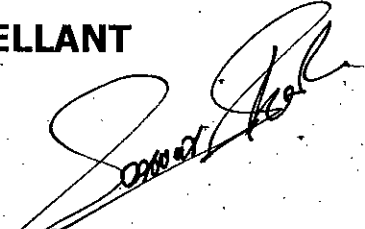
S#	Description of documents	Annexs	Pages
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3.	Application for suspension with affidavit		9-10
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7.	Copy of the Posting/Transfer Policy	D	20-25
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APPELLANT

Through


Ahmad Sultan Tareen
Advocate High Court


Mudassar Ali
Advocate High Court


Barrister Sarwar Muzaffar Shah
Advocate High Court

Dated: 24.08.2023

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1731/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7173

Dated 25/8/23

Dr. Zulfiqar Ali, Associate Professor of Economics (BS-19) under Transfer from Government College, Peshawar to Government Post-Graduate College, Charsadda.

Resident of Village Kaga Wallah, Tehsil and District, Peshawar.

..... Appellant

Versus

1. Government of Khyber Pakhtunkhwa Higher Education, Achieves & Libraries Department, Civil Secretariat, Peshawar.
2. Secretary to the Government of Khyber Pakhtunkhwa, Higher Education, Achieves & Libraries Department, Civil Secretariat, Peshawar.
3. Principal, Government College, Peshawar.
4. Dr. Aftab Alam, Associate Professor of Zoology (BPS-19), Government Post Graduate College, Charsada under transfer to Government College, Peshawar.

..... Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL AGAINST THE
NOTIFICATION DATED 27.04.2023 BEARING NO. SO(C-

Filed by
R. 25/8/23

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**II)/HED/11-5/2022/PSB/BS-18 TO BS-19 ISSUED UNDER THE
EVEN ENDORSEMENT AND DATE BY RESPONDENT NO. 2,
WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE
GOVERNMENT COLLEGE PESHAWAR AND ADJUSTED IN
GOVERNMENT POSTGRADUATE COLLEGE, CHARASADA AGAINST
VACANT POST.**

PRAYER:

On acceptance of this appeal, this Hon'ble Tribunal may graciously hold the Transfer/Adjustment of the appellant having been made vide impugned Notification dated 27.04.2023 in violation of spouse policy under the Posting/Transfer Policy of the Government of Khyber Pakhtunkhwa and also against the public interest; and the same is liable to be reversed with ante status quo remedy in favor of the appellant by transfer/adjustment of the Respondent No. 4 in or out of Government College Peshawar or as the respondent No. 2 may deem appropriate to adjust him anywhere;

Any other relief as this Hon'ble Tribunal may deem appropriate to grant in favor of the Appellant for the sake of justice.

Respectfully Sheweth:

1. That Appellant is a civil servant working under good the control of respondents 1 and 2 and serving till date quite efficiently and upto the entire satisfaction of his superiors.
2. That all of a sudden, vide the impugned Notification dated 27.04.2023, Appellant was transferred from the Government College, Peshawar and adjusted against vacant post at

Government Post-Graduate College, Charsadda. (Copy of the Impugned Notification is annexure "A").

3. That the Appellant being aggrieved of the impugned Notification, filed review petition dated 28-04-2023 through channel of the respondent No. 2 seeking review of his transfer/adjustment by the respondent No. 1 which was endorsed by the respondent No. 3 by a foot-note with viable reasons. (Copy of the Review Petition is annexure "B").
4. That the Appellant reliably learnt that the respondent No.2, in pursuance of the review petition (Annex-B) moved the summary for consideration of the competent authority to allow the Appellant stay at Government College Peshawar but decision of the appellate authority on the said summary is untraceable and on expiry of the statutory waiting period of 90 days, the appellant has been left with no other option but to presume the rejection of his review petition by the appellate authority.
5. That the Appellant believe that he has been transferred out of Peshawar not only in violation of the transfer/posting policy of the government but his transfer/adjustment in view of the recommendation of the Principal is against the public interest. Therefore, the Appellant seeks to challenge his transfer/adjustment made vide Notification dated 27.04.2023, inter-alia, on the grounds as follow:

GROUND

- A. That wife of the Appellant is a government servant working in the Elementary & Secondary Education Department of the province under control of the District Education Officer (F), Peshawar and currently posted at Government Girls Middle School No. 2, Hazar Khwani, Peshawar. Moreover, the post of the spouse of the Appellant is a district cadre post and she is not liable to be transferred from District Peshawar. **(Copy of the Service Certificate of Appellant's wife is annexure "C")**.
- B. That the Appellant is father of three kids all school going with the age as 11, 9 and 6 years and they are respectively in Class 6, 4 and 1. They are bound to suffer because of the transfer of Appellant out of Peshawar particularly when their mother is also a working woman. Moreover, two of the kids of the Appellant suffer from Thalassemia Trait and they are under treatment of Hematologist Dr. Inayat Ullah Afridi Child Specialist. Thus, besides the spouse policy, the Appellant has got at his credit a grave and serious personal humanitarian ground for posting in Peshawar.
- C. That the posting/transfer policy of the Government of Khyber Pakhtunkhwa issued vide No. SOR-VI(E&AD)I-4/2003 dated 24.06.2003 is in field and provides the remedy of appeal in cases where posting/transfer is premature or in violation of the provisions of policy, and where there are serious and grave personal humanitarian grounds. **(Copy of the Posting/Transfer Policy dated is annexure "D")**.
- D. That the policy of the government (Annexure-D) provides vide para-ix that regarding posting of husband/wife, both in provincial service, efforts where possible would be made to

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post such persons at one station subject to the public interest. The case of the Appellant squarely comes within ambit of the said condition of the cited policy and his transfer from Peshawar to Charsadda violates particular provision of that policy. Thus, the transfer of the Appellant out of District Peshawar is violative of the post/transfer policy of the government and in turn, the Appellant has been exposed to a treatment in violation of Article 4 of the Constitution of Pakistan. Thus, impugned Notification is against the law, transfer policy, facts and norms of natural justice and not tenable in the eye of law and liable to be set-aside.

E. That it may be submitted that there was no compelling reason for respondent No. 2 to transfer the Appellant through the impugned Notification in consequence of promotion of the respondent No. 4, particularly when the post of Associate Professor (BPS-19) was vacant in Government Post-Graduate College, Charsadda, where the promotion of respondent No. 4 could conveniently be actualized by his adjustment against the vacant post of Associate Professor instead causing disturbance to the appellant from a proper post during running sessions of studies of students; which obviously was compromised by wrong posting of the respondent No. 4 without relevancy of his subject. Thus, the respondents 1 and 2 were under lawful obligation to respect the provision of the governmental policy, and if there were any compelling reasons, those should have been recorded in writing. So, the transfer of the Appellant being in violation of said provision of the policy is judicially reviewable under the facts and law.

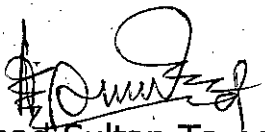
- F. That in the case of the Appellant, all the prevailing laws have been abused/misused and the department has tried to victimize the Appellant. Such treatment of the department is not covered under Para-1 of the posting transfer policy.
- G. That the impugned Notification dated 27.04.2023 has not been issued in the public interest as required under the posting/transfer policy, therefore, the same is not tenable and liable to be set aside.
- H. That from all aspects, the Notification dated 27.04.2023 is the result of colorful exercise of discretionary powers vested in the Respondents, because of which, the Appellant has been victimized just to adjust the respondent No. 4 being blue-eyed one.
- I. That in light of the foregoing facts and grounds, the impugned Notification of respondents is arbitrary, perverse, erroneous, perfunctory, without lawful authority, legally and factually wrong and is liable to be set aside; and the Appellant is entitled for the relief as prayed in the heading above.
- J. That the given facts and grounds being precise and specific are the least but not the last. There is a room for more grounds in support of the case advanced herein before. Therefore, the Appellant reserves his right to seek permission to raise further grounds during arguments, if needed.
- K. That the Appellant having filed the review petition through proper channel has exhausted the remedy of appeal/review which has not been disposed of firstly within the stipulated


period of 15 days under the policy of the government and then within 90 days i.e. the waiting period as mentioned in proviso (a) to Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. From the date of presumptive rejection of appellant's review petition by the respondent No. 1, this appeal is within time and this Hon'ble Tribunal has got the jurisdiction to hear and decide the same.

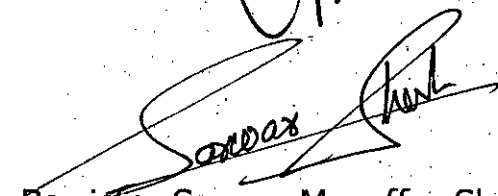
It is respectfully prayed that this service appeal may graciously be accepted as per prayer in the heading herein-above.

APPELLANT

Through


Ahmad Sultan Tareen
Advocate High Court


Mudassar Ali
Advocate High Court


Barrister Sarwar Muzaffar Shah
Advocate High Court

Dated: 24.08.2023

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Dr. Zulfiqar Ali

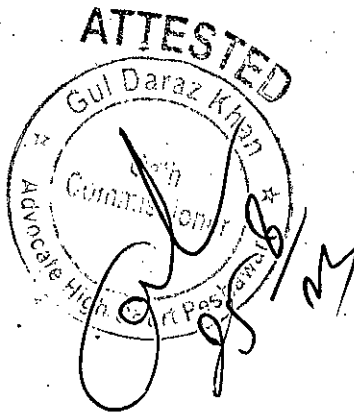
.....APPELLANT

VERSUS

Government of Khyber Pakhtunkhwa and othersRESPONDENTS

AFFIDAVIT

I, Dr. Zulfiqar Ali the appellant do hereby state on solemn affirmation that contents of the accompanying service appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed.




DEPONENT

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

In Re:

Service Appeal No. _____/2023

Dr. Zulfiqar ali

.....Appellant

Vs

Government of kpk and others

..... Respondents

APPLICATION FOR SUSPENSION OF IMPUGNED
NOTIFICATION NO.SO(II/HED/11-5/2022/PSB/BS-18 TO 19)
DATED 27.04.2023, TILL FINAL DECISION OF TITLED
SERVICE APPEAL

Respectfully Sheweth:

1. That the titled appeal is being filed before this Honourable Tribunal in which no date of hearing has yet been fixed.
2. That the applicant/appellant has a prima facie case in his favour and he is sanguine of its success.
3. That the balance of convenience also lies in favour of the applicant/appellant.
4. That if the impugned order is not suspended, the applicant/appellant will suffer an irreparable loss.

It is, therefore, prayed that by accepting this application, the impugned notification dated 27.04.2023

may please be suspended and maintenance of status quo be ordered till the final decision of instant appeal.

Applicant/Appellant

Through


Ahmad Sultan Tareen

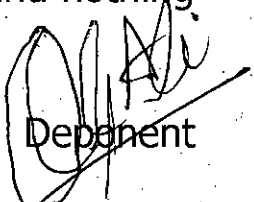

Mudassir Ali

Advocates High Court

Dated: 25.08.2023

AFFIDAVIT

1, Dr. zulfiqar Ali, do hereby solemnly 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





GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar the 27th April, 2023

NOTIFICATION

NO.SO(C-II)/HED/11-5/2022/PSB/BS-18 to BS-19:

Consequent upon approval/NOC of Election Commission of Pakistan vide letter No.F.3(1)/2023-Els (PEC) dated 12.02.2023 and consequent upon their promotion to the post of Associate Professors (BS-19) as notified vide notification of even number dated 23.12.2022, the following postings/adjustments are hereby ordered, in the best public interest, with immediate effect:-

S#	Name & Designation	From	To	Remarks
1.	Hafiz Inayatullah, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC No.2, D.I.Khan	As Associate Professor (BPS-19) at GDC Paharpur, D.I.Khan	AVP
2.	Muhammad Tahir, Associate Prof. of Pashto (BPS-19)	Assistant Prof. (BS-18) at GDC Wadpagga, Peshawar	As Associate Professor (BS-19) at GSSC Peshawar	AVP
3.	Abid Sultan, Associate Prof. of English (BPS- 19)	Assistant Prof. (BS-18) at GDC Agra, Malakand	As Associate Professor (BPS-19) at GDC Agra, Malakand	AVP
4.	Qazi Shahzad-ul-Maluk, Associate Prof. of Botany (BPS-19)	Assistant Prof. (BS-18) at GDC Koh-e-Daman, Peshawar	As Associate Professor (BPS-19) at GDC Koh-e- Daman, Peshawar	AVP
5.	Dr. Munir Khan, Associate Prof. of Pashto (BPS-19)	Assistant Prof. (BS-18) at GDC Mathra, Peshawar	As Associate Professor (BPS-19) at GPGC Charsadda	AVP
6.	Anwar Saeed, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Khan Kohi, Nowshera	As Associate Professor (BPS-19) at GPGC Nowshera	Vice Sr. #06 of the adjustment
7.	Muhammad Ali Shah, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Gulabad, Dir Lower	As Associate Professor (BPS-19) at GDC Gulabad, Dir Lower	AVP
8.	Majid Khan, Associate Prof. of Statistics (BPS- 19)	Assistant Prof. (BS-18) at GPGC Haripur	As Associate Professor (BPS-19) at GDC KTS, Haripur	AVP
9.	Bilal Alam, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GPGC Mandian, Abbottabad	As Associate Professor (BPS-19) at GPGC Mandian, Abbottabad	AVP
10.	Shah Hussain, Associate Prof. of Physics (BPS- 19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GPGC Bannu	AVP
11.	Ashfaq Ahmad, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GPGC Haripur	As Associate Professor (BPS-19) at GPGC Haripur	Vice Sr. #01 of the adjustment
12.	Mian Gul Said, Associate Prof. of History-cum- Pol: Science (BPS-19)	Assistant Prof. (BS-18) at GDC Daggar, Buner	As Associate Professor (BPS-19) at GDC Daggar, Buner	AVP
13.	Shah Faisal, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GC Peshawar	As Associate Professor (BPS-19) at GC Peshawar	AVP
14.	Israr Ahmed, Associate Prof. of History-cum- Pol: Science (BPS-19)	Assistant Prof. (BS-18) at GDC Wadpagga, Peshawar	As Associate Professor (BPS-19) at GDC Naguman, Peshawar	Vice Sr. #04 of the adjustment
15.	Muhammad Sheraz, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GPGC Nowshera	As Associate Professor (BPS-19) at GPGC Charsadda	AVP

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16.	Kaleem Akbar, Associate Prof. of History-Cum-Political Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Mardan	As Associate Professor (BPS-19) at GDC Takht Bhai, Mardan	AVP
17.	Sardar Ali Khan, Associate Prof. of Physics (BPS-19)	Assistant Prof. (BS-18) at GDC No.2, Mardan	As Associate Professor (BPS-19) at GDC No.2, Mardan	AVP
18.	Muhammad Abdul Hafeez, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Mathra, Peshawar	As Associate Professor (BPS-19) at GDC Mathra, Peshawar	AVP
19.	Muhammad Younas Shah, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GPGC Karak	As Associate Professor (BPS-19) at GPGC Karak	AVP
20.	Rehman Ullah, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Ahmad Abad, Karak	As Associate Professor (BPS-19) at GDC Ahmad Abad, Karak	AVP
21.	Noor Muhammad Khan, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Shabqadar, Charsadda	As Associate Professor (BPS-19) at GDC Shabqadar, Charsadda	AVP
22.	Ahmad Jamal ud Din, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GPGC Bannu	AVP
23.	Sardar-e-Alam Khan, Associate Prof. of Political Science (BS-19)	Assistant Prof. (BS-18) at GPGC Lakki Marwat	As Associate Professor (BPS-19) at GPGC Lakki Marwat	AVP
24.	Wall Zaman, Associate Prof. of Islamiyat (BS-19)	Assistant Prof. (BS-18) at GDC Ghori Wala, Bannu	As Associate Professor (BPS-19) at GDC Ghori Wala, Bannu	AVP
25.	Muhammad Sher, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GPGC Lakki Marwat	As Associate Professor (BPS-19) at GPGC Lakki Marwat	AVP
26.	Asif Mehmood, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GPGC No.1, Abbottabad	As Associate Professor (BPS-19) at GPGC No.1, Abbottabad	AVP
27.	Wall Ullah, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Bakhshali, Mardan	As Associate Professor (BPS-19) at GDC Bakhshali, Mardan	Vice Sr. #02 of the adjustment
28.	Bani Amin, Associate Prof. of English (BPS-19)	Assistant Prof. (BS-18) at GPGC Timergara, Dir Lower	As Associate Professor (BPS-19) at GPGC Timergara, Dir Lower	AVP
29.	Subhan Ullah, Associate Prof. of Islamiyat (B-19)	Assistant Prof. (BS-18) at GPGC Karak	As Associate Professor (BPS-19) at GPGC Karak	AVP
30.	Shah Faisal, Associate Prof. of Islamiyat (B-19)	Assistant Prof. (BS-18) at GPGC Kohat	As Associate Professor (BPS-19) at GPGC Kohat	AVP
31.	Shadab Gul, Associate Prof. of Physics (BS-19)	Assistant Prof. (BS-18) at GPGC Lakki Marwat	As Associate Professor (BPS-19) at GPGC Lakki Marwat	AVP
32.	Tariq Haleem, Associate Prof. of Law (BPS-19)	Assistant Prof. (BS-18) at GPGC Haripur	As Associate Professor (BPS-19) at GDC Havelian, Abbottabad	Vice Sr. #08 of the adjustment
33.	Fazal Wadood, Assistant Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Samar Bagh, Dir Lower	As Associate Professor (BPS-19) at GDC, Samar Bagh, Dir Lower	AVP
34.	Shamsud Din, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GDC No.2, Bannu	As Associate Professor (BPS-19) at GDC No.2, Bannu	AVP
35.	Yousaf Khan, Associate Prof. of Pashto (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GDC Ghori Wala, Bannu	

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27-04-2023

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36.	Khalid Mehmood, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC No.1, D.I.Khan	G As Associate Professor (BPS-19) at GDC No.1, D.I.Khan	AVP
37.	Zeenat Ullah Khan, Associate Prof. of Comp. Science (BS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GPGC Bannu	AVP
38.	Sajid Hussain, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GDC Balakot, Mansehra	As Associate Professor (BPS-19) at GDC Balakot, Mansehra	AVP
39.	Zakir Hussain, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GDC Akbar Pura, Nowshera	As Associate Professor (BPS-19) at GDC Akbar Pura, Nowshera	AVP
40.	Hidayat ur Rehman, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Barkhalozai, Bajaur	As Associate Professor (BPS-19) at GDC Gulabad, Dir Lower	AVP
41.	Rafee Ullah, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GDC Lal Qila, Dir Lower	As Associate Professor/ Principal (BS-19), GDC Lal Qila, Dir Lower	AVP
42.	Amir Sultan, Associate Prof. of Biology (BPS- 19)	Assistant Prof. (BS-18) at GDC Alpuri, Shangla	As Associate Professor (BPS-19) at GDC Alpuri, Shangla	AVP
43.	Maqsood Jan, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Naguman, Peshawar	As Associate Professor (BPS-19) at GDC Naguman, Peshawar	AVP
44.	Iftikhar Hussain, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GPGC Nowshera	As Associate Professor (BPS-19) at GPGC Swabi	AVP
45.	Dr. Aftab Alam, Associate Prof. of Zoology (BPS-19)	Assistant Prof. (BS-18) at GDC Hayatabad, Peshawar	As Associate Professor (BPS-19) at GC Peshawar	Vice Sr. #05 of the adjustment
46.	Miftah ud Din, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GAKL, PGC, Matta, Swat	As Associate Professor (BPS-19) at GAKL, PGC, Matta, Swat	AVP
47.	Syed Hassan Khan, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Pabbi, Nowshera	As Associate Professor (BPS-19) at GDC Pabbi, Nowshera	AVP
48.	Abid Iqbal, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GPGC Swabi	As Associate Professor (BPS-19) at GPGC Swabi	AVP
49.	Muhammad Junaid, Associate Prof. of Computer Science (BS- 19)	Dy. Director, Directorate of Higher Education	As Associate Professor (BPS-19) at GDC Wadpagga, Peshawar	AVP
50.	Arsala Khan, Associate Prof. of Islamiyat (BPS- 19)	Assistant Prof. (BS-18) at GPGJC Swat	As Associate Professor (BPS-19) at GPGJC Swat	AVP
51.	Iqbal Hussain, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GPGC Timergara, Dir Lower	As Associate Professor (BPS-19) at GPGC Timergara, Dir Lower	AVP
52.	Muhammad Arif, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GPGC Swabi	As Associate Professor (BPS-19) at GPGC Swabi	AVP
53.	Muhammad Naqeeb, Associate Prof. of Botany (BPS-19)	Assistant Prof. (BS-18) at GDC Gumbat, Kohat	As Associate Professor (BPS-19) at GDC Gumbat, Kohat	AVP
54.	Rafiq ul Islam, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GPGC Lakki Marwat	As Associate Professor (BPS-19) at GPGC Lakki Marwat	AVP
55.	Abdul Wasi Khan, Associate Prof. of Zoology (BPS-19)	Assistant Prof. (BS-18) at GDC Mamash Khel, Bannu	As Associate Professor (BPS-19) at GDC Mamash Khel, Bannu	AVP

56.	Wilayat Khan, Associate Prof. of Statistics (BPS-19)	Assistant Prof. (BS-18) at GDC Pabbi, Nowshera	As Associate Professor (BPS-19) at GDC Lahor, Swabi	AVP
57.	Manzoor Jehan, Associate Prof. of Comp: Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Charsadda	As Associate Professor (BPS-19) at GPGC Charsadda	AVP
58.	Nijat Ullah, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GC Peshawar	As Associate Professor (BPS-19) at GC Peshawar	AVP
59.	Zarmat Khan, Associate Prof. of Geography (BPS-19)	Assistant Prof. (BS-18) at GDC Nawagai, Bajaur	As Associate Professor (BPS-19) at GDC Nawagai, Bajaur	AVP
60.	Sultanat Khan, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GPGJC Swat	As Associate Professor (BPS-19) at GPGJC Swat	AVP
61.	Muhammad Nouman Abid, Associate Prof. of Computer Sci. (BS-19)	Assistant Prof. (BS-18) at GDC Gumbat, Kohat	As Associate Professor (BPS-19) at GDC Gumbat, Kohat	AVP
62.	Atiq Ur Rehman, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GPGC Bannu	AVP
63.	Nawab Ali, Associate Prof. of Zoology (BPS-19)	Assistant Prof. (BS-18) at GDC Thana, Malakand	As Associate Professor (BPS-19) at GDC Thana, Malakand	AVP
64.	Dr. Hazrat Amin, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Ghazni Khel, Lakki Marwat	As Associate Professor (BPS-19) at GPGC Lakki Marwat	AVP
65.	Amjid Ali, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Khairabad, Mardan	As Associate Professor (BPS-19) at GDC Khairabad, Mardan	AVP
66.	Syed Ibadullah, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Tangi, Charsadda	As Associate Professor (BPS-19) at GDC Tangi, Charsadda	AVP
67.	Fahim Ullah, Associate Prof. of Botany (BS-19)	Assistant Prof. (BS-18) at GPGC Karak	As Associate Professor (BPS-19) at GPGC Karak	AVP
68.	Toor Gul, Associate Prof. of Comp: Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Charsadda	As Associate Professor (BPS-19) at GPGC Charsadda	AVP
69.	Gul Hussain, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GDC Thana, Malakand	As Associate Professor (BPS-19) at GDC Thana, Malakand	AVP
70.	M. Nizakat Khan, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GPGC Haripur	As Associate Professor (BPS-19) at GDC Ghazi, Haripur	AVP
71.	Naik Muhammad, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Badraga, Malakand	As Associate Professor (BPS-19) at GDC Takht Bhai, Mardan	AVP
72.	Shaukat Mehmood, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GDC No.2, Bannu	AVP
73.	Asadullah, Associate Prof. of Maths (BPS-19)	Assistant Prof. (BS-18) at GDC Pabbi, Nowshera	As Associate Professor (BPS-19) at GPGC Nowshera	AVP
74.	Ishfaq Ali, Associate Prof. of Statistics (BPS-19)	Assistant Prof. (BS-18) at GDC Lundkhwar, Mardan	Additional Director (Dev), Directorate of Higher Education	AVP
75.	Sabeel Khan, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GPGC Landi Kotal, Khyber	As Associate Professor (BPS-19) at GPGC Landi Kotal, Khyber	AVP

76.	Muhammad Shoalb, Associate Prof. of Statistics (BPS-19)	Assistant Prof. (BS-18) at GPGC Landi Kotal, Khyber	As Associate Professor (BPS-19) at GPGC Landi Kotal, Khyber	AVP
77.	Banaris Khan, Associate Prof. of Pashto (BPS-19)	Assistant Prof. (BS-18) at GPGC Karak	As Associate Professor (BPS-19) at GDC Gumbat, Kohat	AVP
78.	Qamar Zaman, Associate Prof. of Geography (BPS-19)	Assistant Prof. (BS-18) at GPGC Miranshah, North Waziristan	As Associate Professor (BPS-19) at GPGC Miranshah, North Waziristan	AVP
79.	Sardar Nabi, Associate Prof. of Electronics (BPS-19)	Assistant Prof. (BS-18) at GPGC Mardan	As Associate Professor (BPS-19) at GPGC Mardan	Vice Sr. #03 of the adjustments
80.	Muhammad Hamayun Khan, Associate Prof. of Pak Study (BPS-19)	Assistant Prof. (BS-18) at GDC Sadda, Kurram	As Associate Professor (BPS-19) at GDC Sadda, Kurram	AVP
81.	Tariq Hussain, Associate Prof. of Statistics (BPS- 19)	Assistant Prof. (BS-18) at GDC Hayatabad, Peshawar	As Associate Professor (BPS-19) at GDC Hayatabad, Peshawar	AVP
82.	Dr. Zulqarnain, Associate Prof. of Botany (BPS-19)	Assistant Prof. (BS-18) at GC Peshawar	As Associate Professor (BPS-19) at GC Peshawar	AVP
83.	Muhammad Naeem, Associate Prof. of Islamiyat (BPS-19)	Assistant Prof. (BS-18) at GDC Sherwan, Abbottabad	As Associate Professor (BPS-19) at GPGC Mansehra	AVP
84.	Sher Zaman Khan, Associate Prof. of Comp: Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Dargai, Malakand	As Associate Professor (BPS-19) at GPGC Dargai, Malakand	AVP
85.	Habib Rehman, Associate Prof. of English (BPS-19)	Assistant Prof. (BS-18) at GDC No.3, D.I.Khan	As Associate Professor (BPS-19) at GDC No.3, D.I.Khan	AVP
86.	Zahid Khan, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GDC Totakan, Malakand	As Associate Professor (BPS-19) at GDC Totakan, Malakand	AVP
87.	Abdus Samad Khan, Associate Prof. of Pol. Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GPGC Bannu	AVP
88.	Muhammad Asghar, Associate Prof. of Islamiyat (BPS-19)	GPGC Miranshah, North Waziristan	As Associate Professor (BPS-19) at GPGC Miranshah, North Waziristan	AVP
89.	Shahidur Rehman, Associate Prof. of Physics (BPS-19)	Assistant Prof. (BS-18) at GDC Pabbi, Nowshera	As Associate Professor (BPS-19) at GDC Pabbi, Nowshera	AVP
90.	Muhammad Bilal, Associate Prof. of Pol: Science (BPS-19)	Assistant Prof. (BS-18) at GDC Dara Adam Khel, Kohat	As Associate Professor (BPS-19) at GDC Dara Adam Khel, Kohat	AVP
91.	Rehmat Ullah, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Totakan, Malakand	As Associate Professor (BPS-19) at GDC Totakan, Malakand	AVP
92.	Abdur Rehman, Associate Prof. of Statistics (BPS-19)	Assistant Prof. (BS-18) at GDC Mathra, Peshawar	As Associate Professor (BPS-19) at GAAK DC Utmanzal, Charsadda	AVP
93.	Farman Ali, Associate Prof. of Pak Study (BPS- 19)	Assistant Prof. (BS-18) at GDC Kabal, Swat	As Associate Professor (BPS-19) at GDC Kabal, Swat	AVP
94.	Johar Ali, Associate Prof. of Physics (BPS- 19)	Assistant Prof. (BS-18) at GDC Lahor, Swabi	As Associate Professor (BPS-19) at GDC Lahor, Swabi	AVP
95.	Amjad Ali, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GDC Takhtbhai, Mardan	As Associate Professor (BPS-19) at GDC Takhtbhai, Mardan	AVP

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96.	Mujtaba Ali, Associate Prof. of Geography (BPS-19)	Assistant Prof. (BS-18) at GPGC Kohat	As Associate Professor (BPS-19) at GPGC Kohat	AVP
97.	Muhammad Fiaz, Associate Prof. of Economics (BPS-19)	Assistant Prof. (BS-18) at GPGC Swabi	As Associate Professor (BPS-19) at GPGC Swabi	AVP
98.	Zia Ullah Khan, Associate Prof. of Political Science (BS-19)	Assistant Prof. (BS-18) at GDC Chakesar, Shangla	As Associate Professor/ Principal, GDC Chakesar, Shangla	AVP
99.	Azmat Ali, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GDC Kotka Habib Ullah, Bannu	As Associate Professor (BPS-19) at GDC Kotka Habib Ullah, Bannu	AVP
100.	Niamat Ullah, Associate Prof. of Chemistry (BPS-19)	Assistant Prof. (BS-18) at GPGC Kohat	As Associate Professor (BPS-19) at GPGC Kohat	AVP
101.	Wahab Ijaz, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GPGC Bannu	As Associate Professor (BPS-19) at GDC Mamash Khel, Bannu	AVP
102.	Abid Ahmad, Associate Prof. of Physics (BPS-19)	Assistant Prof. (BS-18) at GDC Kotha, Swabi	As Associate Professor (BPS-19) at GDC Kotha, Swabi	AVP
103.	Maraj Ali, Associate Prof. of Botany (BPS-19)	Assistant Prof. (BS-18) at GDC Shewa, Swabi	As Associate Professor (BPS-19) at GDC Shewa, Swabi	AVP
104.	Hayat Ullah, Associate Prof. of Comp: Science (BPS-19)	Assistant Prof. (BS-18) at GDC Landi Jalander, Bannu	As Associate Professor (BPS-19) at GDC Landi Jalander, Bannu	AVP
105.	Masood Jan, Associate Prof. of Pol: Science (BPS-19)	Assistant Prof. (BS-18) at GPGC Nowshera	As Associate Professor (BPS-19) at GPGC Nowshera	AVP
106.	Dr. Ibrar Khan, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GPGC Nowshera	As Associate Professor (BPS-19) at GDC Akora Khattak, Nowshera	AVP
107.	Ismail, Associate Prof. of Physics (BPS-19)	Assistant Prof. (BS-18) at GDC Jowar, Buner	As Associate Professor (BPS-19) at GDC Daggar, Buner	AVP
108.	Nasir Ali, Associate Prof. of Pashto (BPS-19)	Assistant Prof. (BS-18) at GDC Koh-e-Daman, Peshawar	As Associate Professor (BPS-19) at GPGC Charsadda	AVP
109.	Sajid Hussain, Associate Prof. of History cum Political Science (BS-19)	Assistant Prof. (BS-18) at GDC Khanpur, Haripur	As Associate Professor (BPS-19) at GDC Khanpur, Haripur	AVP
110.	Jamsher Ali, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GDC Lahor, Swabi	As Associate Professor (BPS-19) at GDC Lahor, Swabi	AVP
111.	Said Ghafoor, Associate Prof. of Urdu (BPS-19)	Assistant Prof. (BS-18) at GDC Kabal, Swat	As Associate Professor (BPS-19) at GDC Mingora, Swat	AVP
112.	Rahat Shah, Associate Prof. of Pak Study (BPS-19)	Assistant Prof. (BS-18) at GPGJC, Swat	As Associate Professor (BPS-19) at GPGJC, Swat	AVP
113.	Muhammad Saeed, Associate Prof. of Physics (BPS-19)	Assistant Prof. (BS-18) at GDC Khairabad, Mardan	As Associate Professor (BPS-19) at GDC Khairabad, Mardan	AVP
114.	Ishfaq Ullah, Associate Prof. of Arabic (BPS-19)	Assistant Prof. (BS-18) at GC Peshawar	As Associate Professor (BPS-19) at GC Peshawar	AVP
115.	Muhammad Perviz Khan, Associate Professor of Pol: Science (BPS-19)	Assistant Prof. (BS-18) at GDC Zarobi, Swabi	As Associate Professor (BPS-19) at GDC Kotha, Swabi	AVP

2. In addition to above, the following consequential postings/transfers of the teaching staff of college cadre are hereby ordered:-

S#	Name & Designation	From	To	Remarks
1.	Muhammad Roshan, Associate Professor of History (BS-19)	GPGC Haripur	GDC Havelian, Abbottabad	AVP
2.	Imad U Din, Associate Professor of Physics (BS-19)	GDC Bakhshali, Mardan	GDC Lundkhwar, Mardan	AVP
3.	Iftikhar Ali, Associate Professor of Physics (BS-19)	GPGC Mardan	GDC Toru, Mardan	AVP
4.	Hamim ur Rehman, Associate Professor of Law (BS-19)	GDC Naguman, Peshawar	GC Peshawar	AVP
5.	Zulfiqar Ali, Associate Professor of Economics (BS-19)	GC Peshawar	GPGC Charsadda	AVP
6.	Syed Taskeen Shah, Associate Professor of Statistics (BS-19)	GPGC Nowshera	GPGC Mardan	AVP
7.	Tabish Jadoon, Associate Prof. of Chemistry	GDC Nathiagali, Abbottabad	GPGC No.1, Abbottabad	AVP
8.	Muhammad Ismail, Associate Professor of Law (BPS-19)	GDC Havelian, Abbottabad	GPGC Haripur	AVP

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-Sd-
SECRETARY
HIGHER EDUCATION DEPARTMENT

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. Directors, Regional Directorates of Higher Education South, Hazara & Malakand.
4. Director-IT, HEMIS Cell, Higher Education Department.
5. Principals of Govt. Colleges, concerned.
6. District Accounts Officers, concerned.
7. PS to Minister Higher Education Department.
8. PS to Secretary, Higher Education Department.
9. PS to Special Secretary, Higher Education Department.
10. Officers concerned.
11. Master File.

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27-04-2023

27-04-2023
(SULAIMAN AHMAD)
Section Officer (Colleges-II)

18

AMEE 'B'

To,

The Secretary to
Government of Khyber Pakhtunkhwa
Higher Education Department Colléges Peshawar

Subject: Retaining Posting at Present Station

Sir/Madam,

With reference to notification No. SO(C-11)/HED/11-5/2022/PSB/BS-18 to BS-19 Dated 27th April, 2023. It is stated that I am presently working as Associate Professor (Economics) and officiating as Chairman Department of Economics Government College Peshawar to the best of my abilities. I am the only senior faculty member and looking after the affairs of BS-Economics and research affairs very meticulously.

The undersigned has suddenly received information of transfer to GPGC Charsada vide notification mentioned above though performing duties at present station i.e. Government College Peshawar successfully and delivering maximum within least available resources. This transfer will severely obstruct affairs of the department in the absence of any other senior faculty.

Your good office is requested kindly to review my case in the light of the aforementioned notification and allow me continue my duties at Government College Peshawar in best institutional interest.

Your sympathetic and pragmatic gesture will be highly appreciating

Thanks in anticipation.

Yours Sincerely

Name; Dr. Zulfiqar Ali
Associate Professor Economics
Govt. College Peshawar.

Principal Recommendation: Dr. Zulfiqar Ali is a punctual, competent and single senior professor of economics at the Dept. of Economics, Govt. College Peshawar. The Dept. is already facing problem of shortage regarding staff and his transfer will further increase the problem of staff deficiency. Moreover Dr. Zulfiqar Ali is teaching advance courses to the students of BS-Economics and has prominent role in the supervision of research students. Therefore his posting may kindly be retained at the present station. Regards.

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Principal
Government College Peshawar.

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Annex "C"

OFFICER OF THE DISTRICT EDUCATION OFFICER FEMALE PESHAWAR

Service Certificate

Certified that Yasmeen Bibi is performing her services in the Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar since 04-06-2020. Presently she is serving as PET BPS-15 at GGMS Hazar Khwani No.2 Peshawar.

[Signature]
916/2023
District Education Officer
(Female) Peshawar

prescribed for posting a junior officer to a higher post are restricted to the following only:-

20 Ahmed "D"

i) ACTING CHARGE APPOINTMENT ON A HIGHER POST

Where the senior most officer in a cadre is otherwise fully eligible for promotion but does not possess the specified length of service, the competent authority may appoint him to the higher post on acting charge basis, but only on the recommendation of Departmental Promotion Committee/Selection Board and subject to the condition that such officer lacks the prescribed length of service not more than (one year).

ii) CURRENT CHARGE APPOINTMENT OF A HIGHER POST

Only the senior-most officer of a cadre can be given current charge appointment of a higher post with the approval of the competent authority. However this can only be an arrangement upto a maximum of six months.

iii) ADDITIONAL CHARGE APPOINTMENT OF AN EQUIVALENT POST

An officer can be given the additional charge of a second post but only of a post in an equivalent grade, upto a period of six months¹ by the competent authority.

3. Adherence to the above rules is a legal requirement so that the actions taken by officers are not held at any stage to be irregular. Also, appointments in violation of the rules constitute administrative in discipline.

4. I am, therefore, directed to request that all such cases of irregular appointments be reviewed and ensure not to resort to such appointments that violate the provisions of the Civil Servants Act and the statutory rules framed thereunder.

5. I am further directed to request that these instructions may be brought to the notice of all concerned for strict compliance.

(Authority: Circular letter No. SORI(S&GAD)1-29/75(A), dated 5.7.1994).

Posting and Transfer

Statutory Provision.

Section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973.

Posting and Transfer. Every civil servant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government, or any Provincial

1. The period is 3 years vide Notification No. SORI(S&GAD)4-1/80 (Vol), dated 14.3.1996.

(21)

86 ESTA CODE [Establishment Code Khyber Pakhtunkhwa]

Government or Local authority, or a Corporation or body set up or established by any such Government:-

vii)

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region;

Provided further that, where a civil servant is required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

viii)

viii-A)

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) []
- vi) ² While making postings/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary Khyber Pakhtunkhwa needs to be obtained. Save Tehsildars / Naib Tehsildars within a division in respect of whom the concerned Commission will exercise the same power. Whereas, in case of posting / transfer of officer in BS- 18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, Khyber Pakhtunkhwa shall be obtained.

ix)

Provided that the power of transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in additional Secretary FATA.

vi (a) [.....]³

- 1 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) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985, 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.
- 2 Added vide circular letter No. SOR-VI(E&AD)1-4/2010/Vol-VIII dated 20.03.2010
- 3 Deleted vide Notification No. SO (Polcy) /E&AD/1-4/2010/Vol. IX dated 24.11.2017

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authorities for dated 3-6-2010 Khyber Pakhtunkhwa Service Rules 2001, amended to make

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- 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.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- viii-A) The competent authority has been pleased to prescribe the following guideline to facilitate posting of husband and wife at the same station:-
 - (a) Where a request is made for posting at a different station in same department / service / cadre in which an employ is already serving, the request may be accepted subject to the availability of a post in a same PBS.
 - (b) If request involves temporary deputation to another department, it may be processed in consultation with the concerned department and may be accepted on prescribed terms of deputation subject to availability of a post in the same BPS.
 - (c) If there is a tie between two or more government servants for posting at the same station in the same department / unit of an organization, the government servant with greater length of service may be preferred.
 - (d) Request for posting by spouse facing serious medical problems may be accorded highest priority.
 - (e) Spouses already posted at one station, including those posted on deputation may normally not be disturbed without compelling reason of public interest. Request for extension of deputation period beyond the permissible limit may be considered with compassion if interests of public service would permit
- ix) Regarding posting of husband / wife, both in Provincial service, 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

1. Added vide Notification No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 07.08.2012

88 ESTA CODE [Establishment Code Khyber Pakhtunkhwa]

¹DCOs 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;

² [(xi-A) Officer in BPS-17 and above should not be posted in district of their domicile. ³[Doctors, Lecturers, Instructors, Subject Specialists, Principals / Vice Principals and other Teachers in BPS-17 & above working in Health and Education Departments in all the districts of Government of Khyber Pakhtunkhwa shall be exempted from the application of the said policy. However the subject policy shall remain applicable on all Administrative / Executive positions in BPS-17 & above across the province.]

¹ [(ii B) Cancellation of posting transfer order issued with the approval of the competent authority may not be made without seeking formal approval of the competent authority through summary / note.]

(xii) In terms of Rule-17(1) and (2) read with Schedule-III of the Khyber Pakhtunkhwa 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.

1. Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005;
2. Added vide Notification No. SOR-VI (E&AD)/1-4/2010/Vol-VIII dated 11.11.2013.
3. Text added vide Notification No. SOR-VI (E&AD)/1-4/2010/Vol-VIII dated 21.3.2014
4. Added vide Notification No. SOR-VI (E&AD)/1-4/2010/Vol-VIII dated 14.02.2014

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

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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 posing/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

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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.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

5. All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

1 PLACEMENT POLICY.

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go to the parent organization of the participant from where the individual had applied. This will be in consonance with the concept of establishing the "Need" for the

1. **Placement Policy** has been made part of the posting/transfer policy vide Urdu circular No.SOR-VI(E&AD)1-4/06, dt 9-2-2007

WAKALATNAMA (Power of Attorney)

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Dr. Zulqarnain Ali.....

(Petitioner)
(Plaintiff)
(Applicant)
(Appellant)
(Complainant)
(Decree Holder)

Government of Ferk And Others.....

VERSUS

(Respondent)
(Defendants)
(Accused)
(Judgment Debtor)

I/ We the undersigned (*Appellant*) in the above noted *Service Appeal*, do hereby appoint and constitute **Ahmad Sultan Tareen, Mudassir Ali, Shabaz Khan** Advocates Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/ Counsel at my/ our matter.

Accepted and Attested

Ahmad Sultan Tareen

Ahmad Sultan Tareen

Mudassir Ali

Mudassir Ali

Shabaz Khan

Shabaz Khan

Advocates,
17-G/7-B, Haroon Mansion, Khyber Bazar,
PESHAWAR.- Office: 091-2572888
BC No. 16-7231
CNIC: 16201-9157388-1
Cell # 0313-3858543

[Signature]
CLIENT