


# FORM OF ORDER SHEET

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

**Appeal No.** 1966/2023

S.No. 1	Date of order proceedings 2	Order or other proceedings with signature of judge 3
1-	02/10/2023	<p>The appeal of Mr. Jamil Ur Rehman resubmitted today by Mr. Bascer Ahmad Shah Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03/10/2023. Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Jamil ur Rehman Deputy Director Monitoring Higher Education received today i.e on 27.09.2023 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Copy of notification dated 01.06.2023 mentioned in the heading of the appeal is not attached with the appeal be placed on it.

No. 2315 /S.T.

Dt. 28/9 /2023.



REGISTRAR,  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Baseer Ahmad Shah Adv.  
High Court at Peshawar.

Respected Sir,

Re Submitted after removal of  
all the objections



Dated - 28/10/2023

Baseer Ahmad Shah

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Service Appeal No 1966 /2023

Jamil Ur Rehman.....Appellant

**V E R S U S**

Govt. and Others.....Respondents

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**Dated:-26-09-2023**

**Appellant**

**Through**

**Baseer Ahmad Shah**

**&**

**Ibad Khan Khalil**

**Advocates, Peshawar**

**OFFICE:-** Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

**Email:-** fazalshahmohmand@gmail.com

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Service Appeal No 1966 /2023

Jamil Ur Rehman, Deputy Director Monitoring (BPS-18), Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar.

.....Appellant

**V E R S U S**

1. Govt. of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary, Higher Education, Archives & Libraries, Department, Peshawar.
3. Imran Khan, Assistant Professor (Urdu) (BPS-18) Government College Peshawar.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE NOTIFICATION DATED 08-05-2023 TO THE EXTENT OF THE APPELLANT, AND NOTIFICATION DATED 01-06-2023 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF DEPUTY DIRECTOR, DIRECTORATE OF HIGHER EDUCATION TO THE POST OF ASSISTANT PROFESSOR PAK STUDY AT GOVT. HAKIM ABDUL JALIL NADVI DEGREE COLLEGE, PESHAWAR AND AGAINST WHICH REPRESENTATION DATED 31-05-2023 OF THE APPELLANT HAS NOT BEEN RESPONDED SO FOR DESPITE THE LAPSE OF REQUISITE PERIOD.**

**PRAYER:-**

On acceptance of this appeal the impugned Notification dated 08-05-2023 to the extent of the appellant, and notification dated 01-06-2023 may kindly be set aside and the appellant may kindly be allowed to perform his duties as Deputy Director (Monitoring), at the Directorate of Higher Education, Peshawar.

**Respectfully Submitted:-**

1. That the appellant was initially appointed as Lecturer (BPS-17) on 16-09-2005 and with the passage of time

was promoted as Assistant Professor (BPS-18) and since appointment the petitioner performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.

2. That according to the rules notified vide Notification dated 18-09-2019, the post of Deputy Director (Monitoring), at the Directorate of Higher Education, is to be filled 25% by promotion and 75% is to be filled by transfer from amongst the Assistant Professors from Govt. Post Graduate Colleges for a period of three years. It is worth to mention that the appellant was transferred as Deputy Director (Monitoring), at the Directorate of Higher Education, Peshawar vide Notification dated 14-01-2021 who accordingly took over charge of his post on 01-02-2021. **(Copy of Notification dated 18-09-2019, Notification dated 14-01-2021 & Certificate of Transfer of Charge is enclosed as Annexure A, B & C).**
3. That shockingly the appellant was transferred due to political orientation vide Notification dated 08-05-2023 and posted as Assistant Professor of Pak Study at Govt. Hakim Abdul Jalil Nadvi, Degree College Peshawar. **(Copy of Notification dated 08-05-2023 is enclosed as Annexure D).**
4. That the respondent No. 3 was transferred in place of the appellant vide notification dated 01-06-2023. **(Copy of notification dated 01-06-2023 is enclosed as annexure D-1)**
5. That the appellant preferred Departmental appeal on 31-05-2023 which has not been responded so far despite the lapse of more than the statutory period of ninety days. **(Copy of departmental appeal dated 31-05-2023 is enclosed as Annexure E).**
6. That the impugned Notification dated 08-05-2023 to the extent of the appellant is against the law, facts and principles of justice on grounds inter alia as follows:-

### **GROUND:-**

- A. That the impugned Notification is illegal and void ab-initio.

- B.** That the appellant is not treated in accordance with law and rules on the subject in violation of Article 4 and 25 of the Constitution and law of the land.
- C.** That the post against which the appellant was transferred is tenure post, thus the appellant could not be transferred before completion of three years tenure, as per numerous Judgments of the Apex Court as well as this honorable Tribunal, on this score alone the impugned Notification is liable to be set at naught.
- D.** That strangely the impugned Notification has been issued during ban period, due to political intervention hence not tenable in the eyes of law.
- E.** That the impugned Notification is based on malafide, which is evident from the way the appellant is treated as the same does not have the support of any law.
- F.** That the impugned Notification to the extent of the appellant is premature and is in violation of transfer posting policy of the provincial Govt. as the same is neither in public interest nor in exigency of service, hence too liable to be struck down.
- G.** That the impugned Notification to the extent of the appellant smacks malafide, as the appellant is treated in manner not known to law.
- H.** That the appellant is victimized for no omission or commission on his part.
- I.** That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

**It is therefore prayed, that appeal of the appellant, may kindly be accepted as prayed for.**

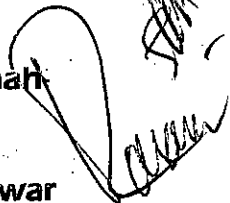
Any other relief deemed appropriate in the circumstances of the case and not specifically asked for, may also be granted in favor of the appellant.

Dated:-27-09-2023

Appellant

Through

Baseer Ahmad Shah  
&  
Ibad Khan Khalil  
Advocates, Peshawar

*2/16*  


**LIST OF BOOKS**

- 1. Constitution 1973.
- 2. other books as per need

**CERTIFICATE:**

Certified that as per instructions of my client, no other Service Appeal on the same subject and between the same parties has been filed previously or concurrently before this honorable Tribunal.

**ADVOCATE**



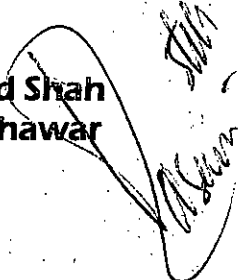
**AFFIDAVIT**

I, Jamil Ur Rehman, Deputy Director Monitoring (BPS-18), Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar, (the appellant) do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

**DEPONENT**

Baseer Ahmad Shah  
Advocate Peshawar



*2/16*

5

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Service Appeal No \_\_\_\_\_/2023

Jamil Ur Rehman.....Appellant

**V E R S U S**

Govt. and Others.....Respondents

**APPLICATION FOR THE SUSPENSION OF IMPUGNED**  
**NOTIFICATION DATED 08-05-2023 TO THE EXTENT OF THE**  
**APPELLANT TILL THE FINAL DISPOSAL OF TITLED APPEAL.**

**Respectfully Submitted:-**

1. That the above titled appeal is being filed today, in which no date of hearing has been fixed so far.
2. That the facts and grounds of appeal may kindly be considered as integral part of this application.
3. That the applicant/appellant has got good prima facie case and is sanguine of its success.
4. That the balance of convenience also lies in favor of the applicant/appellant.
5. That the applicant/appellant is still holding the charge of his post and if the impugned order is not suspended the applicant/appellant will suffer irreparable loss.



*It is therefore prayed that on acceptance of this application, the impugned Notification dated 08-05-2023, to the extent of the appellant, may kindly be suspended till the final disposal of the titled appeal.*

**Dated:-27-09-2023**

**Appellant**

**Through**

**Baseer Ahmad Shah  
&  
Ibad Khan Khalil  
Advocates, Peshawar**

**AFFIDAVIT**

I, Jamil Ur Rehman, Deputy Director Monitoring (BPS-18), Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar, (the appellant) do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

**Identified by**

**Baseer Ahmad Shah  
Advocate Peshawar**

**DEPONENT**



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES AND  
LIBRARIES DEPARTMENT**

7 A

Dated Peshawar the September 18, 2019

**NOTIFICATION:**


No. SO(C-IV)HED/SSRC/Directorate of Higher Education Department/2019/ :- In pursuance of the provisions contained in sub-rule(2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of this Department Notification No. S.O (C)S-270(E) dated: 09.05.1973, the Higher Education Archives & Libraries Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in Column No. 3 to 5 of the appendix which shall be applicable to the posts in the Directorate of Higher Education specified in Column No.2 of the said appendix.

**APPENDIX**

S#	Nomenclature of the post	Minimum qualification for appointment by initial recruitment or by transfer	Minimum qualification for appointment by transfer	Age limit	Method or Recruitment
1	Director (BS-20)	---	---	---	By transfer from amongst the Principals/Professors in BS-20 of Govt. Post Graduate Colleges/Govt. Degree Colleges.
2	Additional Director (BS-19)	---	---	---	By transfer from amongst the Associate Professors in BS-19 Govt. Post Graduate Colleges/Govt. Degree Colleges.
3	Deputy Director (BS-18)	---	---	---	(a) Twenty-five (25%) by promotion on the basis of seniority-cum-fitness from amongst the Assistant Directors (BS-17) with at least five (05) years' service in BS-17; & (b) Seventy-five (75%) by transfer from amongst the Assistant Professors from Govt. Post Graduate College for a period of three (03) years.
4	Assistant Director /Statistical Officer (BS-17)	---	---	---	(a) Fifty (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendent, having Bachelor's Degree from a recognized University with three (03) years' service as such; & (b) Fifty (50%) by transfer from amongst the Lecturers from Govt. Colleges of Khyber Pakhtunkhwa for a period of three (03) years.


Section Officer (CIV)  
 Govt. Office, Peshawar  
 Higher Education,  
 Archives & Libraries Department

	Supervisor (BS-17)				By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants and Senior Scale Stenographers having at least five (05) years' service as such.  <u>Note:</u> - For the purpose of promotion, a joint seniority list of Assistants and Senior Scale Stenographers shall be maintained.
6	Assistant (BS-16)	At least Second-Class Bachelor's Degree or equivalent qualification from a recognized University.		20 to 32 years	(a) Seventy-five (75%) by promotion on the basis of seniority-cum-fitness from amongst the Senior Clerks with at least five (05) years as Junior Clerk & Senior Clerk; and  (b) Twenty-five (25%) by initial recruitment.
7	Senior Scale Stenographer (BS-16)				By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers with at least five years (05) service as such.
8	Computer Operator (BS-16)	At least Second-Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT 04 years) from a recognized University or Second Class Bachelor's Degree from a recognized University with one-year (01) diploma in Information Technology from a recognized Board of Technical Education.		18 to 28 years	By initial recruitment
9	Stenographer (BS-14)	(i) At least Second Division Intermediate Certificate or equivalent qualification from a recognized Board;  (ii) A speed of fifty (50) words per minute in shorthand in English and thirty-five (35) words per minute in typing; and  (iii) Knowledge of computer in using MS Word & MS Excel.		18 to 30 years	By initial recruitment
10	Senior Clerk (BS-14)				By promotion on the basis of seniority-cum-fitness from amongst the Junior Clerk with at least two (02) years' service as such.

  
 Section Officer (CIV)  
 Govt. of Punjab  
 Archives & Libraries

  
 11/10/20

Junior Clerk (BS-01)	(i) At least second Division Secondary School Certificate or equivalent qualification from a recognized Board; and  (ii) A speed of thirty (30) words per minutes in typing.	---	18 to 30 years	<p>a. Thirty-three (33%) by promotion on the basis of seniority-cum-fitness from amongst the Naib Qasid, Chowkidar, Behishtis, Cook, Bearers and Laboratory Attendants other equivalent posts in the Directorate of Higher Education Khyber Pakhtunkhwa with two years (02) service as such who have Secondary School Certificate; and</p> <p>b. Sixty-seven (67%) by initial recruitment.</p> <p>Note: -For the purpose of promotion, there shall be maintained a joint seniority list of Naib Qasid, Chowkidar, Behishtis, Cook, Bearers and Laboratory Attendants including other equivalent posts with reference to the dates of their acquiring the Secondary School Certificate:</p> <p>Provided that: -</p> <p>a. If two or more officials have acquired the Secondary School Certificate in the same session, the inter-seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; and</p> <p>b. Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p>
12. Library Clerk (BS-08)	At least Second Division Intermediate Certificate or equivalent qualification from a recognized Board	---	18 to 30 years	By initial recruitment
13. Store Keeper (BS-06)	At least Second Division Intermediate Certificate or equivalent qualification from a recognized Board	---	18 to 30 years	By initial recruitment
14. Driver (BS-06)	HIV/LTV License. Preference will be given to those who have sufficient experience in driving, repair and maintenance of Vehicles	---	18 to 40 years	By initial recruitment
15. Naib Qasid (BS-03)	Preferably Literate	---	18 to 40 years	By initial recruitment
16. Chowkidar (BS-3)	Preferably Literate	---	18 to 40 years	By initial recruitment
17. Behishti/Cook/Bearer (BS-03)	Preferably Literate	---	18 to 40 years	By initial recruitment

  
 Section Officer (CIV)  
 Row 11  
 Archives & Libraries Department



10

15	Laboratory Attendant (BS-63)	Preferably Literate	...	By initial recruitment
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**SECRETARY TO  
GOVT. OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION ARCHIVES AND LIBRARIES DEPARTMENT.**

Endst; No. & Date as above.  
Copy to forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa Public Service Commission, Peshawar.
5. The Accountant General Khyber Pakhtunkhwa, Peshawar.
6. The Director Higher Education Department, Khyber Pakhtunkhwa.
7. The Manager Govt. Printing Press, Khyber Pakhtunkhwa.
8. The Deputy Director, HEMIS Cell.
9. All District Accounts Officers, Khyber Pakhtunkhwa.
10. PS to Chief Minister, Khyber Pakhtunkhwa.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretary, Higher Education Department.
13. Master File.

*Singh*  
18/07/17  
SECTION OFFICER (C-IV)

*[Handwritten Signature]*



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

191

B

Date: Peshawar the 14<sup>th</sup> January, 2021

**NOTIFICATION**

**NO.SO(C-II)/HED/2-5/2020/DPs:** The Competent Authority is pleased to order the posting / transfer of the following Assistant Professors of College Cadre in Higher Education Department with immediate effect, in the best public interest:-

S. #	Name/Designation/BPS	Present posting	To	Remarks
1.	Mr. Munir Ahmed, Deputy Director (Monitoring) (BS-18)	Directorate of Higher Education	Assistant Professor of Pakistan Studies (BS-18), at GPGC No.1 Abbottabad	A.V.P
2.	Mr. Muhammad Istikhhar, Deputy Director (Academics) (BS-18)	Directorate of Higher Education	Assistant Professor of Physics (BS-18) at Govt. College Peshawar	A.V.P
3.	Mr. Jamil Ur Rehman, Assistant Professor of Political Science (BS-18)	GDC Hayatabad, Peshawar	Deputy Director (Monitoring), Directorate of Higher Education	Vice Sr. No.1
4.	Mr. Arshad Ali, Assistant Professor of Economics (BS-18)	GPGC Swat	Deputy Director (Academics), Directorate of Higher Education	Vice Sr. No.2
5.	Mr. Malik Maqsood Anwar, Assistant Professor of Pak Studies (BS-18)	GDC Pabbi, Nowshera	Deputy Director (Audit), Directorate of Higher Education	A.V.P

SECRETARY TO  
GOVT. OF KHYBER PAKHTUNKHWA  
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. Principal, Govt. Postgraduate College No.1, Abbottabad.
4. Principal, Govt. College, Peshawar.
5. Principal, Govt. Degree College Hayatabad, Peshawar.
6. Principal, Govt. Postgraduate Jahanzeb College, Swat.
7. Principal, Govt. Degree College, Pabbi, Nowshera.
8. District Accounts Officer, Abbottabad, Swat and Nowshera.
9. Deputy Director-IT, HEMIS Cell, Higher Education Department.
10. PS to Special Assistant to Chief Minister (or Higher Education Department).
11. PS to Secretary Higher Education Department.
12. Officers concerned.
13. Master File.

(HAYAT UR REHMAN)  
SECTION OFFICER (COLLEGES-II)

ve  
14.01.2021  
RAM  
ASUN

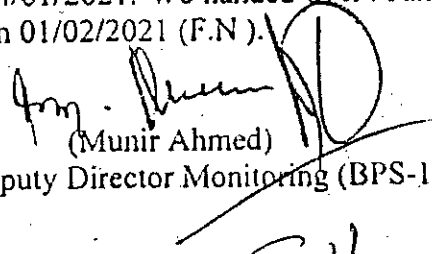
12 C

**CERTIFICATE OF TRANSFER OF CHARGE**

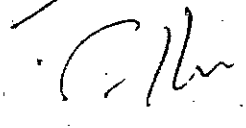
In pursuance of the Government of Khyber Pakhtunkhwa Higher Education, Archives & Libraries Department Notification No.SO(C-II)/HED/2-5/2020/DDs dated 14/01/2021. We handed over /Taken over charge of the post of Deputy Director Monitoring (BPS-18) on 01/02/2021 (F.N).

Station Peshawar

Signature of relieved  
Government Servant  
Designation

  
(Munir Ahmed)  
Deputy Director Monitoring (BPS-18)

Signature of relieving  
Government Servant  
Designation

  
(Jamil Ur Rehman)  
Deputy Director Monitoring (BPS-18)

Dated: - 01/02/2021 (F.N).

**OFFICE OF THE DIRECTOR HIGHER EDUCATION KHYBER PAKHTUNKHWA,  
PESHAWAR.**

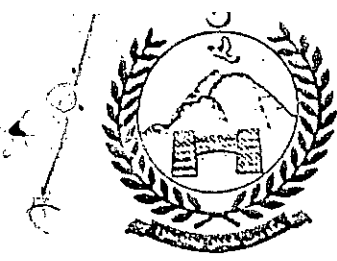
Endst: No. 1972-78 / Dated Peshawar the 01/02 /2021

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. PS to Special Assistant to Chief Minister of Higher Education Department.
3. PS to Secretary Higher Education Khyber Pakhtunkhwa, Peshawar.
4. Principal, Government Postgraduate College No.1 Abbottabad.
5. PA to Director Higher Education Khyber Pakhtunkhwa, Peshawar.
6. Cashier local Directorate.
7. Officers concerned.

  
DIRECTOR HIGHER EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR  



GOVT. OF KHYBER PAKHTUNKHWA 13  
HIGHER EDUCATION, ARCHIVES &  
LIBRARIES DEPARTMENT

Dated Peshawar the 08<sup>th</sup> May, 2023

**NOTIFICATION**

**NO.SO(C-II)/HED/2-5/2023/Posting/Transfer:** Posting/transfer of the following teaching staff of college cadre in Higher Education Department are hereby ordered, with immediate effect, in the best public interest:-

S#	Name & Designation	From	To	Remarks
1.	Mr. Jamil Ur Rehman, Deputy Director (Monitoring) (BS-18)	Directorate of Higher Education	Assistant Professor of Pak Study (BS-18) at Govt. Hakim Abdul Jalil Nadvi Degree College, Peshawar	AVP
2.	Ms. Farukh Naz, Assistant Professor of English (BS-18)	GGDC Nahaqi, Peshawar	GGDC Chagarmatti, Peshawar	Vice Sr. No.3
3.	Ms. Mussarat Huma, Assistant Professor of Law (BS-18)	GGDC Chagarmatti, Peshawar	GGDC Nahaqi, Peshawar	Vice Sr. No.2
4.	Mr. Zabih Ullah, Lecturer in Islamiyat (BS-17)	Govt. College Peshawar	GDC Naguman, Peshawar	AVP
5.	Mr. Nasir Ali, Lecturer in HPE (BS-17)	GPGC Charsadda	Govt. College Peshawar	Vice Sr. No.4

-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. Director-IT, HEMIS Cell, Higher Education Department.
4. District Accounts Officers, concerned.
5. All Principals, concerned.
6. PS to Secretary, Higher Education Department.
7. Assistant Professors / Lecturers concerned.
8. Master File.

  
(ABDUL WALI KHAN)  
SECTION OFFICER (COLLEGES-II)

08 05 2023





"D-1" 14

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

Dated Peshawar the June 01, 2023

**NOTIFICATION**

**NO.SO(C-II)/HED/2-5/2023/Posting/Transfer:** Consequent upon approval/NOC of Election Commission of Pakistan vide letter No.F.10(1)/2023-Elec-II dated 31.05.2023, Posting/Transfer of the following Assistant Professors of college cadre are hereby ordered in the best public interest with immediate effect:-

S.No.	Name of Officers with Designation	From	To
1.	Mr. Imran Khan, Assistant Professor of Urdu (BS-18)	Govt. College Peshawar	Deputy Director (Monitoring) Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar
2.	Mr. Said Wali, Assistant Professor of Urdu (BS-18)	Govt. College Peshawar	BS Coordinator at Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar

-Sd-

SECRETARY TO  
GOVT. OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION DEPARTMENT

**ENDST: NO. & DATE EVEN:**

Copy is forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. Director-IT, HEMIS Cell, Higher Education Department.
4. Principal, Govt. College, Peshawar.
5. PS to Secretary Higher Education Department.
6. Assistant Professors concerned.
7. Master File.

**(ABDUL WALI KHAN)**  
Section Officer (Colleges-II)

01/06/2023

1. That the appellant is a civil servant who has worked in the Higher Education Department Khyber Pakhtunkhwa Government for well over last 17 years, since his initial recruitment. The appellant during this time has served the department with complete dedication and utmost honesty. The PEs and service record of the appellant bears witness to the professionalism of the appellant. The appellant also has been granted promotion during this time period and given important assignments, which the appellant has always ensured to complete.

2. That the appellant was transferred/posted at Directorate of Higher Education as Deputy Director (Monitoring) on 14.01.2021, wherein he performed his duties meticulously (Annex-A). The appellant has now been transferred from Directorate of Higher Education to Govt. Hakim Abdul Jall Nadeem Degree College Galabat Peshawar on 08.05.2023 which has been received to the appellant on 30.05.2023 through WhatsApp (Annexure-B).

3. That it is important to mention that pursuant to the dissolution of Khyber Pakhtunkhwa Assembly on 18.01.2023, under Article 224 of the Constitution of the Islamic Republic of Pakistan, a Caretaker setup was installed in the province of

*Handwritten notes:*  
 Annex A  
 Annex B  
 09-11  
 2023

RESPECTED MADAM,  
 The Appellant most earnestly request to submit as under:

SUBJECT: REPRESENTATION AGAINST TRANSFER ORDERS DATED 08-05-2023

TO:  
 1. THE WORTHY MINISTER FOR HIGHER EDUCATION, KHYBER PAKHTUNKHWA.  
 2. THE WORTHY SECRETARY HIGHER EDUCATION DEPARTMENT, KHYBER PAKHTUNKHWA.  
 THROUGH:  
 THE WORTHY DIRECTOR FOR HIGHER EDUCATION, KHYBER PAKHTUNKHWA.

*Handwritten signature:*  
 M. M. Khan

Annex "E"  
 15

As per service rules of the Directorate of Higher Education the tenure at Directorate for the posts of Deputy Director is 03 years, which has not yet been matured in the case of undersigned.

16

Prayer:

IT IS THEREFORE very humbly requested that this representation may be accepted and the order issued on 08.05.2023 may kindly be withdrawn.

Appellant

Jamil-ur-Rehman

Deputy Director (Monitoring), Directorate of Higher Education.

*[Handwritten Signature]*  
31/5/2023

DDM

Directorate of Higher Education  
RECEIVED ON  
31 MAY 2023  
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*[Handwritten Signature]*

To

The Secretary,  
Govt. of Khyber Pakhtunkhwa  
Higher Education Department, Peshawar.

**SUBJECT: REPRESENTATION AGAINST TRANSFER ORDERS DATED  
08-05-2023.**

Respected Sir, <sup>میرا</sup>

I am directed to refer to the subject cited above and to enclose herewith a self-explanatory application submitted by Mr. Jamil Ur Rehman, Deputy Director (Monitoring) of this office with the request that the same may be considered as per rules, please.

*[Handwritten Signature]*  
02/06/2023

**DEPUTY DIRECTOR (ESTT:)**

*[Handwritten Signature]*

VAKALATNAMA

IN THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Jamil Ullah Rehman .....Petitioner/Appellant.

VERSUS

Govt of others ..... Respondents/Defendants.

We the undersigned, do hereby appoint and constitute,  
**BASEER AHMED SHAH** Advocate To act, appear and plead in the above-mentioned matter and to withdraw or compromise the said matter or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said matter and to receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said matter.

1. To draft and sign files at necessary pleadings, applications, objections, affidavits or other documents as shall be deemed necessary and advisable for the prosecution of the said matter at all its stages.
2. To employ any other Legal Practitioner, authorizing him to exercise the power as conferred on the undersigned Advocate, wherever he may think fit to do so.

AND we hereby agree to ratify whatever the Advocate or his substitute shall do in the above matter. I/We also hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter in consequence of his absence from the Court when the said matter is called up for hearing. I/We further hereby agree that in the event for the whole or any part of the fee to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the above matter. Received by me on 27/9/2023.

*[Handwritten Signature]*

Client (s)

**BASEER AHMED SHAH**

&

**IBAD UR REHMAN KHALIL**  
Advocates  
Peshawar