

11.10.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not gone through the brief of the instant appeal.

Adjourned. To come up for arguments on 23.11.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

23.11.2022

Due to rush of work. This case has been deleted. To come up for the same as before on 24.01.2023

Cy. Reader.

24-1-23

Propos DB is not available, therefore case is adjourned to

3-3-2023




Cy. Reader

13<sup>th</sup> June, 2022

Clerk of the counsel for appellant present. Mr. Kabeer ullah Khattak, AAG along with Alamzeb Shah, ADEO (Litigation) for the respondents present.

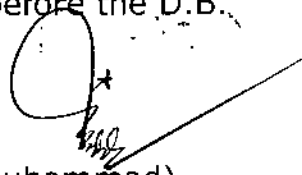
Respondents have submitted written reply/comments which is placed on file. To come up for arguments on 04.07.2022 before D.B.


  
(Kalim Arshad Khan)  
Chairman

04.07.2022

Learned counsel for the appellant present. Mr. Muhammad Asif, Assistant alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 11.10.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

20.04.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply/comments not submitted. Previous date was changed through Reader note, therefore, notices be issued to the respondents for submission of written reply/comments. Adjourned. To come up for written reply/comments on 25.05.2022 before S.B. In the meanwhile the operation of the impugned orders to the extent of transfer of the appellant shall remain suspended till the date fixed, if already not acted upon.

(MIAN MUHAMMAD)  
MEMBER(E)

25.05.2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Alamzeb Shah, ADEO (Litigation) for the respondents present.

Written reply/comments on behalf of respondents not submitted. Representative of the respondents seeks time for submission of written reply/comments. Last opportunity is granted. To come up for written reply/comments on 13.06.2022 before S.B. In the meanwhile the operation of the impugned orders to the extent of transfer of the appellant shall remain suspended till the date fixed, if not already acted upon.

(Mian Muhammad)  
Member (E)

Handwritten notes in Urdu script on the left margin, including the word 'ذراعت' (Agriculture) and other illegible text.

Handwritten notes in Urdu script at the bottom of the page, including the date '13.06.2022'.

31.01.2022

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought for submission of reply/comments. Granted. To come up for reply/comments before the S.B on 10.02.2022.



(Atiq-Ur-Rehman Wazir)  
Member (E)

10.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 25.02.2022 for the same as before.



Reader

25.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 21.03.2022 for the same as before.



Reader.

21-03-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 20-04-2022

Reader

11.01.2022

Appellant alongwith his counsel namely Mr. Noor Muhammad Khattak, Advocate, present. Preliminary arguments heard.

Learned counsel for the appellant has contended that the impugned order dated 24.11.2021 was passed by Principal GCMHSS Dir Upper, who was not at all competent Authority, therefore, the aforementioned order is coram-non-judice; that the transfer order of the appellant was issued vide notification dated 17.12.2021 on administrative ground without mentioning therein any reason, therefore, the same is not tenable in the eye of law; that the impugned order is violative of clauses-I, IV and XIII of Transfer/Posting Policy of the Government of Khyber Pakhtunkhwa.

Points raised need consideration, therefore, the appeal in hand is admitted to regular hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 31.01.2022 before the S.B.

Alongwith the memorandum of appeal, an application has also been submitted for suspension of operation of impugned orders dated 24.11.2021 and 17.12.2021 till the disposal of the instant appeal. Notice of the application also be given to the respondents and meanwhile the operation of the impugned orders to the extent of transfer of the appellant shall remain suspended till the date fixed, if already not acted upon.

Appellant Deposited  
Security & Process Fee

17/01/22

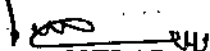

  
(Salah-Ud-Din)  
Member (J)

Form- A

# FORM OF ORDER SHEET

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

Case No.- 7910/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/12/2021	<p>The appeal of Mr. Rahat Ullah presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>11/01/22</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

SERVICE APPEAL NO. 7910 /2021

**RAHAT ULLAH**

**V/S**

**EDUCATION DEPTT;**

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Dated: 22 12.2021

**APPELLANT**

Through:

**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

OFFICE : TF 291-292 3<sup>rd</sup> FLOOR DEANS TRADE CENTRE  
SADDAR PESHAWAR CANTT;

**0345-9383141**

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

**APPEAL NO. \_\_\_\_\_/2021**

Mr. Rahat Ullah, (SCT BS-16),  
GCMHSS, Upper Dir.

.....**APPELLANT**

**VERSUS**

- 1- The Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer (Male), Dir Upper, Khyber Pakhtunkhwa.
- 3- The Principal, GCMHSS, Dir Upper.

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDERS DATED 24-11-2021 & 17-12-2021 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM GCMHSS, DIR UPPER TO GHS DOBANDO, DIR UPPER IN UTTER VIOLATION OF TRANSFER POSTING POLICY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD.**

**PRAYER:**

That on acceptance of this appeal the impugned orders dated 24-11-2021 & 17-12-2021 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from GCMHSS, Dir Upper. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

**Brief facts giving rise to the present appeal are as under:-**

- 1- That appellant is a law abiding and peaceful citizen serving the respondent department as SCT (BPS-16) quite efficiently and up to the entire satisfaction of his superiors.
- 2- That lastly the appellant was transferred and posted at GCMHSS, Dir Upper vide order dated 27.2.2020. that accordingly the appellant submitted his charge report on the same day i.e. 27.2.2020 at



GCMHSS and started his duty quite efficiently and up to the entire satisfaction of his superiors. Copies of the order and charge report are attached as annexure ..... **A and B.**

3- That unfortunately on some baseless allegations the respondent No.3 who is not the competent authority under the law and rules transferred/relieved the appellant from GCMHSS, Dir Upper to the office of respondent No.2 on administrative ground. Copy of the impugned order is attached as annexure ..... **C.**

4- That feeling aggrieved the appellant filed an application before the respondent No.2 but the respondent No. 2 instead of redressing the grievance of the appellant further transfer the appellant to GHS Dobando vide subsequent impugned order dated 17.12.2021. Copy of the order dated 17.12.2021 is attached as annexure ..... **D.**

5- That appellant feeling aggrieved from the impugned orders preferred departmental appeal but no response has been given within the stipulated time period. Copy of the departmental appeal is attached as annexure ..... **E.**

6- That the appellant having no other remedy preferred the instant service appeal on the following grounds amongst the others.

**GROUND:**

A- That the impugned transfer orders dated 24.11.2021 & 17-12-2021 is against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.

B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

C- That the impugned transfer orders dated 24.11.2021 & 17-12-2021 has been issued by the respondents in arbitrary and mala fide manner, hence not tenable and liable to be set aside.

D- That the impugned transfer orders dated 24.11.2021 & 17-12-2021 is based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.

(4)

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

**SERVICE APPEAL NO. \_\_\_\_\_ / 2021**

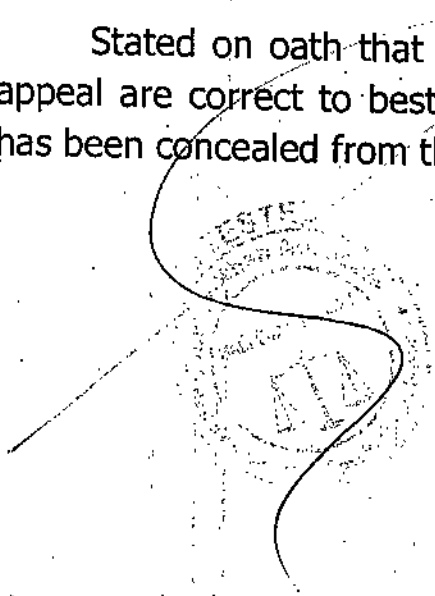
**RAHAT ULLAH**

**VS**

**EDUCATION DEPTT:**

**AFFIDAVIT**

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



*Rahat Ullah*

**DEPONENT**

**CERTIFICATE:**

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

*[Signature]*  
**CERTIFICATION**

- E- That the impugned transfer orders dated 24.11.2021 & 17-12-2021 has neither been in the best interest of public service nor in exigencies of service, hence not tenable and liable to be set aside.
- F- That the impugned transfer orders dated 24.11.2021 & 17-12-2021 is nothing but to harass the appellant and to accommodate her blue-eyed person.
- G- That the impugned order dated 24-11-2021 was issued by incompetent authority whereas the Principal GCMHSS has no power conferred upon to transfer and whereas the allegations put upon the Appellant and being transferring him nowhere in E&D Rules minor or major penalty is present to transfer a person.
- H- That the impugned transfers order dated 24.11.2021 & 17-12-2021 is violative of Clause-I, IV and XIII of the transfer/posting policy of the Government of Khyber Pakhtunkhwa as the appellant has been transferred prematurely from his current post. Copy of the transfer/posting policy is attached as annexure .....F.
- I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 21.12.2021

**APPELLANT**  
*Rahat Ullah*  
**RAHAT ULLAH**

**THROUGH:**  
**NOOR MOHAMMAD KHATTAK**

*Haider Ali*  
**HAIDER ALI**  
**ADVOCATES**

(5)

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

SERVICE APPEAL No. \_\_\_\_\_ /2021

Rahat Ullah

VS

EDUCATION DEPT.

**APPLICATION FOR SUSPENSION OF OPERATION OF**  
**THE IMPUGNED ORDERS DATED 24.11.2021 & 17-12-**  
**2021 AND TILL THE DISPOSAL OF THE ABOVE-**  
**MENTIONED APPEAL**

**R/SHEWETH:**

- 1- That the above-mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above-mentioned appeal against the impugned orders dated 24.11.2021 & 17-12-2021 whereby the appellant has been transferred from GCMHSS to GHS Dobando.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned orders dated 24.11.2021 & 17-12-2021 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned orders dated 24.11.2021 & 17-12-2021 may very kindly be suspended till the disposal of the above-mentioned service appeal.

Dated: 22-12-2021

**APPLICANT**

  
**Rahat Ullah**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**

  
**HAIDER ALI**  
**ADVOCATES**

## OFFICE OF THE DISTRICT EDUCATION OFFICER MALE DIR UPPER

OFFICE ORDER

Consequent upon their promotion from CTs, PSTs, its, DMs BPS-15 to the posts of Senior CT, Senior PET, senior IT, senior MD (No.1891-1520-64-53) plus other allowance as admissible under the rules on regular basis under the posting policy of the provincial government in terms and conditions given below with immediate effect with the Director Elementary & Secondary Education Khyber Pakhtunkhwa Notification No.2767-82/F#1 Promotion senior teachers (B-26/2019 Peshawar dated 25-02-2020 they are hereby further submitted the schools adjusted against each with effect :

PROMOTION OF DM(BPS-15) MALE TO THE POST OF SDM BPS 16 ON REGULAR BASIS

S.No.	From	Name of teacher	Present school	School were adjusted	Remarks
01.	01	Zabihullah	GHS Barawal Bande	GHS Barawal Bande	Already served
02.	02	Irfanullah	GMS Norkun	GHSS Gandegar	A.V.P
03.	03	Buzorg Jamil	GCMHSS Dir	GCMHSS Dir	Already served
04.	04.	Muhammad Ibahim	GHS Bebyawar	GHS Bebyawar	Already served
05.	05	Munir Ahmad	GCMHSS Dir	GCMHSS Dir	Already served
06.	06	Shafiullah	GCMHSS Dir	GCMHSS Dir	A.V.P
07.	07	Hidayatullah	GMS Sadliq Asad	GHSS Shinkeyari	A.V.P
08.	08	Gul Nawaz Khan	GHS Shang	GHSS shang	A.V.P
09.	09	Nadar Khan	GHSS Kalkot	GHSS Aeyar	A.V.P
10.	10	Syed Habib Jamal	GHS Kakad	GHS Kakad	Already served
11	11	Rahat Ullah	GCMHSS Dir	GCMHSS Dir	A.V.P
12	12	Hamza Khan	GMS Salam kot	GCMHSS Dir	A.V.P
13.	13	Rafiq Ahmad	GHS Jalar	GHS Jalar	A.V.P
14.	14	Shamsud Din	GMS Bande	GHS Bande Payen	A.V.P
15	15	Muhammad Roz Khan	GHS Sharne	GHS Sharne	Already served
16.	16	Shafiullah	GHS Sawni	GHSS Sawni	Already served
17	17	Fazal Subhan	GHS Bin Bala	GHS Bin Bala	Already served
18	18	Jamil Muhammad	GHSS Shirin Gel	GHSS Shirin Gel	Already served

PROMOTION OF DM BPS 15) MALE TO THE POST OF SDM BPS 16 ON REGULAR BASIS

01.	03	Farooq Mehmood	GHS Pan Kot	GHS Pan Kot	Already served
02	04	Rehmat zarin	GHS Rokhan	GHS Rokhan	Already served

PROMOTION OF TT(BPS 15) MALE TO THE POST OF STT BPS 16 ON REGULAR BASIS

01	16	Fazlur Rehman	GMS Duro	GHSS Swane	A.V.P
----	----	---------------	----------	------------	-------

PROMOTION OF PET (BPS 15) MALE TO THE POST PROMOTED TO THE POST OF SPET BPS 16

01	02	Muhammad Iqbal	GMS Gogeyal	GHS Sande Payeen	A.V.P
02	04	Abdul Jalal	GHS Umarali	GHS Umrail	A.V.P

Terms and conditions

01. They would be on probation for a period of one year to be extendable for an other one year.
02. They will be governed by such rules and regulations as may be issued from government time to time.
03. Their services can be terminated at any time. In case their performance is found unsatisfactory during the probational period in case of misconduct.

6/A

04. They will be proceeded under the rules framed from time to time.
05. Charge report should be submitted to all concerned.
06. Their inter-se seniority on lower post will remain .
07. No TA/DA is allowed for joining their new posts.
08. They will give an undertaking to be recorded in their services books to the effect that if any over payment is made in light of this order will be recovered and if they are wrongly they will be reversed to the previous post.
09. Before handing over charge their documents may be checked if they have not the required/relevant qualification as per rules they may not be handed over charge of the post.

(SYED TAHIR SHAH)  
DISTRICT EDUCATION OFFICER DIR UPPER

No. 2270-73/F.#.52/DEO(M)/Estab.(S)

Dated 27/02/2020.

Forwarded for information to the :

1. Director of Elementary & Secondary Education Khyber Pakhtunkhwa.
2. District Accounts Officer Dir Upper.
3. Principal/Head Master/Incharge concerned.
4. Teacher concerned.

DISTRICT EDUCATION OFFICER(M)  
DIR UPPER



**Charge Report**

Consequent upon my promotion from CT post BPS 15 to SCT BPD16 vide Director Elementary and Secondary Education Khyber Pakhtunkhwa order No.2776-82/F# 01/SST-II-16 dated 25—02-2020 and further adjustment made by District Education Officer Dir Upper vide Endst No. 2270-73/F-52/DEO(M) dated 27-02-2020 at S.No.11 Mr. Rahat Ullah took over charge of my duties as SCT BPS 16 at GGMHSS Dir Upper today on 27-02-2020 after non.

**RAHATULLAH  
SCT GGMHSS DIR UPPER**

**OFFICE OF THE PRINCIPAL GCMHS DIR UPPER**

**No.1722-24/F-21/GC MHS Dir Upper**

**Dated 27-02-2020**

**Copy to the:-**

- 1. DEO Male Dir Upper.**
- 2. District Accounts Officer Dir Upper.**
- 3. Official concerned.**

**PRINCIPAL  
GCMHSS DIR UPER**



**QUALIFICATION**

The candidate must have completed the course of study in B.E./B.Tech. in Electrical Engineering from a recognized University or Institution. The candidate must have secured a minimum of 60% marks in the final examination. The candidate must have completed the course of study in B.E./B.Tech. in Electrical Engineering from a recognized University or Institution. The candidate must have secured a minimum of 60% marks in the final examination.

*[Signature]*  
**(Signature)**  
**COMMISSIONER**

**QUALIFICATION OF THE PRINCIPAL/HEAD OF THE INSTITUTION**

The Principal/Head of the Institution must have completed the course of study in B.E./B.Tech. in Electrical Engineering from a recognized University or Institution. The candidate must have secured a minimum of 60% marks in the final examination. The candidate must have completed the course of study in B.E./B.Tech. in Electrical Engineering from a recognized University or Institution. The candidate must have secured a minimum of 60% marks in the final examination.

*[Signature]*  
**(Signature)**  
**COMMISSIONER**

# ANNEXURE C

8

## OFFICE OF THE PRINCIPAL GCMHSS DIR UPPER.

No. 2005-1 / F.No.04/GCMHSS Dir Upper

Dated 24 /11/2021

To

The District Education Officer  
Male Dir Upper.

Subject:-  
Dear Sir,

### RELIEVING/ DISCIPLINARY ACTION AGAINST MR. RAHAT ULLAH SCT.

It is stated that Mr. Rahat Ullah While he was posted as CT /SCT he committed the following acts of omission and liable to be proceed under Khyber Pakhunkhwa Government Servants (Efficiency and Discipline Rules ) 2011 .Moreover his services is no more required to this school and placed on the disposal of your office for further necessary action.

- 01- He never observed official timing and coming too late daily .
- 02- He never compliance with the orders of undersigned .
- 03- He always make hurdles in the smooth running of the institution .
- 04- He always trying to agitate the teachers and students.
- 05- He always using abused language with the school staff and students.
- 06- He always refusing any other duty when assigned him.
- 07- Today on 24.11.2021 when an additional period has been assigned to him but he refused to take the said period and started quarreled with concerned teacher and also used abused language
- 08- He was previously several times warned to be more careful in future but in vain .

In the light of above given facts it is requested that strict disciplinary action under Khyber Pakhunkhwa Government Servants (Efficiency and Discipline Rules ) 2011 may kindly be taken in the best interest of public .Moreover till the final decision his services is placed on the disposal of your office and he is no more required to this office as his further stay is harmful for this intuition.

PRINCIPAL  
GCMHSS DIR UPPER.

CC:-

- 01- Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar .
- 02- District Monitoring officer EMA Dir Upper .
- 03- District Accounts Officer Dir Upper for stoppage of pay bearing Personal No.00277437 .
- 04- Ps to Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar .
- 05- Teacher Concerned .



ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA  
OFFICE OF THE DISTRICT EDUCATION OFFICER  
MALE DIR UPPER

OFFICE ORDER

Consequent upon in the light of the recommendation of Inquiry Report conducted by Deputy District Education Officer Male Dir Upper dated 16-12-2021 Mr. Rahat Ullah SCT BPS-16 GCMHS dir hereby transferred/adjusted at GHS Dobando against vacant SCT post on administrative ground in his own pay and scale with immediate effect in best public interest.

Note:-

01. No TA/DA is allowed.
02. Charge Report should be submitted to all concerned.

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

No. 5443-47/F.No. 12/DEO(M) Dir (U) SEB dated Dir(U) the 17/12/2021.

Copy to the:-

1. The Principal GCMHSDdir.
2. The District Accounts Officer Dir Upper.
3. The Deputy District Education Officer Male Dir Upper.
4. The Head Master GHS Dobando Dir Upper.
5. The Teacher concerned.

(for information & further necessary action)

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

GOVERNMENT OF KHYBER PAKHTUNKHWA  
OFFICE OF THE DISTRICT EDUCATION OFFICER  
MALE D R UPPER



OFFICE ORDER

Consequent upon the receipt of the recommendations of the District Education Officer, Male D R Upper dated 18-12-2021 in respect of Ms. Rahat Ullah SGT PPS-13 GCHHS, G-1 transferred to MS. Saharish (P.S. No. 13) of the Government of Khyber Pakhtunkhwa, Male D R Upper.

- Notes:-
- 01- No TA/DA is allowed
  - 02- Charge Receipts to be submitted to the concerned

DISTRICT EDUCATION OFFICER  
(MALE) D R UPPER

No. 5043/47  
Copy to

File No. 12DEC/11/C-10/SEB dated by (U) on 17/12/2021

- 01- The District Education Officer, Male D R Upper
- 02- The District Accounts Officer, Male D R Upper
- 03- The District Officer, Government of Khyber Pakhtunkhwa
- 04- The District Officer, Government of Khyber Pakhtunkhwa
- 05- The District Officer, Government of Khyber Pakhtunkhwa

(For information & further necessary action)

*[Signature]*  
DISTRICT EDUCATION OFFICER  
(MALE) D R UPPER

ATTESTED

ب  
خدمت ضا DEO صاحب حکمہ تعلیم ضلع دیر بالا

دعا خواست برادر محمد داسہ غفور  
برگزارشات سائل

صاحب مالی! گزارش حسب ذیل ہے

یہ کہ سائل گورنمنٹ سینٹرل ماڈل ہائیئر سیکنڈری سکول بمقام کس دیر بالا  
میں بطور SCT اپنے فرائض منصبی بطریق احسن سال 2014 سے  
بہ فضل خدا سرانجام دیتا ہوا آ رہا ہے۔ مختصر حالات واقعات پھیلوں ہے  
یکورنہ 24<sup>11</sup> کو سائل کا بیٹا اسم ظنون بھر قریباً 13 سال شدید  
بیمار میں مبتلا تھا سائل نے بیٹے کو سکول لے گیا یہ سوچ کر کہ  
سائل کی خالی پیرڈ میں اپنے بیٹے کا طبی معائنہ کرائے گا۔ "میں  
ابتداء سائل نے دو تین پیرڈ اسٹینڈ کرنے کے بعد سائل نے  
SDM صاحب کو زبانی التجا کی کہ سائل کا پیرڈ خالی ہے میں  
دوران سائل اپنے بیٹے کو بغرض علاج معالجہ ہسپتال لے جانا چاہتا ہے  
اسی دوران سائل کا پیرڈ خالی پیرڈ ہی بھر دیا گیا اور سائل نے  
اس میں پیر ناراضگی ظاہر کی۔ جس پر پرسنل لبرور خان صاحب نے  
سائل کے خلاف محاذ آرائی شروع کی اور سائل سے پیر چاہی  
محوالہ آڈر No. 2005-9 تاریخ 24<sup>11</sup> گلوٹہ = چارج شیٹ لیا  
کے بعد سائل اپنے بیٹے کو سہارا ہسپتال لے گیا اور ڈاکٹر عبداللہ حسن  
کا میڈیکل ٹیلیف بطور "A" لف درخواست بنا ہے سے طبی معائنہ  
کرایا گیا۔ اندر میں صورتحال سائل حیران و پریشان کی عالم میں  
مبتلا ہے کہ سائل نے اپنی پوری زندگی سکول کی بقیر و ترقی میں  
صرف کی ہے اور ذریعہ کما رہا تو یہ سراسر پرسنل صاحب  
کی فائضانی ہے کہ سائل پر اتنے چارجز لگائے حالانکہ  
اتنا بڑا مسئلہ تو نہیں تھا۔ اگر پرسنل صاحب سائل کو اپنے دفتر  
بلاتے اور پوچھ گچھ کرتے تو یہ انصاف کا تقاضا تھا میں ہر  
وہ بات واضح کرتا جس کا پرسنل صاحب کو ہڈ شہ لاقی ہے  
(صفحہ 2 پر جاری)

ATTESTED

نہ کم میرے غیر موجودگی میں - پرنسپل صاحب جی اسے اوارے کے برے  
ہے ہم اگلے محنت و اہتمام کو اپنا شعار سمجھتے ہیں۔ لیکن اتر اوارے کا  
سربراہ یا بڑا ایسا کرتا تو ہم اپنے شعور سے، اپنے مسائل کس کے  
ساتھ سمجھ دیتے۔ اس طرح اوارے کا جیلانا ہی شغل ہو جاتا ہے

کہ سربراہ بنا کسی سے پوچھو گچھو کے الزامات کا ڈھیر بنا دے۔

جواب نمائی! حورہ 24/11 سے لیکر اب تک سائل زینبی کونف کا شعار ہو چکا ہے

اور ڈپریشن کا ریفن بن چکا ہے۔ سائل مجوزہ 25/11/02

مکو زینبی دباؤ اور پریشانی میں شدت اختیار کر کے دانت

کو سائل دیر ہسپتال لے گیا اور ECG اور مختلف قسم کے

ٹیسٹ کروائے گئے جبکہ ڈاکٹر صاحب کا ہیٹ لیٹور "B"

لف ہے۔ ڈاکٹر صاحب نے ٹیسٹس کی اور زینبی کونف وازیت

بتلایا۔ اب وہی سائل زینبی پریشانی کے ادویات بمشورہ ڈاکٹر

لیکچر گزارہ کر رہا ہے۔ محترم یہ کہ <sup>ملا</sup> حذر چلا کر پریشانی کا

واحد دم پرنسپل صاحب کے طرف سے سائل پر لگائے گئے

نے تھی۔ بے مقصد اور من گھڑت الزامات میں جس

کا سائل پر زور محنت اور تردید کرتا ہے۔ یہ شخص سائل کو

پراساں یا پریشانی کرنے کے علاوہ کچھ بھی نہیں۔ آپ صاحب

سے بھی استہزاء ہے کہ میری گزارشات، کچھ دد نظر دیکھ کر نے

پرنسپل صاحب سے میرا پرساناں حال کیا جانے۔ جہاں تک

مسائل کی ذیوقی کا تعلق ہے تو خود پرنسپل صاحب گواہ ہے

کہ سائل اپنے ذیوقی سے زیادہ ذیوقی اور زیادہ انور سر انجام دیتا ہے

جس کے سارا سٹاپ اور کو لیکن گواہ ہے۔ سائل اپنی ذمہ داریوں

سے بڑھ چھڑھ کر پر مشعل گھڑائی میں سکول کی ترقی اور تیر

کھیل گوساں ہے اور اسٹا و اللہ رہے گا۔ حذیر یہ کہ سائل سے

نسبت کو تابی، محفلت، لا پر داری کسی قسم کی آج تک کوئی جواب طلبی

نہ ہوئی ہے۔ سائل اپنے سکول وقت فقروہ پر جاتا ہے اور وقت

پر ملا سبب لیتا ہے۔ اور کبھی کوئی شغاف نہیں ہوتی ہے

ATTESTED

(3)

یہ کہ سائل نے کبھی بھی گالم گلوچ استعمال نہیں کی ہے یہ الزام پر سید صاحب کا بی بی بر بدیتی اور ایذا رسانی کی سوا کچھ ہی ہیں اس میں کو حقیقت پہنچائیں۔

یہ کہ سائل پر شکوت پیدا کرنے کا الزام بھی بے بنیاد اور حقیقت پر بی بی ہے۔ سائل نے ہمیشہ اپنے کو ٹیک کیسا تو بیمار و طبیعت عفا فی حیاہ سے ملکر کام کیا ہے۔ اور اسی طرح کا سوچ بھی نہیں سکتا۔

یہ کہ سائل پر طلباء کو انتشار میں ڈالنے کا الزام پر سید صاحب کی حقیقت کے برعکس ہے۔ کیونکہ سائل نے نہ ہی ایسا کیا ہے اور نہ کرنے کا خود پیش دکھایا ہے۔ سائل اپنے طلباء کو تعلیم کے ذریعہ سے آراستہ کرنا چاہتا ہے اور اس کو کبھی دینی اور اعلوی علوم کا سبق دیتا ہے نہ کہ انتشار کا۔ جس کے طلباء گواہ ہے اگر میر سید صاحب ثبوت میں کریں تو پھر معلوم ہرے گا۔

آپ صاحب سے استدعا ہے کہ اس نسبت جو اینٹ ڈلو آری میں مقرر کریں تاکہ ہم اندازہ معلوم کر سکتے کہ کون انصاف ہے۔ اگر میر سید صاحب اپنے موقف پر ڈٹے رہیں تو سائل کو آپ میں برخلاف سید صاحب تنگ عزت نفس کا دعویٰ دائر کرنا ہی چاہیے۔

آپ صاحبان سے سائل کے مذہب بالا گزارشات پر صحت دہانہ مضائقہ طور کرے اور کسی نتیجہ پر پہنچ کر سائل کو انصاف دلانے اور مسادات قائم کرنے کا

امیل ہے۔  
عین نواز مس برقی  
فقط آداب  
العارض -

دستخط سائل  
*Rahat*

راحت اللہ GCMHSS-SC اور دیر

27-11-21

ATTESTED



**GOVERNMENT OF NWFP  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(Regulation Wing)**

**POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.**

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) {
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained  
<sup>2</sup>While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

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 NWFP 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. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004



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- 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 DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG);	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: 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)

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.

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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:-

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.

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}

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications:

ATTACHED

**VAKALATNAMA**

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

APPEAL NO: \_\_\_\_\_ OF 2021

Rahat ullah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

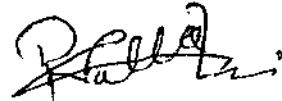
Education

(RESPONDENT)  
(DEFENDANT)

I/We Rahat ullah

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

Dated. \_\_\_\_/\_\_\_\_/2021



**CLIENTS**

**ACCEPTED**

**NOOR MUHAMMAD KHATTAK**

  
**KAMRAN KHAN**

  
**SAID KHAN**

  
**HAIDER ALI**

**&**  
**KHANZAD GUL**  
**ADVOCATES**

2

Robert Allen

Education

Robert Allen

Administrative  
 10  
 12/12/21

The DEO (male) Dir upper,

Subject: - Inquiry Report regarding conflict b/w Mr. Rahatullah  
 SGT  
 and Principal of GCMHSS Dir upper

The undersigned visited GCMHSS Dir upper on 10<sup>12</sup>/<sub>2021</sub> along with  
 Shukirullah S/C and AMIN-UR-RAHMAN Steno of this office.

The undersigned interrogated Principal Bakraun Khan, various  
 teachers and finally Mr. Rahatullah SGT. The attendance  
 register of teachers, order book and other relevant record was  
 also reviewed and observed for knowing the real  
 background facts. Please consider the following suggestions  
 and recommendations for accurate decision as per  
 your equity and wisdom.

- (i) Mr. Rahatullah SGT is the patient of depression and frustration.  
 He needs consolation and light serving station. Here in the  
 GCMHSS Dir upper, there is a huge staff which adversely affect  
 his mental health.
- (ii) Reconciliation is not favoring the prevailing situation because -  
 previous in 2018, the conflict emerged out. So displacement  
 and disassociation of Mr. Rahatullah SGT is inevitable for the  
 peaceful environment of school.
- (iii) I strongly recommend the adjustment of SGT Mr. Rahatullah  
 in the nearest school as a pre-emptive step for the public  
 interest.

16<sup>12</sup>/<sub>2021</sub>

Abdur Rahman  
 Dy. DEO (male) Dir upper



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**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**OFFICE OF THE DISTRICT EDUCATION OFFICER**  
**MALE DIR UPPER**

PH No 0944-881400

E-mail: deomdirupper@gmail.com



**OFFICE ORDER.**

Consequent upon, in the light of the recommendations of inquiry report conducted by Deputy District Education Officer Male Dir Upper dated 16-12-2021. Mr Rahat Ullah SC (BPS-10) GCMHS Dir is hereby transferred / adjusted at GHS Dobando against vacant post on administrative ground in his own pay & Scale with immediate effect in best public interest.

**Note:-**

01-No TA/DA is allowed.

02-Charge Report should be submitted to all concerned

/

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

No. 5443-47 / F.No. 12/DEO (M) Dir (U)/SEB Dated Dir (U) the, 17 / 12 / 2021

Copy to:-

- 01- The Principal GCMHS Dir.
- 02- The District Accounts Officer Dir Upper.
- 03- The Deputy District Education Officer Male Dir Upper.
- 04- The Head Master GHS Dobando Dir Upper.
- 05- The Teacher concerned.

( For information & further necessary action ).

/

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

92



8. . . . .

11/1/20

**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE) DIR UPPER.**  
PH: NO. 0944 881400 FAX: 0944 880411 E-mail: deo@dirupper.gov.pk

**OFFICE ORDER**

As per Promotion order of the following SCT,SDM,STT,SPET DEO (M) Dir Upper vide No.2270-73dated 27-02-2020, This office have already been verified their documents and released their pay on their previous Post Issued. Now the pay of the following are hereby released from the date of taking over charge.

S.No	Name	Designation	School	Remarks
01	Zabihullah	SCT	GHS Barawal	
02	Irfan Ullah	SCT	GHS Gandagan	
03	Buzarg Jamil	SCT	GCMHSS Dir	
04	Muhammad Ibrahim	SCT	GHS Bbyowar	
05	Munir Ahmad	SCT	GCMHSS Dir	
06	Shafi Ullah	SCT	GCMHSS Dir	
07	Hidayat Ullah	SCT	GHS Shinkari	
08	Gul Nawaz Khan	SCT	GHS Shung	
09	Nadar Khan	SCT	GHS Beyar	
10	Syed Habib Jamal	SCT	GHS Kakad	
11	Rahatullah	SCT	GCMHSS Dir	
12	Hamza Khan	SCT	GCMHSS Dir	
13	Rafiq Ahmad	SCT	GHS Jelar	
14	Shahabud Din	SCT	GHS Bandi Pyeen	
15	Mohammad Roz Khan	SCT	GHS Sharnai	
16	Shafiullah	SCT	GHS Swani	
17	Fazal Subhan	SCT	GHS Bin Balu	
18	Jamil Ahmad	SCT	GHS Sheringal	
19	Farooq Mehmood	SDM	GHS Panakot	
20	Rahmat Zarin	SDM	GHS Rokhan	
21	Fazlur Rahman	STT	GHS Swani	
22	Muhammad Iqbal	SPET	GHS Bandi Pyeen	
23	Abdul Jalal	SPET	GHS Umrali	

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER

No. 563-66 /F.No.63/Pay Release /DEO (M) Dir (U)/SEB Dated Dir (U) the: 21/1/2020

Copy to the:-

- 01- District Accounts Officer Dir Upper.
- 02- Dy: District Education Officer Male Dir Upper.
- 03- Principal/Head Master Concerned.
- 04- Officers Concerned.

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**OFFICE OF THE DISTRICT EDUCATION OFFICER**  
**MALE DIR UPPER**

PH No. 0944-881400 E-mail: deomdirupper@gmail.com



No. 5358 /F.No. 12 / DEO(M) Dir (U)/SEB Dated Dir (U) the; 15/12 /2021.

To,

The Director  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa Peshawar.

Subject: - APPLICATIONS FOR TRANSFER.

Memo:-

Two written applications alongwith its enclosures presented before this office by the following teachers of various school in Dir Upper for the purpose of transfer the contents of which are self-explanatory are sent herewith for further necessary actions please.

S.No.	Name of Teacher & Desig:	Name of School	Remarks
01	Wali Rahman AT (NTS appointee)	GHS Malanga	on disability grounds
02	Siraj Uddin AT	GMS Belanzai	Due to the disputation with the inhabitants of Village Belanzai

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

01





OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
Dir Upper (Phone # 0944 884100) E-mail: deo@dirupper@gkma.gov.pk

(11/10)

**OFFICE ORDER**

Consequent upon their promotion from CTs, PE Ts, TTs, UM BPS-15 to the post of Senior Certified Teacher (BPS-16) on regular basis under the existing policy of the Provincial Government in the terms and conditions given below with immediate effect vide Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar No. 2776-82/F No 1/Promotion Senior Teachers (B 16)2019 Peshawar (the Dated 25-07-2020) they are hereby further adjusted in the schools as follows:

**1. PROMOTION OF CT BPS-15 (M) TO THE POST OF Senior Certified Teacher (BPS-16) ON REGULAR BASIS.**

S.N	Serial	Name of teacher	Present School	School where Adjusted	Remarks
1	1	ZABIH ULLAH	GHS BARAWAL BANDI	GHS BARAWAL BANDI	Already occupied
2	2	IRFAN ULLAH	GMS NARKOON	GHS GANDOGAP	A.V.P
3	3	BUZARG JAMIL	GCMHSS Dir	GCMHSS DIR	Already occupied
4	4	MUHAMMAD IBRAHIM	GHS BIBYAWAR	GHS BIBYAWAR	Already occupied
5	5	MUNIR AHMAD	GCMHSS Dir	GCMHSS DIR	Already occupied
6	6	SHAFI ULLAH	GHS REHARKOT	GCMHSS DIR	Already occupied
7	7	HIDAYAT ULLAH	GMS SADIQ ABAD	GHS SHINKARI	A.V.P
8	8	GUL NAWAZ KHAN	GHS SHANG	GHS SHANG	A.V.P
9	9	NADAR KHAN	GHS Kalkot	GHS BEYAR	A.V.P
10	10	SYED HABIB JAMAL	GHS KAKAD	GHS KAKAD	Already occupied
11	11	RAHAT ULLAH	GCMHSS Dir	GCMHSS DIR	A.V.P
12	12	HAMZA KHAN	GMS SALAMKOT	GCMHSS DIR	A.V.P
13	13	RAFIQ AHMAD	GHS JELAR	GHS JELAR	A.V.P
14	14	SHAHABUD DIN	GMS BANDI	GHS BANDAI PAYEEN	A.V.P
15	15	MOHAMMAD ROZ KHAN	GHS SHARMAI	GHS SHARMAI	Already occupied
16	16	SHAFIULLAH	GHS SAWZI	GHS SWANI	Already occupied
17	17	FAZAL SUBHAN	GHS BIN BALA	GHS BIN BALA	Already occupied
18	18	JAMIL AHMAD	GHS SHERINGAI	GHS SHERINGAI	Already occupied

**2. PROMOTION OF DM (BPS-15) MALE TO THE POST OF SDM BPS-16 ON REGULAR BASIS.**

1	03	Farooq Mehmood	GHS Panakot	GHS Panakot	Already occupied
2	04	Rahmat Zarin	GHS Rohan	GHS Rohan	Already occupied

**3. PROMOTION OF TT (BPS-15) MALE TO THE POST OF STT BPS-16 ON REGULAR BASIS.**

1	16	Fazlur Rahman	GMS Dura	GHS Swani	A.V.P
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**4. PROMOTION OF PET BPS-15 MALE TO THE POST PROMOTED TO THE POST OF SPET BPS-16.**

1	02	Muhammad Iqbal	GMS Goyal	GHS Bandi Payeen	A.V.P
2	04	Abdul Jalil	GHS Umratal	GHS Umratal	A.V.P

**TERMS AND CONDITIONS:-**

- 01- They would be on probation for a period one year extendable for another one year.
- 02- They will be governed by such rules and regulations as may be issued from government time to time.
- 03- Their services can be terminated at any time, in case their performance is found unsatisfactory during the probation period. In case of miss-conduct they will be preceded under the rules framed from time to time.
- 04- Charge reports should be submitted to all concerned.
- 05- Their enter-se-Seniority on lower post will remain intact.
- 06- No TA/DA is allowed for joining their new post.
- 07- They will give an undertaking to be recorded in their service books to the effect that if any overpayment is made to them in light of this order will be recovered and if they are wrongly promoted. They will be reversed to the previous post.
- 08- Before handing over charge their document may be checked if they have not the required/relevant qualifications as per rules, they may not be handed over charge of the post.

(SAYAD TAHIR SHAH)  
DISTRICT EDUCATION OFFICER (M)  
DIR UPPER

Endst No. 2270-73 /F.No.52/DEO (M)/Estb (S) Dated: 27/02/2020

Copy forwarder for information to the:-

- 01- Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 02- District Accounts Officer Dir Upper.
- 03- Principal/Head Master/In-charge concerned.
- 04- Teachers concerned.

DISTRICT EDUCATION OFFICER (M)  
DIR UPPER



DIRECTORATE OF ELEMENTARY AND SECONDARY  
EDUCATION KHYBER PAKHTUN KHAWA PESHAWAR.

(139)

Notification

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(B&A)1-18/E&SE/2012 dated 11.7.2012 and Finance Department Endorsement No.SO(FR)/FD 10-22(F)2010 dated 16.7.2012, the following CT, DM, AT, TT and PET (Male) are promoted to the posts of Senior CT, Senior DM, Senior AT, Senior TT and Senior PET in BPS-16 (Rs 18910-1520-64510) respectively, plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and condition given blow with immediate effect, and further they will be adjusted by the District Education Officer concerned.

ITEM No.1 PROMOTION OF CT (BPS-15) MALE TO THE POST OF SCT (BPS-16) ON  
REGULAR BASIS

Total No of Sanctioned Post of CT	759
1/3 Share of SCT Posts	250
Share of Promotion Quota of SCT	100%
Already Promoted to SCT	170
Posts Available for Promotion to SCT	80
Proposed CT for Promotion to SCT	18

S#	Sn #	Name of Official	Name of School	Date of Birth	Date of Apptt: as Regular Teacher	Qual:	Remarks
1	1	Zabihullah	GHSS Barwal Bandi	6.3.1987	5.5.2014	M.Phil CT M.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
2	2	Irfanullah	GMS Narkoon	3.2.1984	4.8.2014	MA, CT	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
3	3	Buzarg Jamil	GCMHSS Dir	14.10.1966	20.10.2014	BA, CT	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
4	4	Muhammad Ibrahim	GHS Bibyarwar	4.10.1972	20.10.2014	MA,CT, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
5	5	Munir Ahmad	GCMHSS Dir	15.3.1974	20.10.2014	MSc,CT, Med	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
6	6	Shafiullah	GMS Rehan Kot	2.4.1970	21.10.2014	BA, CT, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
7	7	Hidayatullah	GMS Sadiq Abad	11.10.1970	21.10.2014	MA, M.Ed, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
8	8	Gul Nawaz Khan	GHS Shang	6.1.1971	21.10.2014	BA, CT, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect

*ADD (S) adjust the following officials' services against para vacant posts except AT to SAT.*

*[Signature]*

Promotion of Senior Teachers of District Upper Dir (138)

		at Khan	GHSS Kalkot	7.6.1971	21.10.2014	MA, CT, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
		Syed Habib mal	GHS Kakad	15.1.1978	21.10.2014	MA, CT B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
11		Rahat Ullah	GCMHSS Dir	22.11.1972	21.10.2014	B.A, CT, B.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
12		Hamza Khan	GMS Salam Kot	1.2.1973	21.10.2014	B.A, CT	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
13		Rafiq Ahmad	GHS Jelar	2.2.1973	21.10.2014	MA, CT	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
14		Shahabud Din	GMS Bandi	4.5.1973	21.10.2014	MA, CT, M.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
15		Muhammad Roz Khan	GHS Sharmai	15.4.1974	21.10.2014	MA, CT, B.ED	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
16		Shafi Ullah	GHS Sawni	5.4.1965	22.10.2014	MA, CT, B.ED	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
17		Fazal Subhan	GHS Bin Bala	6.2.1970	23.10.2014	MA, CT, B.ED	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect
18		Jamil Ahmad	GHSS Sheringal	7.3.1974	27.10.2014	MA, CT, M.Ed	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SCT in BPS-16 on regular basis with immediate effect

ITEM No.2 PROMOTION OF DM (BPS-15) MALE TO THE POST OF SDM (BPS-16) ON REGULAR BASIS

Total No. of Sanctioned Post of DM	120
1/3 Share of SDM Posts	40
Share of Promotion Quota of SDM	100%
Already Promoted to SDM	38
Posts Available for Promotion to SDM	2
Proposed DM for Promotion to SDM	2

S#	Sn #	Name of Official	Name of School	Date of Birth	Date of Apptt: as Regular DM	Qual:	Remarks
1	3	Farooq Mehmood	GHS Pana Kot	1.12.1976	28.12.2004	MA, DM	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SDM in BPS-16 on regular basis with immediate effect
2	4	Rahmat Zarin	GHS Rokhan	2.1.1978	28.12.2004	BA, DM	Services are placed at the disposal of DEO (M) Diir Upper for further adjustment to the post of SDM in BPS-16 on regular basis with immediate effect

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

**Service Appeal No. 7910/2021**

**Rahat Ullah, (SCT BPS-16) GCMHSS, Upper Dir**  
..... (APPELLANT)

**Versus**

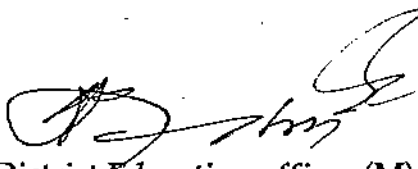
**1. Director Elementary and secondary Education Khyber  
Pakhtunkhwa Peshawar**

**2. District Education Officer (M) Dir Upper. And others**  
..... (RESPONDENTS)

**JOINT PARA WISE COMMENTS ON & for BEHALF OF RESPONDENT NO: 2& Other**

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District Education officer (M)  
District Dir Upper  
Respondent No.2

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

Service Appeal No. 7910/2021

Rahat Ullah, (SCT BPS-16) GCMHSS, Upper Dir  
..... (APPELLANT)

**Versus**

1. Director Elementary and secondary Education Khyber  
Pakhtunkhwa Peshawar

2. District Education Officer (M) Dir Upper. And others  
..... (RESPONDENTS)

JOINT PARA WISE COMMENTS ON & for BEHALF OF RESPONDENT NO: 2& Other

**Respectfully Sheweth: -**

**PRELIMINARY OBJECTIONS.**

1. That the Appellant is not the "aggrieved" persons with the meaning of Article 212 of the Constitution of the Islamic Republic of Pakistan 1973.
2. That the Appellant has got no cause of action /locus standi.
3. That the Appellant has not come to this Honorable court with clean hands.
4. That the Appellant is estopped by his own conduct.
6. That the instant service appeal suffers from laches, hence not maintainable in the present form.
7. That the instant appeal is liable to be dismissed for mis-joinder of unnecessary and non-joinder of necessary parties.
7. That the appellant has been adjusted in GHS Dobando on administrative grounds.

**ON FACTS**

1. Para-1 of the facts pertains to appellant residential records hence need no comments.
2. Para-2 of the facts is correct to the extent of posting of the appellant vide order dated 27-02-2020, but it is also pertinent to mention here

Certified Teacher (BPS-15) and was promoted in the school ibid as per his seniority cum fitness to the post of Senior Certified Teacher BPS-16 vide promotion order dated 27-02-2020.

3. Para-4 of the facts is incorrect hence denied and further stated that the appellant was not ~~duty full~~ and many complaint was lodged against him regarding , non-observance of school timing, noncompliance of the orders of the competent authority, and many other, on the basis of such allegation the Respondent No.3 being competent relive the appellant vide order dated 24-11-2021 with the request for strict action against the appellant as well as the he was also placed on the disposal of the Respondent No.2, i.e DEO(M) Dir Upper, later on a proper inquiry was made in the supervision of the Deputy District Education Officer on dated 16-12-2021, in which he recommend that the appellant should be adjusted as Senior Certified Teacher in the nearest school as preemptive step for the public, teacher as well as Student interest, after accepting the recommendations of the inquiry conducted by the Deputy District Education Officer Male Dir Lower , Mr.Rahat Ullah was adjusted as GHS Dobando against the vacant post lying near to the resident of the appellant .(Copy of the inquiry Letter is attached as "A").
4. Para-5 of the facts pertains to record hence need no comments.
5. Para-6 of the facts is incorrect hence denied; the appellant does not come in the definition of the aggrieved person as in fact he is facilitated in shape of adjustment from over crowded school to a less crowded school.
6. Incorrect hence denied details have been submitted in the facts above.

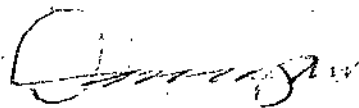
## GROUNDS

- A. Incorrect, the adjustment order dated 24-11-2021 & 17-12-2021 of the appellant were made in good faith and as per rules and law.
- B. Incorrect, and further stated that the appellant was transferred to GHSS Dobando in the best interest of public.

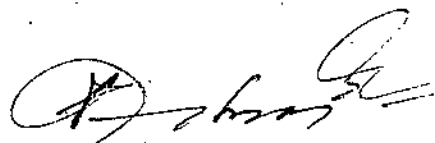
- C. In correct hence denied. Details reply has been submitted in the above Para's.
- D. Incorrect, the adjustment order dated 24-11-2021 & 17-12-2021 of the appellant were made in good faith and as per rules and law.
- E. In correct details reply has been submitted in the above Para's.
- F. In correct hence denied and further stated that the respondent department always follows rules and policies consigned by high ups in letter and spirit.
- G. Incorrect hence denied, the office order dated 24-11-2021 has been issued by the competent authority, furthermore in the letter dated 24-11-2021 the appellant was placed on the disposal of the DEO(M) Dir Upper for strict action against the appellant.
- H. Incorrect hence denied. Details have been submitted in the facts above.
- I. That the respondents seek leave to raise additional grounds at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the above submission, the instant Service Appeal may very graciously be dismissed in favor of the answering respondents with cost.

Director:



E&SE Khyber Pakhtunkhwa  
(Respondent No. 1)



District Education Officer (M)  
Dir Upper  
(Respondent No. 2)

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

**Service Appeal No. 7910/2021**

**Rahat Ullah, (SCT BPS-16) GCMHSS, Upper Dir**  
.....(APPELLANT)

**Versus**

- 1. Director Elementary and secondary Education Khyber  
Pakhtunkhwa Peshawar**
- 2. District Education Officer (M) Dir Upper. And others**  
.....(RESPONDENTS)

**Affidavit**

I, Syed Alamzeb Shah Litigation officer DEO (M) Dir Upper do hereby solemnly affirm and state on oath that the whole contents of this reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court.

**Identified by**

Addl; Advocate General  
Khyber Pakhtunkhwa.

**Deponent**

Syed Alamzeb Shah  
Dir Upper.  
Litigation Officer DEO (M) Dir Upper



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
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Service Appeal No. 7910/2021

Rahat Ullah, (SCT BPS-16) GCMHSS, Upper Dir  
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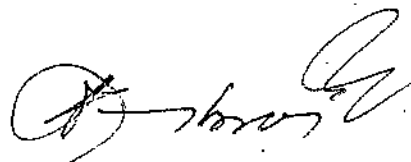
1. Director Elementary and secondary Education Khyber  
Pakhtunkhwa Peshawar

2. District Education Officer (M) Dir Upper. And others  
..... (RESPONDENTS)

**AUTHORITY LETTER**

Mr. Syed Alamzeb Shah Litigation Officer of the office of the  
undersignedis hereby authorized to submit the comments /reply in the  
service appeal No.7910/2021

Title: Rahat Ullahv/s Govt: of KP and others on my behalf.



District Education officer (M)

District Dir

Upper