

20.12.2016

Clerk to counsel for the appellant and Mr. Irfan ullah, Assistant Director alongwith Asst. AG for respondents present. Representative of the respondents submitted order dated 01.12.2016 and stated that the grievances of the appellant has already been redressed. Clerk to counsel for the appellant seeks adjournment as counsel for the appellant is indisposed. Adjournment granted. To come up for written reply/comments on 26.01.2017. Status quo be maintained.

(MUHAMMAD AAMIR NAZIR)
MEMBER

26.1.2017

Counsel for the appellant and Murad Khan, Supdt. alongwith Addl. AG for respondents present. Learned counsel for the appellant submitted that vide corrigendum dated 1st December, 2016 grievance of the appellant has been redressed. Requested for withdrawal of the appeal.

Dismissed as withdrawn. File be consigned to the record room.

Chairman

26.01.17

ANNOUNCED
26.01.2017

Appeal No- 1078/2016

03.11.2016

Learned counsel for the appellant has argued that the appellant is Assistant Professor in History serving at Government Degree College, Chitral wherefrom he was transferred to Government Degree College, Booni vide impugned order dated 31.08.2016 where-against he preferred departmental appeal on 03.09.2016 which was rejected on 21.09.2016 and hence the instant service appeal on 19.10.2016.

That the impugned order is against the notified policy of the department issued vide notification dated 08.08.2012 as well as spouse policy as Mst. Hameeda Bibi wife of the appellant is also serving in Education Department as PST at GGPS, Baker Abad. That the appellant has not yet relieved the charge.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 20.12.2016 before S.B. Status quo be maintained.

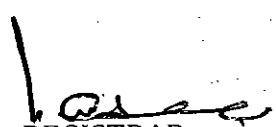

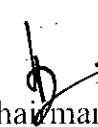
Chairman

Amount Deposited
Security & Process Fee

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1078/2016

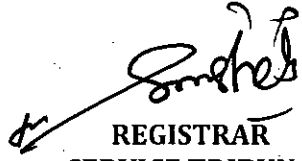
S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	21/10/2016	<p>The appeal of Mr. Sardar Ahmad resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	24-10-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16.11-2016</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;">↗</p> <p>01.11.2016</p> <p>On application of appellant for early hearing, the appeal requisitioned for to-day.</p> <p>Application allowed. To come up for preliminary hearing on 03.11.2016 before S.B instead of 16.11.2016.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Sardar Ahmad Assistant Professor in History GDC Chitral received today i.e. on 19.10.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1734 /S.T,

Dt. 20/10 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

Sir,

*All objections have been removed,
hence re-submitted today dated 21/10/2016.*

MB
21/10/2016

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 1078 /2016

SARDAR AHMAD

VS

EDU: DEPTT:

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APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1078 /2016

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1102

Mr. Sardar Ahmad, Assistant Professor in History (BPS-18),
GDC Chitral, District Chitral under transfer to,
GDC Booni, District Chitral

Dated 19-10-2016

APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Higher Education, archives and Libraries Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director Higher Education Department, Khyber Pakhtunkhwa, Peshawar.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED ORDER DATED 31.8.2016 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED TO GDC BOONI AGAINST THE WRONG POST AND INVIOLATION OF THE SPOUSE POLICY OF THE PROVINCIAL GOVERNMENT AND AGAINST THE APPELLATE ORDER DATED 21.9.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of this appeal the impugned orders dated 31.8.2016 and 21.9.2016 may very kindly be set aside and the respondents may kindly be directed, that not to transfer the appellant from GDC Chitral. Any other remedy which august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day
Registrar
19/10/16

R.SHEWETH:

- 1- That appellant is the employee of the respondent Department and is serving the respondent Department as Assistant Professor (History) at GDC Chitral. That appellant right from appointment till date has served the respondent Department quite efficiently and up to the entire satisfaction of his superiors.

Re-submitted to -day
and filed.
Registrar
21/10/16

- 2- That appellant while serving as Assistant Professor History at GDC Chitral the respondent NO.2 issued the Notification dated 31.8.2016 whereby the appellant was transferred

against the wrong post. That it is very pertinent to mention that GDC Booni has only one sanctioned post of History and one Associate Professor of History is already working there, therefore, the transfer of the appellant makes no sense and against the law. Copy of the impugned Notification is attached as annexure **A.**

3- That wife of the appellant is the employee of the E&SE Department and is serving as Senior Primary School Teacher (BPS-14) at GGPS Baker Abad, Tehsil Chitral. Copies of the service certificates are attached as annexure **B and C.**

4- That it is pertinent to mention that in GDC Chitral there are 1st shift, 2nd shift and B.S Program and as such for the subject of History there are nine classes to be taught on daily basis, there are two posts of teachers and if the appellant has transferred to GDC Booni then the students would be suffered badly and it will be impossible for one teacher to manage nine classes on daily basis. That according to letter dated 8.8.2012 of the respondent Department it has been clearly mentioned that during semester the teachers should not be transferred but inspite of that the appellant has been transferred. Copy of the letter is attached as annexure **D.**

5- That appellant feeling aggrieved preferred Departmental appeal but the same was rejected vide impugned appellate order dated 21.9.2016 on no good grounds. Copies of the Departmental appeal and rejection are attached as annexure **E and F.**

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

GROUND:

A- That the impugned orders dated 31.8.2016 and 21.9.2016 issued by the respondent No.2 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 petitioner has not been treated by the respondents in accordance with law and rules and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

C- That the impugned Notification dated 31.8.2016 has been issued by the respondent No.2 in violation of spouse policy of the provincial Government.

- D- That the impugned Notification dated 31.8.2016 has been issued by the respondent No.2 in clear violation of clause I and X of the transfer/ posting policy of the Provincial Government of Khyber Pakhtunkhwa. Copy of the transfer/posting policy is attached as annexure **G.**
- E- That the impugned Notification dated 31.8.2016 has not been issued in the public interest nor exigencies of service, therefore not tenable and liable to be set aside.
- F- That the impugned Notification dated 31.8.2016 has been issued by the respondent No.2 on the direction of political figure, therefore the same is not tenable and liable to be set aside.
- G- That the respondent No.2 acted in arbitrary and malafide manner while issuing the impugned Notification dated 31.8.2016.
- H- That appellant seeks permission and advance other grounds and proofs at the time of hearing.

DATED:19.10.2016

APPELLANT



SARDAR AHMAD

THROUGH:

NOOR MOHAMMAD KHATTAK

&



**SYED IMDAD HUSSAIN SHAH
ADVOCATES**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. _____/2016

SARDAR AHMAD

VS

EDU: DEPTT:

APPLICATION FOR SUSPENSION OF THE
OPERATION OF THE IMPUGNED ORDER DATED
31.8.2016 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 order dated 31.8.2016 the appellant has been transferred to GDC Booni against the wrong post and in violation of the Spouse Policy of the Provincial Government.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 31.8.2016 has been issued by the respondents in utter disregard of law and prevailing Rules.

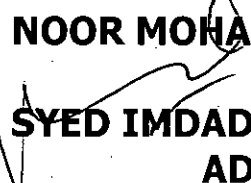
It is therefore most humbly prayed that on acceptance of this application the impugned order dated 31.8.2016 may kindly be suspended OR the respondents may be directed that not to transfer the appellant till the disposal of the above mentioned appeal.

Dated: 18.10.2016

APPLICANT


SARDAR AHMAD

THROUGH:


NOOR MOHAMMAD KHATTAK
&
SYED IMDAD HUSSAIN SHAH
ADVOCATES



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

A-5

Dated: Peshawar August 31st, 2016.

NOTIFICATION /66-72

NO. SO (COLLEGES-II)HED/22-19: The Competent Authority is pleased to order transfer of the following Male Lecturer / Assistant Professors mentioned below, with immediate effect in the best public interest:

Note: No T.A / D.A is allowed.

S.#	Name, Designation, Present posting	Transferred to	Remarks
1.	Mr. Murad Ali Assistant Professor of English GDC, Chitral	GDC Booni, Chitral	AVP
2.	Muhammad Sabir Khan Assistant Professor of Chemistry GDC Chitral	GDC Booni, Chitral	AVP
3.	Mr. Sardar Ahmad Assistant Professor of History (GDC Chitral)	GDC Booni, Chitral	AVP
4.	Mr. Shakeel Ahmad lecturer in Computer Science GDC Chitral	GDC Booni, Chitral	AVP

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST: NO. & DATE EVEN:

Copy of the above is forwarded to the:

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. Principals GDC Chitral / GDC Booni, Chitral.
3. District Accounts Officers Chitral.
4. Officers concerned.

Attested
M
Q


Rahsana Jabeen
SECTION OFFICER (COLLEGES-II)

B-6


OFFICE OF THE PRINCIPAL, GOVERNMENT COLLEGE CHITRAL

SERVICE CERTIFICATE

Certified that Mr. Sardar Ahmad Khan has been working in this department as lecturer and then Assistant Professor of History for the last 14 years. He has been transferred to this college in 2007.


Principal

Government College Chitral
Principal
Govt. Degree College
Chitral

Attested




SERVICE CERTIFICATE.

Certified that Mr/Mrs Hamida Bibi S.D/O
Saeedullah is serving in Education Department as
post at PST, GSPS Arjan Chitral since 15-7-1997

He/She is still in service.

ATTESTED

Deputy Dist. Officer (F)
CHITRAL

GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

No. SO(Trg)HE/2-4/BS-4.Degree Programme/2012

Dated Peshawar the, August 8th, 2012

The Director,
Higher Education,
Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: MINUTES OF THE B.S PROGRAMME'S MEETING HELD ON 27-07-2012, (FRIDAY) AT 01:30 PM, UNDER THE CHAIRMANSHIP OF ADDITIONAL SECRETARY HIGHER EDUCATION DEPARTMENT IN HIS OFFICE.

I am directed to refer to your Directorate's Letter No. 16748/BS-01/1406-A. Cell/DHE/012 BS Fee, dated: 07-08-2012 on the subject noted above and to return herewith Minutes (In-Original) duly approved by the Competent Authority along-with enclosures, of the above referred meeting for further necessary action

Encl: as above

Adeel Ahmad
(ADEEL AHMAD)
Section Officer (Trg)

Endst No. & date even.

A Copy of the above is forwarded for information to the PA to Additional Secretary Higher Education Department.

Attended
[Signature]

Section Officer (Trg)

9

MINUTES OF THE MEETING REGARDING B.S. PROGRAMME HELD IN
THE OFFICE OF ADDITIONAL SECRETARY, HIGHER EDUCATION,
PESHAWAR ON 27th JULY, 2012 AT 1.30 P.M.

~~A meeting in light of the directions of Secretary, Higher Education, was convened under the Chairmanship of Additional Secretary, Higher Education in his office on 27th July, 2012 at 1.30 P.M. to discuss the recommendations regarding 4-years B.S. Programme made by the stakeholders in the previous meeting held at Abbottabad under the Chairmanship of the Director, Higher Education, Khyber Pakhtunkhwa, Peshawar on 15th June, 2012.~~

The following attended the meeting:-

1. Dr. Khalid Khan, Additional Secretary, Higher Education (In Chair)
2. Prof. Ghulam Qasim Khan, Director, Higher Education
3. Mr. Muhammad Raza Shah, Chief Planning Officer
4. Mr. Muhammad Zaman, Dy; Chief Planning Officer
5. Mr. Aziz Muhammad, PS to Director, Higher Education (Secretary)

The meeting started with the recitation from the Holy Quran. Opening the discussion, the Chairman informed the participants that recommendations of the previous meeting may be discussed one by one in detail so that concrete decision could be taken accordingly. The following recommendations of the previous meeting were given a threadbare discussion:-

1. A uniform fee structure for BS students should be approved.

The Director, Higher Education informed the meeting that B.S is Four Years Degree Programme and consist of eight semesters, so its fee should be fixed on the basis of fee structure of B.A/B.Sc; & M.A/M.Sc, two years degree programme which will be charged into two equal halves on six months basis (i.e. for each semester). Dy; Chief Planning Officer suggested that fee for the new programme should be increased for the purpose of extra expenditure (i.e. internal exams, papers etc.) so that the department may not make repeated requests to Finance Department for further expenditures. The Director, Higher Education informed the meeting that as per instructions of the Provincial Government no increase is allowed in the fee structure. Chief Planning Officer proposed that a uniform fee should be fixed to be charged from Semester First to Eight. The meeting agreed that an amount of Rs. 500/- per semester should be enhanced in the proposed fee structure and the following decision was taken unanimously:-

Decision: An amount of Rs. 500/- per semester will be added at S.No.6 of Annexure-C in the Fee Structure as recommended in the meeting dated 15th June, 2012 under the title of "Internal Evaluation Services Charges". (Draft Notification is Enclosed as Flag-A).

Attested
[Signature]

B.S teachers should not be transferred during the course of semester.

The Director, Higher Education informed the meeting that there is no transfer in the higher education as on the pattern of school education. Dy. Chief Planning Officer proposed that a teacher should be retained in the B.S. Programme, if possible / or transfer, in the same subject in other college. The following decision was taken unanimously:-

Decision: - The Directorate will provide necessary data of B.S teachers to the Deputy Secretary (Colleges) and will submit self contained proposals, in this regard.

3. The existing pattern of faculties should be changed through strategic transfer, posting and appointment of staff to and from the selected colleges where the B.S Programme has to be expanded, on the basis of requirements.

Decision: - The meeting unanimously agreed to the recommendation.

4. Selected colleges should be gradually encouraged towards total transformation to B.S. Programme.

The meeting discussed pros and cons of the above recommended item and the following decision was taken unanimously:-

Decision:-

- i) Twenty Three selected colleges of the Province will be encouraged for total transformation into B.S Programme. (Draft Notification is Enclosed as Flag -B)
- ii) Those colleges where every requirement is available should initiate B.S. Programme with the approval of the competent authority after submitting feasibility report.
- iii) Deficient departments should be stopped forthwith and no admission should be allowed from the current session. (List of deficient enrolment is enclosed as Flag-C)
- iv) Strategy to be evolved for complete transformation to B.S 4-year Programme by the Director, Higher Education with special attention on the following points :-
 - a) Primary focus on 23 selected colleges; and
 - b) General focus on the rest of colleges.

5. The initiative of B.S. Programme in ordinary colleges with deficient performance should be gradually integrated and amalgamated into the prestigious selected colleges.

The matter was thoroughly discussed and the meeting agreed upon that no further admission will be done in the departments in which there was zero enrolment or less than 10 students. The following decision was taken unanimously:-

Attended

- 1, Political pressure
MPA. cited it,
as war footing.
- 2, against the policy of the present
government to put political pressure
on institutions. / Merit policy.
- 3, adjusted in wrong subject
against political service. AS ~~long~~
I have ~~to~~ been approached on History.

E-11 41

To The Director
Higher Education KPK Peshawar
Through Proper Channel
Subject: Cancellation of Transfer order.

Dated: 01-09-2016

Sir,
Most respectfully it is stated that I have been teaching as an Assistant Professor of History in GDC Chitral. Through a notification No SO (Colleges) IHED/22-19, dated 31-08-2016, my services have been transferred to GDC Booni.

Sir,
On the following grounds/reasons, I request and appeal that my transfer to GDC Booni may kindly be cancelled and retained at the present station i.e. GDC Chitral. Govt: Degree College Booni has only one sanctioned post of History, and one Associate Prof: of History is already working there. Therefore, my transfer to that College makes no sense. Here in this college there are 1st shift, 2nd shift and BS Programme. In the subject of history there are 9 classes to be taught daily basis. For these there are two posts of teacher, in case of my transfer to GDC Booni the classes of the students will definitely be suffered and it will be impossible for one teacher to manage 9 classes on daily basis.

I am teaching in the current semester of BS and my transfer will leave the course incomplete. My wife is also a Govt: servant working as a School teacher in the Chitral town near the GDC Chitral under Govt: spouse policy. She has a serious health problem and require frequent visit to the DHQ Hospital Chitral for treatment/check up from a specialized Doctor as this facility is not available at Booni. My aged parents with a lot of health problem are staying with me here in Chitral. Specially my father, more than 90 years of age nowadays facing serious medical care and it will be impossible for me to take them to remote station like Booni and arrange proper lodging and medical facilities for them. My Children are studying in various schools/ colleges in Chitral town. Any dislocation will badly effect their education.

Keeping in view the above facts it is requested that my services may kindly be retained in the present station i.e GDC Chitral.

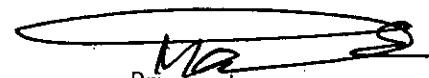
With Thanks
Yours Sincerely
Sardar Ahmad
Assistant Professor
GDC Chitral

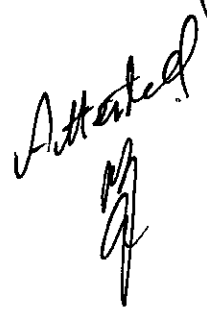
Dated: 01-09-2016

Endst: No. 969 /A-12, Dated Chitral the 31 / 9 /2016.

The original application of Mr. Sardar Ahmad, Assistant Professor of History Govt: Degree College Chitral is forwarded herewith for favourable consideration, please.

CA-I
RECEIVED ON
05 SEP 2016
Diary # 9231 Page # 335
D/Clerk


Principal,
Govt: Degree College, Chitral

Attended




**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

42

No. 2476 / CA-1/ Estt: Branch/A-12/Sardar Ahmad/ History

Phone # 091-9210242, 9211025/Fax # 9211803

Dated Peshawar the 21/9/2016

F-12

To

The Principal
Govt: Degree College, Chitral.

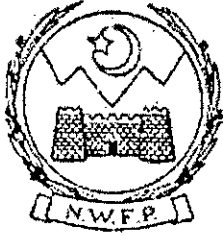
SUBJECT
Memo:

CANCELLATION OF TRANSFER ORDER.

I am directed to refer to your Endst: No. 969 dated 03.09.2016 on the application in respect of Mr. Sardar Ahmad, Ex-Assistant Professor of History of your College under transfer to Govt; Degree College, Booni (Chitral) on the subject cited above and to ask you to direct the officer concerned to take over charge of his new duty assignment immediately under intimation to this office, otherwise disciplinary action will be taken against him under E&D Rules.

DY: DIRECTOR (ESTABLISHMENT)

o/c



**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) ¹{ }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained

²While 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.

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 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.
² Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

ATTES
2

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

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

ATTESTED

M
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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.

ATTESTED
CA

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

Appeal No. 1078 OF 2016

Sardar Ahmad

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt:

(RESPONDENT)
(DEFENDANT)

I/we Sardar Ahmad

Do hereby appoint and constitute **NOOR MOHAMMAD 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. ____/____/2016

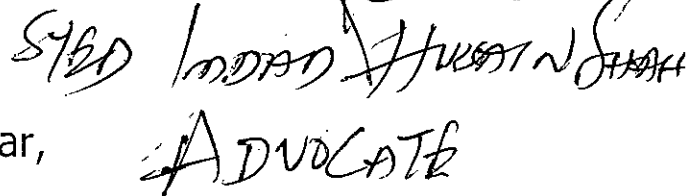


CLIENT


ACCEPTED

NOOR MOHAMMAD KHATTAK
(ADVOCATE)

OFFICE:
Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391
Mobile No.0345-9383141


ADVOCATE



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

Dated Peshawar the December 1, 2016.

CORRIGENDUM.

NO.SO(COLLEGES-II)/HED/22-19: / 466-69 In partial modification of this Department Notification of even No. dated 31 August 2016 the transfer order of the officers at S.NO. 01 & 03 (Mr. Murad Ali Assistant Professor of English under transfer to GDC Booni, Chitral & Mr. Sardar Ahmad Assistant Professor of History under transfer to GDC Booni, Chitral) (BS-18) is hereby cancelled.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT

ENDST: No. & DATE EVEN:

Copy of the above is forwarded to:

1. Director, Higher Education, Khyber Pakhtunkhwa, Peshawar.
2. Principal GDC, Chitral / GDC Booni, Chitral.
3. District Account Officer Chitral.
4. Officer concerned.

ED (E)
For n/a
5/12/16

(RAFI ULLAH KHAN)
SECTION OFFICER (COLLEGES-II)
5/12/16

