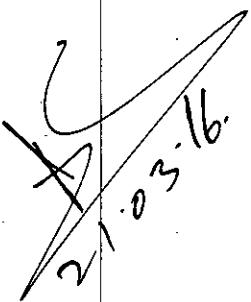


S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	21.03.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;"><u>SERVICE APPEAL NO. 237/2016</u></p> <p style="text-align: center;"><u>(Sarfaraz Ahmed-vs-Government of Khyber Pakhtunkhwa, Through Secretary Education Department, KPK, Peshawar and others).</u></p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u> Counsel for the appellant present. The appeal was taken up for preliminary hearing today at Peshawar at the request of learned counsel for the appellant.</p> <p>2. Learned counsel for the appellant has argued that pursuant to the order of the Chief Minister appellant was transferred from GHS Jared to the office of SDEO (Male) Mansehra vide order dated 23.12.2013 where-after he performed his duty at the said office with great zeal and zest but despite the same the appellant was transferred there-from vide impugned order dated 4.12.2015 constraining him to prefer departmental appeal on 5.12.2015 which was not responded and hence the instant service appeal.</p> <p>3. That the impugned order is premature and that appellant has served in the far-flung areas and, therefore, the said transfer order is liable to be set-aside.</p> <p>4. Arguments heard and record perused.</p> <p>5. The appellant was transferred from the office of SDEO (Male) to GHSS No. 1 Mansehra vide impugned order dated 4.12.2015 while he was posted in the said office vide Chief Minister executive order dated 23.12.2013. The normal tenure of two years has thus elapsed and, moreover, the appellant is</p>

Handwritten signature and date:

 21.03.16.

~~presented~~^{3.} at the same station and within the same vicinity as such no inconvenience, whatsoever, is caused to the appellant vide impugned transfer order.

6. For the above mentioned reasons there is no substance in the instant appeal. The same is, therefore, dismissed in limine. File be consigned to the record room.


(Muhammad Azim Khan Afridi)

Chairman



21.03.16.

ANNOUNCED
21.03.2016

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 237/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	15.03.2016	<p>The appeal of Mr. Sarfaraz Ahmad presented today by Mr. Junaid Anwar Khan 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	21.3.16	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up thereon <u>20-4-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Appeal no. 237/2016

Sarfraz Ahmed.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa
through Secretary Education Department,
Khyber Pakhtunkhwa etc.....Respondents

SERVICE APPEAL

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2	Application for suspension.	12-13
3	Correct addresses of the parties.	14
4	Copy of the order dated 15.10.1996	"A"	15
5	Copy of the corrigendum dated 23.12.2013.	"B"	16
6	Copy of the notification dated 10.12.2013.	"C"	17-20
7	Copy of the impugned order dated 04.12.2015.	"D"	21-21-A
8	Copy of the departmental appeal.	"E"	22-23
9	Copy of the reminder dated 17.12.015.	"F"	24
10	Copy of the letter dated 26.01.2016.	"G"	25
11	Wakalat Nama.	26

Dated 10.03.2016

Sarfraz Ahmed
...Appellant

Through



JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

1

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

Appeal No. 237/2016

Sarfaraz Ahmed, Senior Clerk, Sub Division Education officer (Male)
Mansehra.

... APPELLANT

VERSUS

N.W.F. Province
Service Tribunal
Diary No. 237
Dated 15-03-2016

1. Government of Khyber Pakhtunkhwa, Through Secretary education Department, Khyber Pakhtunkhwa, Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. District Education officer (Male), District Mansehra.
4. District Accounts officer, Mansehra.
5. District Monitoring Officer, Mansehra.
6. Sub-Divisional Education officer (male), Mansehra.
7. Abdul Hameed Senior Clerk, Government Higher Secondary School No.1, Mansehra.

... RESPONDENTS

APPEAL UNDER SECTION 4 OF NWFP/KPK
SERVICES TRIBUNAL ACT 1974 AGAINST THE
ORDER NO.18396-99, DATED 04/12/2015 PASSED
BY THE RESPONDENT NO.3 ON THE BASIS OF
SO-CALLED DISCIPLINARY GROUNDS IN
RESPECT OF TRANSFER OF SERVICES OF
APPELLANT FROM SDEO OFFICE (MALE)
MANSEHRA TO GOVERNMENT HIGHER
SECONDARY SCHOOL NO.1 MANSEHRA AND
THE TRANSFER ORDER OF RESPONDENT NO.7 AT

*Filed to the
Registrar
15/3/16*

THE PLACE OF THE APPELLANT
ARE ABSOLUTELY WRONG,
ILLEGAL, AGAINST THE LAW,
FACTS, ARBITRARY, FANCIFUL,
PERVERSE, WITHOUT LAWFUL
AUTHORITY, DISCRIMINATORY,
AGAINST THE POLICY, RESULT OF
FRAUD, MUTUAL CONNIVANCE OF
RESPONDENTS AS WELL AS
POLITICALLY MOTIVATED.

PRAYER: -

On acceptance of the instant appeal, the impugned order dated 04.12.2015 passed by the respondent No.3 may please be set aside and the appellant may please be re-instated/restored at his previous position i.e. Senior Clerk at S.D.E.O Office (Male), Mansehra or any other order or relief which this Honourable tribunal deem fit and proper in the circumstances of the case, may also be passed/issued.

Respected Sir,

Brief facts of the instant appeal are arrayed as under: -

1. That, the appellant is permanent resident of village Garhi Habibullah, Tehsil Balakot District Mansehra who has been performing his services to the best satisfaction of his superiors.

2. That, before this the appellant had been appointed in the schools of very far flung areas, the examples of which are that the appellant remained posted at Kohistan for long 15 years and thereafter he has been posted at such like far flung areas. Later on, the appellant was transferred on the Chief Minister Executive Order No.4063-71 dated 23.12.2013 at S.D.E.O Office (Malse), Mansehra where he has been performing his services with great zeal and zest. During this tenure/period no complaint from public at large against the appellant was lodged/raised so far, as well as the appellant never involved in any negligent activity during performance of his services nor declared negligent on the part of the department.

(Copy of the order dated 15.10.1996 is annexed as annexure "A").

3. That, the appellant was transferred to S.D.E.O (Male) Mansehra from GHS Jared vide corrigendum Endst. No.4063-71/A-23/MS/Mansehra/Complaint/DD (F&A) dated Peshawar 23.12.2013.

(Copy of the corrigendum dated 23.12.2013 is annexed as annexure "B").

4. That, in pursuance of Honourable Chief Minister Khyber Pakhtunkhwa directives contained in the letter No.SOI/CMS/KPK/3-15/2013 dated 13.11.2013, the posting/transfer in respect of the Ministerial staff working in the D.E.Os (Male/Female) offices, Mansehra were made and the respondent No.7 was transferred from D.E.O (Male) Mansehra to GHSS No.1, Mansehra after long 11 years tenure vide notification Endst No.1588-97/A-23/MS/MSR/Complaint/Vol-II/DD(F&A) dated Peshawar the 10.12.2013.

(Copy of the notification dated 10.12.2013 is annexed as annexure "C").

5. That, after the order of appellant in S.D.E.O (Male), Mansehra, the appellant was performing his assigned duties with great zeal and zest but the respondents without any legal justification have transferred the services of the appellant from S.D.E.O (Male), Mansehra to GHSS No.1, Mansehra vide order Endst.No.18396-99 dated 04.12.2015 on the basis of so-called disciplinary grounds.

(Copy of the impugned order dated 04.12.2015 is annexed as annexure "D").

6. That, the appellant filed a departmental appeal against the impugned order dated 04.12.2015 before the respondent No.2 on 05.12.2015 but no response has been given till now.

(Copy of the departmental appeal is annexed as annexure "E").

7. That, the 17.12.2015, the appellant also filed a reminder to respondent No.2 for decision of his department appeal but remain invain.

(Copy of the reminder dated 17.12.015 is annexed as annexure "F").

8. That, the appellant ran from pillar to post for redressal of his grievances but till now the grievances of the appellant has not been redressed, therefore, being aggrieved from the impugned order dated 04.12.2015, the appellant seeks the gracious indulgence of this Honourable Court, inter alia, on the following grounds: -

GROUNDS

a. That, the impugned order dated 04.12.2015 passed by the respondent No.3 on the basis of so-called disciplinary grounds and consequently the transfer of respondent No.7 at the place of the appellant are wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, without lawful authority, based on malafide, result of political motivation, discriminatory hence being not sustainable in the eyes of law, liable to be struck down.

- b. That, the respondents based the impugned order on so-called disciplinary grounds but no such disciplinary grounds have been mentioned in the impugned order nor such disciplinary grounds have been taken/initiated against the appellant nor any detail has been given or annexed with the impugned order.

- c. That, if there exists any inquiry against the appellant then it was bounden duty of the respondents to issue notice or show cause notice to the appellant to appear and present his defence in the so-called inquiry but no such like notice, show cause notice or any other thing has been given/issued to the appellant during his service career. If any so-called inquiry was conducted by the respondents the same would be conducted in their offices at the back of the appellant thus the appellant was condemned unheard and his fundamental rights were infringed by the respondents.

- d. That, the appellant time and again requested the respondents to hand

over the so-called inquiry proceedings or order which was mentioned in the impugned order but till today, no documentary proof of so-called inquiry has been handed over to the appellant which speaks volume of malafide on the part of the respondents.

- e. That, it is pertinent to note that the respondent No.7 remained on the post for long 11 years and was transferred only and only on the directives of the Chief Minister Khyber Pakhtunkhwa and the impugned order regarding transfer of appellant was passed just to compensate the respondent No.7, in this regard, Deputy Commissioner, Mansehra also directed the D.E.O(M) that why a person with ill reputation is posted continuously in same office which is evident on the impugned order dated 04.12.2015.
- e. That, it is the bounden duty of the respondents to act strictly in accordance with law, rules and regulations but the respondents have transgressed upon their powers/authority while issuing the

impugned order on the basis of so-called disciplinary grounds.

- f. That, according to the law, rules and regulations, the minimum tenure of an employee of government is 03 years whereas the appellant has been transferred just after elapse of one and half years at S.D.E.O Mansehra thus the rules and regulations have been blatantly violated.

- g. That, the impugned order has not been passed in public interest rather the same has been passed merely on political motivation and pressure by violating the relevant rules and regulations thus discrimination has been done with the appellant.

- h. That, it was the bounden duty of the respondent No.2 to decide the departmental appeal of the appellant within stipulated time but without deciding the appeal of the appellant, the respondent No.2 only sought comments from the respondent No.3 but despite time

and again approach, the respondent No.3 did not file any comments.

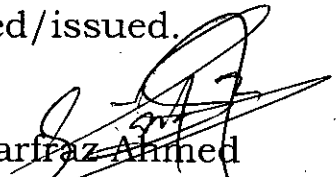
(Copy of the letter dated 26.01.2016 is annexed as annexure "G").


- i. That, powers or jurisdiction are vested in authority to exercise it justly, fairly, honestly and judiciously and in accordance with the mandate of law. The respondents have transgressed all norms of justice, fair play and good conscious.
- j. That, it is an inalienable right of the appellant to enjoy the protection of law and to be treated in accordance with law while this right of the appellant has been transferred by the respondents.
- k. That the respondents have committed material illegality and irregularity while issuing the impugned transfer order on the ground of so-called disciplinary grounds.

It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned order dated 04.12.2015 passed by the

respondent No.3 may please be set aside and the appellant may please be re-instated/restored at his previous position i.e. Senior Clerk at S.D.E.O Office (Male), Mansehra or any other order or relief which this Honourable tribunal deem fit and proper in the circumstances of the case, may also be passed/issued.

Dated 10.03.2016



Sarfraz Ahmed
...Appellant

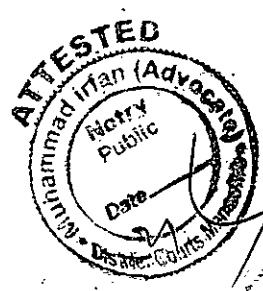
Through 
JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

AFFIDAVIT.

I, Sarfraz Ahmed, Senior Clerk, Sub Divisional Education Officer Male), Mansehra, Appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 10.03.2016


Sarfraz Ahmed
(DEPONENT)



9/3/16

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

Sarfraz Ahmed.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa
through Secretary Education Department,
Khyber Pakhtunkhwa etc.....Respondents

SERVICE APPEAL

**APPLICATION FOR SUSPENSION OF
OPERATION OF IMPUGNED ORDER
NO.18396-99 DATED 04.12.2015
PASSED BY THE RESPONDENT NO.3
TILL THE DISPOSAL OF ABOVE-
TITLED APPEAL.**

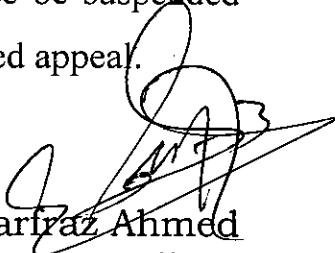
Respected Sir,


1. That, this application may please be considered as part and parcel of above-titled service appeal.
2. That, the appellant has a prima facie case and there is every hope of its success.
3. That, the balance of convenience also tilts in favour of the appellant.
4. That, if the operation of impugned order has not been suspended then the appellant would suffer an irreparable loss and purpose

of above-titled appeal would become infructuous.

It is, therefore, most humbly prayed that the operation of impugned order No.18396-99 dated 04.12.2015 may please be suspended till the disposal of above-titled appeal.

Dated 10.03.2016



Sarfraz Ahmed
...Appellant

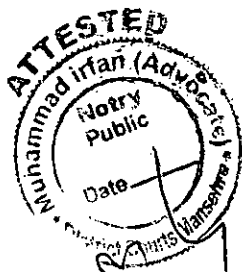
Through 
JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

AFFIDAVIT.

I, Sarfraz Ahmed, Senior Clerk, Sub Divisional Education Officer Male), Mansehra, Appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated 10.03.2016


Sarfraz Ahmed
(DEPONENT)





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

Sarfraz Ahmed.....Appellant

VERSUS

Government of Khyber Pakhtunkhwa
through Secretary Education Department,
Khyber Pakhtunkhwa etc.....Respondents

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

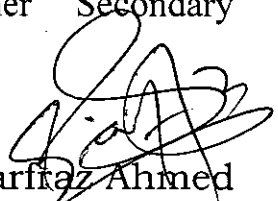
APPELLANT

Sarfraz Ahmed, Senior Clerk, Sub
Divisional Education Officer (Male),
Mansehra.

RESPONDENTS

- (1) Government of Khyber Pakhtunkhwa
through Secretary Education Department,
Khyber Pakhtunkhwa Peshawar
- (2) Director
Elementary & Secondary Education, Khyber
Pakhtunkhwa Peshawar
- (3) District
Education Officer (Male), District Mansehra
- (4) District Accounts Officer, Mansehra
- (5) District Monitoring Officer, Mansehra
- (6) Sub-Divisional Education Officer
(Male), Mansehra
- (7) Abdul Hameed Senior
Clerk, Government Higher Secondary
School No.1, Mansehra.

Dated 10.03.2016


Sarfraz Ahmed
...Appellant

Through 

JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

(A)

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se

OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP PESHAWAR

TRANSFER/ADJUSTMENT.

In partial modification order issued vide this Office Endst: No. 5776-82 dated 25/9/1996. The following transfers/adjustments of Ministerial Staff of Education Deptt: NWFP, are hereby ordered on their own pay & BPS in the interest of public service with effect from their taking over charge.

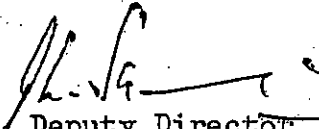
<u>S.No.</u>	<u>Name & Designation.</u>	<u>Adjusted at</u>	<u>Remarks.</u>
1.	Mr. Sarfarz Ahmad J/O	J/O at DEO(F)	against V/A at DEO(M) Secy: Kohistan. Pry: Mansehra. of S/C
2.	Sher Afzal J/Clerk under J/C at DEO(M)	vice S.No. 1 adjustment to SDEO(F) Secy: Kohistan. Pattan Kohistan.	

Note:-1- Charge reports should be sent to all concerned.
2- NO TA/DA etc are allowed.

(GHULAM SARWAR KHAN)
DEPUTY DIRECTOR (SECONDARY EDUCATION)
DIRECTORATE OF SECONDARY EDUCATION
N.W.F.P., PESHAWAR.

Endst: No. 1540-45 /A-23/J/C Dated 15/10 1996.

- Copy forwarded for information & n/a to the:
1. Divl: Director of Education (S) Hazara at A.
 2. Distt: Education Officer (F) Pry: Mansehra.
 3. Distt: Education Officer (M) Secy: Kohistan.
 4. Distt: Accounts Officer Kohistan.
 5. Official concerned.
 6. M/File.


Deputy Director
for Director Secondary Education
N.W.F.P., Peshawar.

K. Wahab.



16
Annexure
B

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR
CORRIGENDUM

In partial modification of this office Notification/Corrigendum issued under Endst: No. 10-12-2013, No. 1588-97 dated 10-12-2013 & No. 2295-97 dated 13-12-2013, the adjustment in respect of ministerial staff of DEOs/SDEOs (M&F) Mansehra are hereby ordered in order to eradicate duplication mistake in the aforesaid Notification/Corrigendum in the interest of public service with immediate effect.

S.No.	Name & Designation with present status.	Adjusted at:	Remarks.
1.	Muhammad Riaz S/C at SDEO (F) Mansehra service disposal at Directorate E&SE Peshawar.	GGHSS Balakot	Against vac.
2.	Muhammad Zaheer S/C Office of the DEO(M)Mansehra Service placed at the disposal of Director E&SE E Peshawar	GHS Behali	Against vacant
3.	Muhammad Nawaz S/C Office of the SDEO(M)Mansehra Service placed at the disposal of Director E&SE E Peshawar	GHS Kawai	Vice S.No.4
4.	Muhammad Iqbal S/C GHS Kawai	SDEO(M) Mansehra	Vice S.No.5
5.	Muhammad Asif S/C Office of the DEO(M)Mansehra Service placed at the disposal of Director E&SE E Peshawar	GGHSS Behali	Against vac.
6.	Muhammad Ajmal S/C Office of the SDEO(M)Mansehra Service placed at the disposal of Director E&SE E Peshawar	GHS Jareed	Vice S.No.7
7.	Muhammad Sarfaraz S/C GHS Jareed	SDEO(M) Mansehra	Vice S.No.6
8.	Shaukat Ali J/C DEO (M) Mansehra under transfer to GHS Chitta Batta	GGHS Chitta Batta	Vice S.No 9
9.	Muhammad Saleem J/C GGHS Chitta Batta under transfer to DEO (F) Mansehra	DEO (M) Mansehra	Vice S.No.8
10.	Muhammad Miskeen J/C GHS Chitta Batta Mansehra under transfer to DEO (M) Mansehra	Should continue at GHS Chitta Batta Mansehra	Against his original post.

Note: 1. Charge reports should be submitted to all concerned.

(Director E&SE)
Khyber Pakhtunkhwa, Peshawar.

Endst No 4663-71/A-23/MS/Mansehra/Complaint/DD (F&A) Dated Peshawar the 23/12/2013.

Copy of the above is forwarded for information & n/ action to the:-

1. Section Officer-I, Chief Minister Secretariat, Khyber Pakhtunkhwa w/r to his letter No. SOI/CMS/15/2013/8302 dated 13-11-2013 and reminder No. SOI/CMS/KPK/3-15/2013/8650 dated 26-11-2013.
2. Secretary to Govt. of Khyber Pakhtunkhwa E&SE Department.
3. District Education Officer (Male) Mansehra w/r to proposal/letter No. 11910 dated 23-12-2013 & 11790 dated 20-12-2013
4. District Education Officer (Female) Mansehra.
5. Sub Divisional Education Officers (Male) Mansehra
6. Sub Divisional Education Officers (Female) Mansehra
7. Principals/HM/HMs concerned
8. Officials concerned.
9. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Deputy Director (F&A)
DE&SE, Khyber Pakhtunkhwa,
Peshawar.

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR

NOTIFICATION

In pursuance of Honorable Chief Minister Khyber Pakhtunkhwa Directives contained in letter No. SOI/CMS/KPK/3-15/2013 dated 13-11-2013, the posting/transfer in respect of the following ministerial staff working in the DEOs (M&F) offices Mansehra are hereby ordered on their own pay & BPS in the interest of public service with immediate effect-

DISTRICT EDUCATION OFFICER (M) MANSEHRA

S.No	Name	Designation	From	To	Remarks
1.	Abdul Hameed	S/C	DEO(M) Mansehra	GHSS No. 1 Mansehra	Vice S. No 2
2.	Muhammad Saleem	S/C	GHSS No. 1 Mansehra	DEO(M) Mansehra	Vice S. No 1
3.	Mushtaq Shah	S/C	GHSS, No. 1 Mansehra	DEO(M) Mansehra	Vice S. No 4
4.	Muhammad Zaheer	S/C	DEO(M) Mansehra	Service placed at the disposal of Director E&SE for further adjustment.	
5.	Muhammad Nawaz	S/C	SDEO(M) Mansehra	Service placed at the disposal of Director E&SE for further adjustment.	
6.	Muhammad Ajmal	S/C	DEO(M) Mansehra	Service placed at the disposal of Director E&SE for further adjustment.	
7.	Muhammad Asif	S/C	DEO(M) Mansehra	Service placed at the disposal of Director E&SE for further adjustment.	
8.	Imdad Hussain	J/C	GHS, Narar Mansehra	DEO(M) Mansehra	Vice S. No 9
9.	Muhammad Arshad	J/C	DEO(M) Mansehra	GHSS, No. 1 Mansehra	Vice S. No 10
10.	Muhammad Hanif	J/C	GHSS, No. 1 Mansehra	DEO(M) Mansehra	Vice S. No 11
11.	Muhammad Amjad	J/C	DEO(M) Mansehra	GHS Khaki Mansehra	Vice S. No 12
12.	Zahid Khan	J/C	GHS Khaki Mansehra	DEO(M) Mansehra	Vice S. No 13
13.	Muhammad Sajjad	J/C	DEO(M) Mansehra	GHSS, Pairan Mansehra	Vice S. No 14
14.	Tasgher Hussain Shah	J/C	GHSS Pab in Mansehra	DEO(M) Mansehra	Vice S. No 15
15.	Nasir Pasha	J/C	DEO(M) Mansehra	GGHS, Behrkund Mansehra	Vice S. No 16
16.	Ajab Khan	J/C	GGHS Behrkund Mansehra	DEO(M) Mansehra	Vice S. No 15

DISTRICT EDUCATION OFFICER (F) MANSEHRA

S.No.	Name	Designation	From	Transfer Proposal at	Remarks
1.	Manzoor Husoiz	S/C	DEO(F) Mansehra	GGHSS Thathi Khurd.	Vice S. No 2
2.	Muhammad Mubarik	S/C	GGHSS Thathi Khurd.	DEO(F) Mansehra	Vice S. No 1
3.	M Fiaz Shoukat	S/C	GGCMS (Girls) Mansehra	DEO(F) Mansehra	Vice S. No 4
4.	Muhammad Pervez	S/C	DEO(F) Mansehra	GGHSS Phutra Mansehra	Vice S. No 5

	M Usman	S/C	GGHSS Phulra.	DEO(F) Mansehra	Vice S. No 6
6.	Bashrat Hussain Shah	S/C	DEO(F) Mansehra	GGHS No.2 Mansehra	Vice S. No 7
7.	Muhammad Arif	S/C	GGHS No.2 Mansnehra	DEO(F) Mansehra	Vice S. No 8
8.	Abdur Razaq	S/C	DEO(F) Mansehra	GGHSS Baffa Mansehra	Vice S. No 9
9.	Aurangzeb	S/C	GGHSS Baffa Mansehra	DEO(F) Mansehra	Vice S. No 10
10.	Muhammad Riaz	S/C	DEO(F) Mansehra	Service placed at the disposal of DE&SE Khyber Pakhtunkhwa Peshawar for further adjustment.	
11.	Muhar... Ajmal	S/C	SDEO(M) Mansehra	Service placed at the disposal of DE&SE Khyber Pakhtunkhwa Peshawar for further adjustment.	
12.	Niaz Hussain Shah.	J/C	DEO(F) Mansehra	GHS Nawazabad Mansehra	Vice S. No 13
13.	Muhammad Khurshid	J/C	GHS Nawazabad Mansehra	DEO(F) Mansehra	Vice S. No 12
14.	Ajmal Malik.	J/C	DEO(F) Mansehra	GGHS Chitta Batta Mansehra	Vice S. No 15
15.	Muhammad Saleem	J/C	GGHS Chitta Batta Mansehra	DEO(F) Mansehra	Vice S. No 14
16.	Muhammad Amjid	J/C	DEO(F) Mansehra	GGHS Dhodial Mansehra	Vice S. No 17
17.	M Baber	J/C	GGHS Dhodial Mansehra	DEO(F) Mansehra	Vice S. No 16
18.	Haq Nawaz	J/C	DEO(F) Mansehra	GGHS Nakot Mansehra	Vice S. No 19
19.	Muhammad Fazal	J/C	GGHS Nakot Mansehra	DEO(F) Mansehra	Vice S. No 18

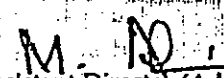
(Director)
E&SE Khyber Pakhtunkhwa, Peshawar

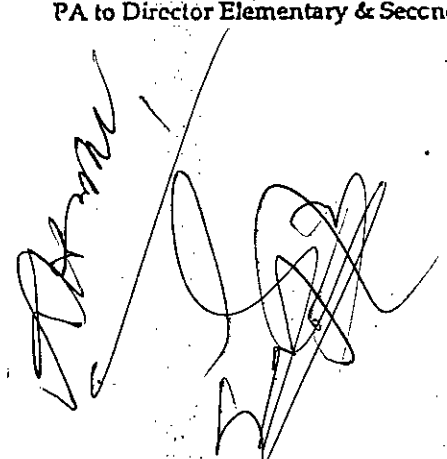
Enst: No 1588-97/A-23/MS/MSR/Complaint/DD (F&A)

Dated Peshawar the 10-12-2013.

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

1. Section Officer-I, Chief Minister Secretariat, Khyber Pakhtunkhwa w/r to his letter No. SOI/CMS/KPK/3-15/2013/8302 dated 19-11-2013 and reminder No. SOI/CMS/KPK/3-15/2013/8650 dated 26-11-2013
2. Secretary to Govt. of Khyber Pakhtunkhwa E&SE Department.
3. District Education Officer (Male) Mansehra.
4. District Education Officer (Female) Mansehra.
5. Sub Divisional Education Officers (Male) Mansehra.
6. Sub Divisional Education Officers (Female) Mansehra
7. Principals/HM/HNs concerned
8. Officials concerned.
9. PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar


Assistant Director (Admn)
DE&SE, Khyber Pakhtunkhwa,
Peshawar.



0345-90 61985

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA
PESHAWAR.

NOTIFICATION

TO BE SUBSTITUTED WITH THE SAME NO & DATE

In pursuance of Honorable Chief Minister Khyber Pakhtunkhwa Directives contained in the letter No. SOI/CMS/KPK/3-15/2013 dated 13-11-2013, the posting/transfer in respect of the following ministerial staff working in the DEOs (M&F) offices Mansehra are hereby ordered on their own pay & BPS in the interest of public service with immediate effect-

DISTRICT EDUCATION OFFICER (M) MANSEHRA

S.No	Name	Desig:	Tenure	From	To	Remarks	Present posting after Corrigendum
1.	Abdul Hameed	S/C	11 yrs	DEO(M) Mansehra	GHSS, No, 1 Mansehra	Vice S. No 2	As it is.
2.	Muhammad Saleem	S/C		GHSS No 1 Mansehra	DEO(M) Mansehra	Vice S. No 1	---
3.	Mushtaq Shah	S/C		GHSS, No, 1 Mansehra	DEO(M) Mansehra	Vice S. No 4	---
4.	Muhammad Zaheer	S/C	11 yrs	DEO(M) Mansehra	Service placed at the deposal of Director E&SE for further adjustment.		GHSS Behali Mansehra
5.	Muhammad Nawaz	S/C	12 yrs	SDEO(M) Mansehra	Service placed at the deposal of Director E&SE for further adjustment.		GHSS Kawai Mansehra
6.	Muhammad Ajmal	S/C	12 yrs	DEO(M) Mansehra	Service placed at the deposal of Director E&SE for further adjustment.		GHSS Jareed Mansehra
7.	Muhammad Asif	S/C	10 yrs	DEO(M) Mansehra	Service placed at the deposal of Director E&SE for further adjustment.		GGHSS Behali Mansehra
8.	Imdad Hussain	J/C		GHS, Naran Mansehra	DEO(M) Mansehra	Vice S. No 9	---
9.	Muhammad Arshed	J/C	11 yrs	DEO(M) Mansehra	GHSS, No, 1 Mansehra	Vice S. No 10	GHSS No 1 Mansehra
10.	Muhammad Hanif	J/C		GHSS, No, 1 Mansehra	DEO(M) Mansehra	Vice S. No 11	---
11.	Muhammad Amjad	J/C	12 yrs	DEO(M) Mansehra	GHS Khaki Mansehra	Vice S. No 12	GHS Khaki Mansehra
12.	Zahid Khan	J/C		GHS Khaki Mansehra	DEO(M) Mansehra	Vice S. No 13	---
13.	Muhammad Sajjad	J/C	11 yrs	DEO(M) Mansehra	GHSS, Pairan Mansehra	Vice S. No 14	GHS No.3 MSR
14.	Tasqheer Hussain Shah	J/C		GHSS Pairan Mansehra	DEO(M) Mansehra	Vice S. No 15	GHSS Pairan Mansehra
15.	Nasir Pasha	J/C	12 yrs	DEO(M) Mansehra	GGHS, Behrkund Mansehra	Vice S. No 16	As it is.
16.	Ajab Khan	J/C		GGHS Behrkund Msr	DEO(M) Mansehra	Vice S. No 15	---

DISTRICT EDUCATION OFFICER (F) MANSEHRA

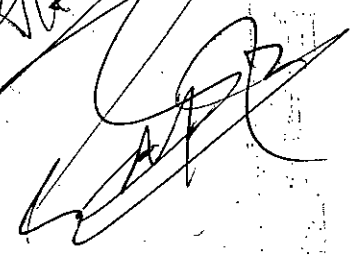
S.No.	Name	Desig.	Tenure	From	Transfer Proposal at.	Remarks	Present posting after Corrigendum
1.	Manzoor Hussain	S/C	10 yrs	DEO(F) Mansehra	GGHSS Thathi Khurd.	Vice S. No 2	As it is.
2.	Muhammad Mubarik	S/C		GGHSS Thathi Khurd.	DEO(F) Mansehra	Vice S. No 1	---
3.	M Fiaz Shoukat	S/C		GGCMS (Girls) Mansehra	DEO(F) Mansehra	Vice S. No 4	---
4.	Muhammad Pervez	S/C	11 yrs	DEO(F) Mansehra	GGHSS Phulra Mansehra	Vice S. No 5	As it is.
5.	M Usman	S/C		GGHSS Phulra.	DEO(F) Mansehra	Vice S. No 6	---
6.	Bashrat Hussain Shah	S/C	11 yrs	DEO(F) Mansehra	GGHS No.2 Mansehra	Vice S. No 7	As it is.
7.	Muhammad Arif	S/C		GGHS No.2 Mansnehra	DEO(F) Mansehra	Vice S. No 8	---
8.	Abdur Razaq	S/C	08 yrs	DEO(F) Mansehra	GGHSS Baffa Mansehra	Vice S. No 9	As it is.
9.	Aurangzeb	S/C		GGHSS Baffa Mansehra	DEO(F) Mansehra	Vice S. No 10	---
10.	Muhammad Riaz	S/C	06 yrs	DEO(F) Mansehra	Service placed at the disposal of DE&SE Khyber Pakhtunkhwa Peshawar for further adjustment.		GGHSS Balakot Mansehra
11.	Muhammad Ajmal	S/C	12 yrs	SDEO(M) Mansehra	Service placed at the disposal of DE&SE Khyber Pakhtunkhwa Peshawar for further adjustment.		GHSS Jareed Mansehra
12.	Niaz Hussain Shah.	J/C	04 yrs	DEO(F) Mansehra	GHS Nawazabad Mansehra	Vice S. No 13	As it is.
13.	Muhammad Khurshid	J/C		GHS Nawazabad Mansehra	DEO(F) Mansehra	Vice S. No 12	---
14.	Ajmal Malik.	J/C	3 yrs	DEO(F) Mansehra	GGHS Chitta Batta Mansehra	Vice S. No 15	Order cancelled on Honorable CM's Directives
15.	Muhammad Saleem	J/C	/	GGHS Chitta Batta Mansehra	DEO(F) Mansehra	Vice S. No 14	---
16.	Muhammad Amjid	J/C	11 yrs	DEO(F) Mansehra	GGHS Dhodial Mansehra	Vice S. No 17	As it is.
17.	M Baber	J/C		GGHS Dhodial Mansehra	DEO(F) Mansehra	Vice S. No 16	---
18.	Haq Nawaz	J/C	05 yrs	DEO(F) Mansehra	GGHS Nakot Mansehra	Vice S. No 19	As it is.
19.	Muhammad Fazal	J/C		GGHS Nakot Mansehra	DEO(F) Mansehra	Vice S. No 18	---

(Director)
E&SE Khyber Pakhtunkhwa, Peshawar.

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

1. Section Officer-I, Chief Minister Secretariat, Khyber Pakhtunkhwa w/r to his letter No. SOI/CMS/KPK/3-15/2013/8302 dated 13-11-2013 and reminder No. SOI/CMS/KPK/3-15/2013/8650 dated 26-11-2013 & No. SOI/CMS/KPK/3-1/2013/95 dated 24-12-2013 with the request that the tenure of Senior/Junior Clerks mentioned above have been depicted against their names as desired. Moreover, second phase of transferring/posting of remaining ministerial staff in DEOs/SDEOs offices Mansehra is being carried out shortly. It is also added that the very exercise in the remaining districts is also being initiated and compliance report in this regard will be submitted to CM's Secretariat Khyber Pakhtunkhwa accordingly.
2. District Education Officer (Male) Mansehra.
3. District Education Officer (Female) Mansehra.
4. Sub Divisional Education Officers (Male) Mansehra.
5. Sub Divisional Education Officers (Female) Mansehra
6. Principals/HM/HMs concerned
7. PS to Secretary to Govt: of Khyber Pakhtunkhwa E&SE Department.
8. Officials concerned.
9. M/File
10. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

11
 10/12/13
 Deputy Director (F&A)
 DE&SE, Khyber Pakhtunkhwa,
 Peshawar.

Aleneel


Annexure 21
D. Singh
5/12/16

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

TRANSFER/ADJUSTMENT ORDER

The competent authority Elementary & Secondary Education Mansehra is pleased to transfer one of the following clerks in his own pay & scale and post, in the best office mentioned against his name with immediate effect in the best interest of public service under disciplinary ground

Sr. Name & Design of Teacher	From	To	Remarks
Gaffraz Ahmed S/C	SDEO (M)	GHSS No 1 Mansehra	Under Disciplinary Ground
Abdul Hameed S/C	GHSS No 1 Mansehra	SDEO (M)	Via S.NO 1

Note: No TADA is allowed.
 Charge report should be submitted to all concerned.

Sd/-
 DISTRICT EDUCATION OFFICER
 (MALE) MANSEHRA

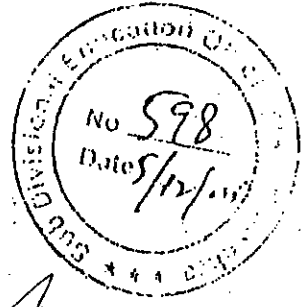
Roll No 18386-97

Date: 04/12 /2015.

Copy to:-

1. The District Accounts Officer Mansehra.
2. The District Monitoring Officer.
3. Principal GHSS No 1 Mansehra.
4. SDEO (M) Mansehra.
5. Official Concerned.
6. Office file.

[Signature]
 DY: DISTRICT EDUCATION OFFICER
 (MALE) MANSEHRA



[Signature]
[Signature]

DEO (M)
Why a person
with ill repute
is posted continuously
in same office?

[Signature]
 DEPUTY COMMISSIONER
 MANSEHRA

Best copy

21-A

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

TRANSFER / ADJUSTMENT ORDER

The competent authority Elementary & Secondary Education Mansehra is pleased to transfer order of the following clerks in his own pay & scale and post in the school/office mentioned against his name with immediate effect in the best interest of public service under disciplinary ground.

S#	Name & Design of Teacher	From	To	Remarks
1.	Sarfraz Ahmed S/C	SDEO(M)	GHSS No.1 Mansehra	Under Disciplinary Ground
2.	Abdul Hameed S/C	GHSS Mansehra	No.1 SDEO (M)	Via S. No.1

Note: No TA/DA allowed.

Charge report should be submitted to all concerned.

SD/-

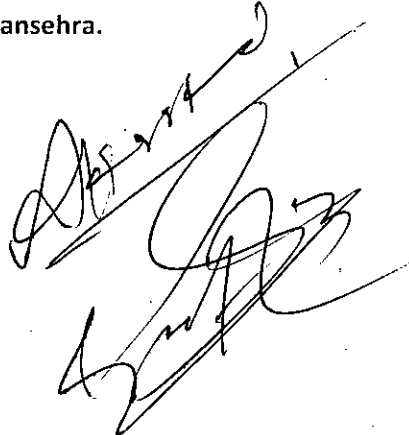
District Education officer
(Male) Mansehra

Endst: No. 18396-99/

dated 04/12/2015

Coy to:

1. The District Accounts officer Mansehra.
2. The District Monitoring officer.
3. Principal GHSS No.1 Mansehra.
4. SDEO (M) Mansehra.
5. Officer Concerned.
6. Office file



District Education officer
(Male) Mansehra

Annexure
"E"

بخدمت جناب ڈائریکٹر آف ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور

عنوان: درخواست / اپیل برخلاف آرڈر نمبر 99-18396 مورخہ 04-12-2015 برائے منسوخی پیش ہے۔

۱۔ یہ کہ سائل جناب کو درخواست / اپیل کرنا ہے اور جناب کے نوٹس میں لانا چاہتا ہے۔ کہ جناب کو اندھیرے میں رکھ کر میری تبدیلی کرائی گئی ہے۔ شاہد آپ کے علم میں نہ ہو۔ (نوٹو کاپی آرڈر لف ہے) اور یہ کہ آرڈر کے Remarks کے خانہ میں Under Disciplinary Ground پر تبدیلی کی گئی ہے۔ جبکہ یہ دفتر کی ملی بھگت ہے۔

۲۔ سائل کو بحوالہ لیٹر نمبر 71-4063-Endst No. مورخہ 12-12-2013 ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ پشاور نے سائل کو Tenure کی وجہ سے محمد اجمل سنیر کلرک دفتر SDEO(M) مانسہرہ کی جگہ چیف منسٹر کی Approvel سے آرڈر ہوا ہے۔ (کاپی لف ہے)

۳۔ یہ کہ سائل کا Tenure بھی دو سال سے کم ہے۔ اور سٹیبل ایئر یا میں Tenure قانون کے مطابق تین سال ہے۔ حالانکہ سائل کو چیف منسٹر کے ایگزیکٹو آرڈر کے تحت دفتر میں تعینات کیا گیا ہے۔ اس لیے سائل نے اب تک انتہائی دیانت داری، وایمانداری سے ضلع مانسہرہ میں تین ہزار ساتہ کی سروس بکس پر PMI کا کام احسن طریقے سے مکمل کیا ہے۔ اور اب بھی جس وقت تک چیف منسٹر ایگزیکٹو آرڈر کے تحت Tenure پورا نہیں ہوا کام کرتا رہوں گا۔

۵۔ عالیجاذیلی نمبر 97-1588 مورخہ 10-12-2013 کے آرڈر کو ملاحظہ فرمائیں جس میں عبدالحمید سنیر کلرک GHSS No.1 مانسہرہ کو پہلے بھی اسی Tenure گیارہ سال دفتر DEO(M) مانسہرہ چیف منسٹر کی Approvel / ایگزیکٹو آرڈر کے تحت تبدیل کیا گیا ہے۔ جس کا اب بھی موجودہ جگہ پر دو سال سے کم عرصہ ہو گیا ہے۔ (کاپی لف ہے)

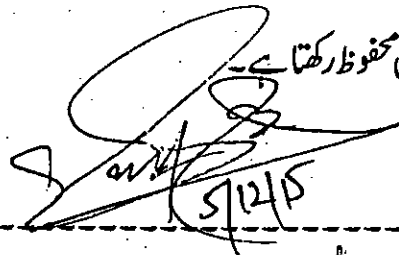
۶۔ عالیجا مسائل کو اس مندرجہ بالا آرڈر میں Corrigendum میں GHSS جرید سے دفتر SDEO(M) مانسہرہ میں محمد جمال سنیر کلرک کی جگہ پر Tenure کی بنیاد پر چیف منسٹر کی Approvel سے تبدیل کیا گیا ہے جس کا عرصہ بائیس سال بنتا ہے۔ (کاپی لف ہے)

۳۔ عالیجا مسائل کو SDO(M) آفس مانسہرہ میں مورخہ 10-12-2013 سے اب تک تقریباً دو سال سے بھی کم ہوئے ہیں۔ مسائل کا Tenure بھی قانونی لحاظ سے پورا نہیں ہوا۔

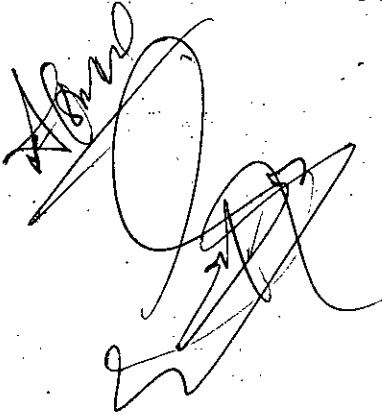
لہذا استدعا ہے کہ مندرجہ بالا درخواست اپیل پر نظر ثانی کرتے ہوئے اور انصاف کے تقاضے پورے کرتے ہوئے مسائل کا آرڈر نمبر 99-18396 مورخہ 4-12-2015 کو منسوخ فرمایا جائے

بصورت دیگر مسائل اپنا قانونی حق محفوظ رکھتا ہے۔

المرقوم 05-12-2015



سر فرراز احمد سنیر کلرک دفتر SDEO(M) مانسہرہ



محترم جناب ڈائریکٹر آف ایجنسیز اینڈ سٹنڈرڈ ایجوکیشن ضلع بہاولپور خواہ لہار

دیمانڈ (Reminder) بابت فیصلہ ایپل / درخواست در

اکٹوبر 99-18396 مورخ 12/2015

جناب عالی اور فریڈمٹ زبیل عرفین

1- یہ اسٹائل کے برخلاف اکٹوبر 99-18396 بابت ٹرانسفر سائل
ایک ایپل مورخ 12/2015 کو جناب کی خدمت میں ارسال کی۔

(درخواست ایپل کی کاپی ہمراہ لکھی)

2- ہم اب تک سائل کی ایپل پر کوئی بھی فیصلہ نہیں دیا ہے
سائل کو تنگ کیا جا رہا ہے کہ سائل اپنا Charge دے۔

3- یہ سائل متعلقہ Authority کو باور بھی رہا ہے کہ سائل
کی ایپل برخلاف ٹرانسفر اکٹوبر

باوجود سائل پر دباؤ ڈالا جا رہا ہے۔
pending ہے فکر اس کے

اس لئے ہم سائل کی ایپل پر ہمیدہ غور فرمائے

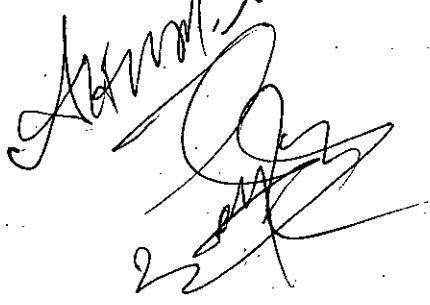
یوں ایپل مورخ 12/2015 پر کوئی سائل فیصلہ دیا جائے۔


عین توازن ہوگی۔

المقوم 17/12/2015

سر قزاملہ سید گلبرگ دفتر SDEO (M) مارنہ

فون: (0315-5311019)





25
Annexure
"G"

Registered.

Directorate of Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
No. _____ /F.No. 341/A-23/MS/Mansehra-II
Dated Peshawar the 26/01 /2016.

To

The District Education Officer
(Male) Mansehra

Subject:

APPEAL FOR CANCELLATION OF TRANSFER.

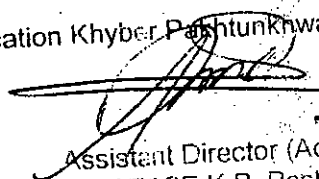
Memo:

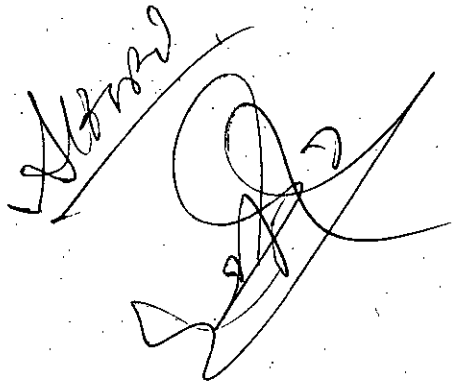
I am directed to refer to the subject noted above and to enclose herewith a copy of an appeal dated 17.12.2015 in respect of Mr. Sarfaraz Ahmad S/Clerk of SDEO (M) office Mansehra under transfer to GHSS No. 1 Mansehra for your comments/report please.

Assistant Director (Admn)
Directorate of E&SE K.P, Peshawar

Endst; No. 3409

1. Copy forwarded to the: -
Mr. Sarfaraz Ahmad S/Clerk of SDEO (M) office Mansehra under transfer to
GHSS No. 1 Mansehra
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa
Peshawar.


Assistant Director (Admn)
Directorate of E&SE K.P, Peshawar



وکالت نامہ

بعدالت جناب
 سر فرزانہ
 نام
 حکومت و عمر
 دعوئی یا جرم
 سر دوسری ایپل
 منجانب ایڈووکیٹ

باعث تحریر آنکہ
 ایڈووکیٹ انوار کھان

مندرجہ بالا عنوان میں اپنی طرف سے بیرونی وجوہات کے مقام

جنید انور خان ایڈووکیٹ ہائی کورٹ مانسہرہ

پدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے
 وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ
 میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری
 کے علاوہ کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا بروز قسطیل بیرونی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام
 پکھری کے کسی اور جگہ ساعت ہونے پر یا بروز پکھری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا
 اس کے واسطے کسی معاوضہ ادا کرنے، مختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ
 پرداختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی
 اپیل نگرانی دائر کرنے، نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر
 قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرانے کا ہر قسم بیان دینے اور سپرد تاشی و رضی نامہ فیصلہ بر خلاف کرنے و
 اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منوشی ڈگری یکطرفہ درخواست حکم اختتامی یا ڈگری قبل از فیصلہ
 اجراء کے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ بیرونی مختیار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل اور اپیل
 کے واسطے کسی دوسرے وکیل یا پیر مشر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل
 ہوں گے جیسے صاحب موصوف کو، پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی
 بیرونی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا اختیار نامہ لکھ دیا ہے کہ سند ہے۔
 مضمون مختیار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔
 المرقوم ۱۰ مارچ ۲۰۱۶

العبد العبد العبد العبد

ATTESTED & ACCEPTED
 JUNAID ANWAR KHAN,
 Advocate High Court,
 Mansehra.

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Enrollment No. BC-1327

