6.7.2015

Counsel for the appellant and Mr. Muhammad Zubair, Sr. G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 3.8.2015 at camp court Swat.

Chairman Camp Court Swat

3.8.2015

None present for appellant. Mr.Bashir Ahmad, Headmaster alongwith Mr.Muhammad Zubair, Sr.G.P for official respondents and counsel for private respondent No. 4 present. Representative submitted application for withdrawal of appeal signed by appellant alongwith copy of pay release order of appellant dated 17.6.2015 and informed the Tribunal that the appellant has requested him to submit the application before the Tribunal for withdrawal of appeal.

In the light of afore-stated development, the appeal is dismissed as with frawn. File be consigned to the record.

ANNOUNCED

Chairman

Camp Court Swat

102.08

28.05.2015

Counsel for the appellant present and requested for adjournment due to strike of the Bar. Adjourned to 29.05.2015 for preliminary hearing before S.B.

Chairman

29.05.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as PST (BPS-14) when promoted as PSHT (BPS-15) and posted at GGPS Jarbat vide office order dated 22.8.2014. That the appellant assumed the charge at the said school on 23.08.2014 and performed duties till 23.10.2014. That vide order dated 23.08.2014 the appellant was transferred from GGPS Jarbat to GGPS No.1 Nari Tangi which order was impugned before the Service Tribunal in appeal No. 1359/2014 wherein the Tribunal vide judgment dated 09.04.2015 directed that the issue be reconsidered by the respondents in the light of Regulatory Act of 2011. That vide impugned order dated 09.05.2015 the appellant was retained in the said school contrary to the directions of the Tribunal. That the appellant is entitled to serve in her own Union Council and, additionally, she is also entitled to serve in the said school under spouse policy.

That the appellant is serving in GGPS Jarbat and entitled to seek suspension of the impugned order.

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 06.07.2015 before S.B. Notice of stay application be issued for the date fixed. Till then the impugned order is suspended. The appeal pertains to territorial limits of Malakand Division as such to be heard at camp court Swat.



# Form- A FORM OF ORDER SHEET

Court of	
Case No	498/2015

	Case No	498/2015
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.05.2015	The appeal of Mst.Saudia Bibi resubmitted today by Mr. Muhammad Asif Yousafzai Advocate, may be entered in the
		Institution register and put up to the Worthy Chairman for
		proper order.  REGISTRAR
2	27-5-15	This case is entrusted to S. Bench for preliminary
		hearing to be put up thereon $\frac{\partial 8}{\partial s} - 5 - \frac{1}{20}U$
		de la companya della companya della companya de la companya della
		CHARMAN
	1	

The appeal of Mst. Saudia Bib PSHT GGPS Jarbat Distt. Malakand received to-day i.e. on 22.05.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Copy of departmental appeal against the impugned order dated 9.5.2015 is not attached with the appeal which may be placed on it.

No. 784 JS.T,

Dt. 22 5 /2015

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr.M. Asif Yousafzai Adv. Pesh.

Sir, Since the order dated 9.5.15 is the out
come of Tribimal's decision passed in
appeal NO. 1359/14 which was zited agter
appeal No. 1359/14 which was zited agter
julgilling the requirements of Sec. 4 of S.T. Act 1874.

Therefore, There is no need to gite presh
departmental appeal against the order passed
on the basis of remanded appeal by Service.

Tribimal.
Therefore, the zite ple be put before
therefore, the zite ple be put before

Re-Submitted.

Re-Submitted.

#### **BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

APPEAL NO. 498 /2015.

Mst: Saudia Bibi.

V/S

**Education Deptt:** 

\*\*\*\*\*\*\*\*\*

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**APPELLANT** 

THROUGH:

M.ASIF YOUSAFZAI

TAIRMU₩ĀĹĨ KHAN ADVOCATE, PESHAWAR

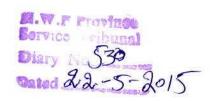


#### BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

APPEAL NO. 498 /2015.

Mst: Saudia Bibi, PSHT,

GGPS Jarbat, Distt: Distt: Malakand.



#### **APPELLANT**

#### **VERSUS**

- 1- The Govt: of KPK through the Secretary Education (E&SE), Civil Secretariat Peshawar.
- 2- The Director Education (E&SE), Dabgari Garden Peshawar City.
- 3- The Distt: Education Officer (Female) E&SE, Distt: Malakand at Batkhela.
- 4- Mst: Shamshad Begum PST, GGPS Jarbat, Distt: Malakand.

RESPONDENTS.

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED. 9.5.2015 PASSED IN VIOLATION OF JUDGMENT PREMATURE, POLITICALLY MOTIVATED AND VIOLATIVE TO THE GOVT: RULES AND POLICY OF POSTING/TRANSFER

#### PRAYER:

Registras 2-1011 That on acceptance of this appeal the order 9.5.2015 may be set- aside being in violation of Govt: policy/rules, Regulatory Act of 2011 and violative to the union council policy. The respondents may further please be directed to abide by the Govt: policy/rules and retained the appellant in GGPS Jarbat in her union council. Any other remedy which this august Tribunal deems fit that may further please be awarded I favour of appellant.

and filed.

Registres 375 U



#### RESPECTFULLY SHEWETH.

#### **FACTS:**

- 1- That the appellant was appointed as PST on 18.9.1989 and as such the appellant has more than 25 years service at her credit with good record through out. It is also worth to mention here that the respondent No. 4 belongs to Union Council Khar Distt: Malakand. (Copy of the Appointment Order of appellant is attached as annexure—A)
- 2- That the Husband of the appellant is also a PST teacher who is working in GPS Jolagram Distt: Malakand of U.C Dheri Jolagram. (Copies of the Service Certificate and Domicile are attached as Annexure–B&C)
- That the appellant was promoted to PSHT (BPS-15) vide order dated.22.08.2014 and as per Union Council Policy she was posted at GGPS Jarbat against a vacant post which was available in her Union Council. The appellant took over the charge of the post at GGPS Jarbat on 23.08.2014. (Copy of the order and charge report is attached as Annexure–D&E)
- That the appellant performed her duty at GGPS Jarbat till 23.10.2014 which is evident from the attendance Register of the Month of August, September and October 2014. (Copy of Attendance Register is attached as Annexure–F)
- That the respondent No.3 issued a back dated order on 23.08.2014 whereby the appellant was posted out of her Union Council at GGPS Nari Tangi and respondent No.4 was posted at the place of appellant at GGPs Jarbat. It is also added that the respondent No.4 was then posted at GGPS Mishta on 4.9.2014 but again posted at GGPS Jarbat on 30.10.2014 whereas the teacher at GGPS Nari Tangi has not left her post due to union council policy. (Copy of the orders are attached as Annexure–G,H&I)
- That being aggrieved from the order dated 23.08.2014, the appellant filed an appeal to the respondent no.2 which is not decided till the expiry of statutory period. (Copy of appeal is attached as annexure—J)
- 7- That the against the impugned order dated 23.8.2014 the appellant filed the service appeal in this august Tribunal,

(3)

which was decided on 9.4.2015 with direction to DEO(F) Malakand to decide the matter strictly in the light of the regulatory Act 2011 and promotion policy dated 18.1.2013 within a month the receipt of this order. (Copy of the judgment is attached as Annexure-K)

- 8- That on the basis of Honourable Tribunal judgment a meeting of review committee was held under the chairperson DEO(F) dated 9.5.2015 in which it was decided in violation of TOR given by this august Tribunal in its judgment, that Mst.Shamshad Begum PSHT may be retained at her present school i.e GGPS Jarbat and Mst. Saudia Bibi may be directed to resume her duty at GGPS No.1 Nari Tangi. (copy of the meeting minutes is attached as Annexure-L)
- 9- That on the basis of meeting an order dated 20.5.2015 was issued to the appellant to perfume her duty at GGPS No.1 Naray Tangay. (Copy of the order dated 20.5.2015 is attached as Annexure-M)
- 10- That now the appellant has no other remedy to the file the instant appeal on the following grounds amongst others.

#### **GROUNDS:**

- A- That the order dated 9.5.2015 is against the law, rules, Govt: policy, spouse policy, Teachers posting Regulatory Act of 2011, promotion policy dated 18.1.2013 and liable to be set-aside.
- B- That the KPK Parliament has passed an Act of 2011 for regulating the posting of the teachers and according to the section 3 of the said Act PST teachers is to be posted in own union council. Thus posted out the appellant from her own union council is the violation of the Act. (Copy of the act is attached as Annexure –N)
- C- That the husband of the appellant is also working in union council Dheri Jolagram and as such according to the spouse policy of the Govt: the appellant has the right of having posting in U.C Dheri Jolagram. Therefore the order dated 9.5.2014 is liable to be set-aside.

- D- That on the basis of committee meeting the posting order dated 9.5.2015 is premature and based on favoritism/nepotism because the appellant remained in GGPS Jarbat for about 9 months on the basis of status quo granted by this august tribunal and thus the order dated. 9.5.2015 is against the spirits of Govt: approved posting/transfer policy. (Copy of the policy is attached as annexure-O)
- E- That the order is also in violation of Govt: instruction dated 27.2.2013 which is based on Supreme Court's judgment passed in case of Anita Turab as no reasons mentioned as to why the appellant has been posted out of her own union council. (Copy of circular is attached as Annexure–P)
- F- That the appellant has not been treated according to the Teacher's Posting Regulatory Act of 2011 and posting / transfer policy of the Govt:
- G- That the respondent No.4 belongs to some other union council (Khar) and her posting in GGPS Jarbat is against the spirits of law, policy mentioned above.
- H- That the review committee has not obeyed the judgment of this Honourable Tribunal and again adjusted respondent No. 4 at GGPS Jarbat in violation judgment, Regulatory Act 2011 and promotion policy dated 18.1.2013.
- Ι-That in the committee meeting it was held that the respondent No. 4 is senior than the appellant, but as per Rules notified on 13.11.2012 where are three cadres of primary school teachers. First cadre as Primary School Teacher (BPS-12), second cadre as Senior Primary School Teacher (BPS-14) to be filled by promotion from amongst the Primary School Teacher on seniority basis and the 3rd cadre is Primary School Head Teacher (BPS-15) which is to be filled by promotion on the basis of seniority -cum fitness from amongst the senior primary school teachers at-least 10 years service. Thus, the private respondent was promoted as Senior Primary School Teacher (BPS-14) on 20.8.2014 whereas the appellant was promoted to BPS-14 on 21.2.2013 which proves that in the cadre of Senior Primary School Teacher, the appellant is senior to the Private respondent. Thus, the whole action was given one sided to favour the blue eyed person. The appellant is senior most and also a preferential right to be posted in

3

the Union Council on the basis of spouse policy. (Copy of rules 13.11.2012 is attached as Annexure-Q)

- J- That the in the review committee meeting minutes it was stated that opportunity of personal hearing was provided to the appellant but the fact is that even the appellant has no information about the meeting and one sided decision was taken by the review committee.
- K- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

APPELLANT SAUDIA BIBI

THROUGH:

M.ASIF YOUSAFZAI

TAIRMUR ALI KHAN ADVOCATES, PESHAWAR



#### BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

	APPEAL NO	/2015
Mst: Saudia Bibi.	V/S	Education Deptt:

APPLICATION FOR SUSPENDING THE OPERATION OF ORDER DATED. 09.05.2015
TILL THE DISPOSAL OF MAIN APPEAL AND RELEASE OF SALARIES FROM 1.12.2014 TILL DATE.

#### RESPECTFULLY SHEWETH.

- 1. That the appellant has filed an appeal along with this application in which no date is fixed so far.
- 2. That the grounds of appeal may also be considered as integral part of this application.
- 3. That the appellant has not been dealt in accordance with the law, policy and rules and the impugned order is based on nepotism/favoritism to accommodate a blue eyed person in violation of law and rules.
- 4. That the appellant has good prima facie case and all the three ingredients are in favour of appellant.
- 5. That if the impugned order is not suspended then the main appeal of the appellant would be infructuous.
- 6. That the appellant has also stopped salaries from 1.12.2014 till date

3

It is therefore most humbly prayed that the operation of the order dated 9.5.2015 may be suspended till the disposal of main appeal and may also please be directed to the respondents to release the salaries of the appellant from 1.12.2014 till date.

Saudai bibi APPELLANT SAUDIA BIBI

THROUGH:

M.ASIF YOUSAFZAI

TAIRMUR ALI KHAN ADVOCATES, PESHAWAR

#### AFFIDAVIT.

It is affirmed that the contents of this Application are rue and correct and nothing has been concealed.

DEPONENT.

OFFICE OF THE HISTRICT EDUCATION OFFICER (FEMALE) DIR AT TIMERGARA,

Pracintments

SoNe. Name/Father Bame.

As approved by the Chetran BobiAcco Dir at Timergara the fellowing Candidates are hereby appointed against the posts of PTC at The Schools meted against each in BPS Neo 7 GRs. 750/~ PoNo fixed plus usual allowances ad admis\_ to them under the rules in the interest of public service with effect from the date of taking ever charge.

Place of duty,

DOLLA	Rugia B/O Sul Akbar Jan N/o saddes	ders Balaurres	AIV; Ppsto	
110	Nahoed Farhat D/O Kabibur Rahman R/O Raddo.		-ion	
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4:	Zeonat D/O Fasli Chamie	dodo	-do-	
5:-	Kidayat D/O Said Nabibo	GGPS Takreo	-de-	
6:-	Shehoon Wogum D/O Samaudar Khano	Saru Takreo	-do-	
7100	Sching D/O Sanullaho	GGPS Simorri.	-do-	
£ 100	Musrat D/8 Sadiq Akbaro	and one	-de	
9100	Shoras Bogus D/O Shulas MarconoR/O Laleo	sars Lale.	-do-	
101-	Fuzia Ayab D/O Ayub Mats	GGPS Barkhani,	-do-	
1210	Nahoed Akhtar Bio Abdur Rashid Khan Ria.	GGPS Massia	-40-	
47.	Rebina B/O Sulson Khan R/O Serai Paycone	GGPS Nasafao	do-	
151-	Nehayat B/C Karim Bakah R/C Khungi.	66PS Depa Bando	-doo	
1710	Ament Bogam 1, 3 Said Wear Bacha-R/C Rabbato		-do-	
151-	Roken B/O Famli Qadar R/O Resbate	SSPS Syar Qalagaio	adoo	
16100	Skuncka Bibi D/O Sahib Rada Khan R/O Talash		-do-	
171-	GREEGER SINI DIO BERLE BEEN REAL LY I	cars Hide Barawal.	-do-	
18:-	Wahida B/o Said Toman Khan R/O Munjai,	ggrs Galkerro	odo-	
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32-	They are required to preduce their Mealth	and Sge certificate f	rem the Civil	
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450	They are appreinted temperary and liable t	2000	•0	
51.	If they desire to resign from the servi-ce	they will have to given menth, a pay to the	e eno menth <sub>e</sub> n Gerti	9 68

(MRS, BAXIA BENTH MALIK.)
DISTRICT EDUCATION OFFICER (FEMALE)
DIR AT TIMERGARA.

Ronables

Endatimes 1-3/8-5//1-12/FC Pated Timorgana the, 18/8/19896

The Candidats will not take ever Charge if their age execeds 28x years or below

prior notice to this effice or to ferfiet one month, a pay to the Govt;

Copy of the above is ferwarded for information and m/a to there sub-divisional Education Officer (Founds) Dar at Timergara.

21. Obsirman BBAC Bir at Timergara.

3-33to Candidats concerned.

18 years.

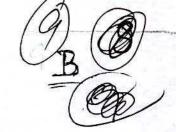
Relatis

District Education Officer (Fonale)

A.B.KKAN/







It is certified that Mr. Muhammad Gul, SPST is serving in the Education Department since 20.02.1995. Presently he is performing his duties at Government Primary School Julagram, Malakand.

His service is still continue.

SUB-DIVISIONAL EDUCATION OFFICER (M) SWAT RANIZAI AT BATKHELA, MKD:

The state of the s
DOMICILE CERTIFICATE.
NO. 650.   Dated 04/8 /1987.
Certified that Mr/Mies MUHAMMAD GUL
Son/Daughter of KHAISTA GUL belongs to a recognized
tribe of AFGHAN Section ISSA KHEL and his/her father
is a permanent bonafide resident of the tribal areas of Agency of
Malakand, Village DHERI JULAGRAM and he/ske is an eligible
candidate to avail himself/herse/f of the seats reserved for the
special areas of Division of Labord backward areas.
Addition of the second
OW SERVICE SER
Dated Malakand the,
POLITICAL AGENT, MALAKAND.
200

Head Master G.H.S Julagram Distt: Malakand

### OFFICE OF THE DISTRICT EDUCATION OFFICER (F), MALAKAND AT BATKHELA.

#### SFFICE ORDER/

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, the following Senior Primary School Teachers PST-B-14 are hereby promoted to the post of Primary School Head teachers PSHT-B-15 (8500-700-29500) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further posted in the schools noted against each:

S. No	Sr. No.	Name	Father's Name	Present place of posting	School where posted as PSHT	Remarks
1	15	Sultan Zaree	Ghulam Akbar	GGPS Khar	GGPS Mishta	Vice Safia Bibi PST
2	229	Shamshad Begum	Asmatullah	GGCMS Karkani Khar	GGPS Chapal	Vice Rahmania PST
3	385	KAWSAR BIBI	AMIR HAMZA	GGCMS SAID ABAD		
4	392	MUKHTIAR BEGUM	SALEH KHAN	GGPS RAHAT ABAD	GGPS RAHAT ABAD	(Alladand) Already occupied post.
5	408	Farkhanda	Fazal Ahad	GGPS Akbar Abad	GGPS Bazdara Payeen	Vice Mst. Zainab Bibi PST
6	412	KAFEELA	SHAIR BADSHAH	GGPS SHER KHANA	GGPS SHER KHANA	Already occupied
7	414	Noor Jehan	Mumbar Sharaf	GGPS Sakhakot No1	GGPS Barakat Shah Koroona	Vice Mst.Rashida Begum.
8	433	SHAGUFTA	SAID BADSHAH	GGPS PIR MOHAMMAD BANDA	GGPS PIR MOHAMMAD BANDA	Already occupied post.
9	435	Meraj Begum	Azizur Rehman	GGPS Sarkai	GGPS Khadu	Against vacant post.
10	476	JEHAN ARA	GUL MOHAMMAD	GGPS SHAGAI PIRKHEL	GGPS Bar Tangai	Vice Mst.Nazro Bibi
11	478	Ruqia Begum	Ghulam Mohd	GGPS M.A,Banda	GGPS M.A,Banda	Already occupied post.
12	482	Rawasia	Mohd Hussain	GGPS Toti Shahed	GGPS Naro Ubo	Against vacant post
13	488	SAUDIA BIBI	WALI MOHAMMAD	GGCMS Kharkai Pirkinel	GGPS Jarbat	Against vacant post.
14	495	Nusrat Begum	Shahzada	GCr 5 Ghawar Kali	GGPS No.1.Khanom:	Vice Hashmi Atam PST
15	496	Shamshad Begum	Hussain Khan	GGPS G.U.Khel	GGPS No.2.Khanoori	Vice Parveen PST
16	501	Neghat Seema	Gul Zaman	GGPS Sandanow Kopar		
17	502	IRSHAD BEGUM	PAINDA KHAN	GGPS INZARGAI NO 1	GGPS INZARGAI NO 1 GGPS INZARGAI NO 1	
18	504	DILSHAD BEGUM	LIAQAT ALI	GGPS Zahir Abad(Agra) Abad(Agra)		Already occupied post.
19	506	TAHIRA BIBI	HIJI KHANI GUL	GGPS HOSPITAL COLONY KOT	GGPS HOSPITAL COLONY KOT	Already occupied post.

PATHOCHED

(D 11 -12-1214

September 1					1/28	
20	511A	NOORUL BASAR	MUHAMMAD DIN	GGPS Ghundo Bala	GGPS Dheri Kot	Vice Mehdia PST
21		ZEENAT BEGUM	MUHAMMAD QADAR	GGPS BATKHELA NO	GGPS Mura Banda	Vice Mst.Maryam Jamila PST
22	528	Nuzhat	Abdul Razaq	GGPS G.Dheri	GGPS Selai Pattai	Vice Mst. Yasmin PST
23	531	Atia Bibi	ZEWAR KHAN	GGPS MASHOOMZAI KOT	GGPS MASHOOMZAI KOT	Already occupied opost.
24	533	Minhas	Wazer Khan	GGPS Bama Kanda (S/Kot)	GGPS Dhad Dherai(Totai)	Vice Mst.Nizakat Pst.
25	539	SARDAR BEGUM -	DALBARI KHAN	GGPS KAMA AGRA	GGPS KAMA AGRA	Already occupied post.
26	540	SAFIA	HAKIM DAD	GGPS MANZARI BABA (KOT)	GGPS MANZARI BABA (KOT)	Already occupied post.
27	541	MUMLIKAT BIBI	ZIARAT KHAN	GGCMS SRO KANRO KOT	GGPS Sur Azghai	Vice Wajahat Begum PST
28	545	Sharafat Begum	Niak Mehmud	GGPS Khan Gari	GGPS Naranji (Totai)	Against vacant Post.
29	548	Nasira	SHER ZAMAN KHAN	GGPS MAIZARA (THANA)	GGPS Zoormandi (Palai)	Vice Zahid Nasreen PST

#### Terms and Conditions:

They would be on probation for a period of one year extendable for another one year.

They will be governed by such rules and regulations as may be issued from time to time by the Govt.

Their services can be terminated at any time, in case her performance is found unsatisfactory during probationary period. In case of misconduct, she shall be proceeded under the rules framed from time to time.

Charge report should be submitted to all concerned.

5. Their Inter-Se-seniority on lower post will remain intact.

No TAIDA is allowed for joining her duty.
 They will give an under the

They will give an undertaking to this effect to be recorded in their service books.

(RABBIA BIBI) DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA

/2014.

Endst: No. 3251-3305
Copy forwarded for information and necessary action to the:

PA to the Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
 District Account Officer, Malakand.
 Sub Divisional Education Officer (Female) Sama Ranizai, Da

Sub Divisional Education Officer (Female) Sama Ranizai, Dargai.

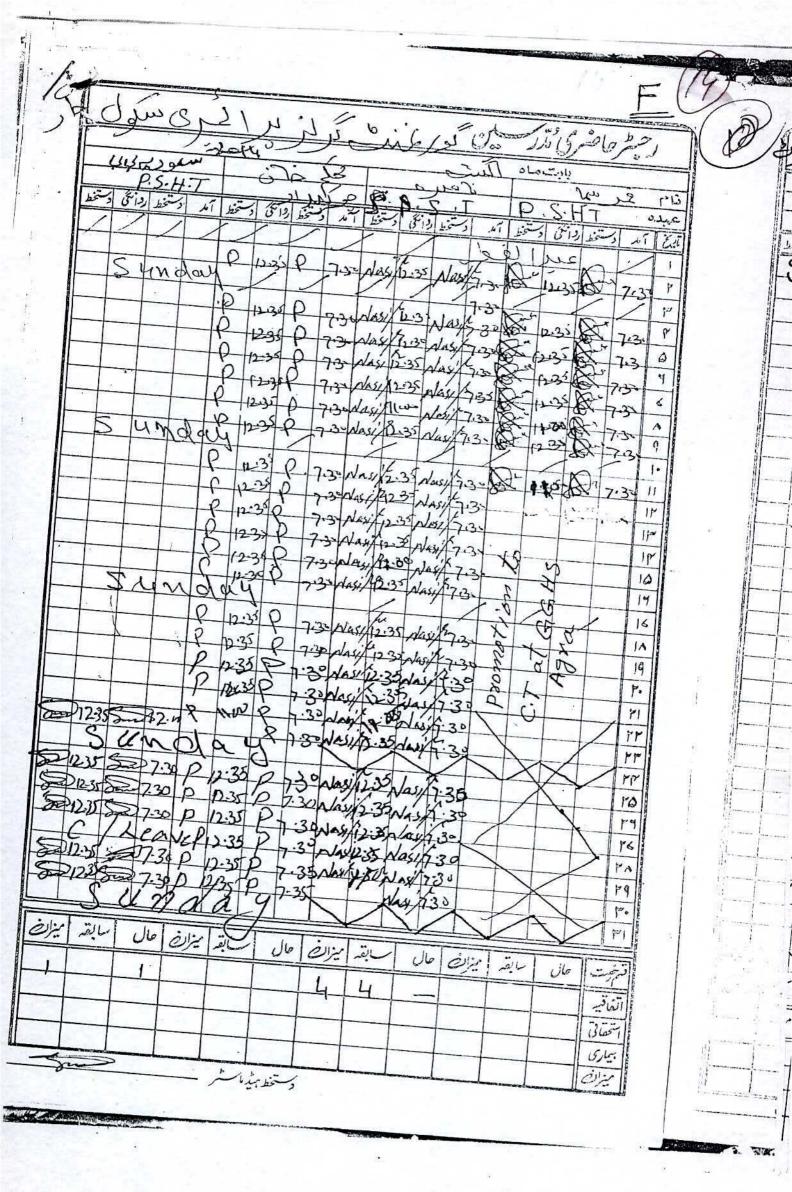
Sub Divisional Education Officer (Female) Swat Ranizai at Batkhela.

5-54. Head Teachers of the concerned schools.

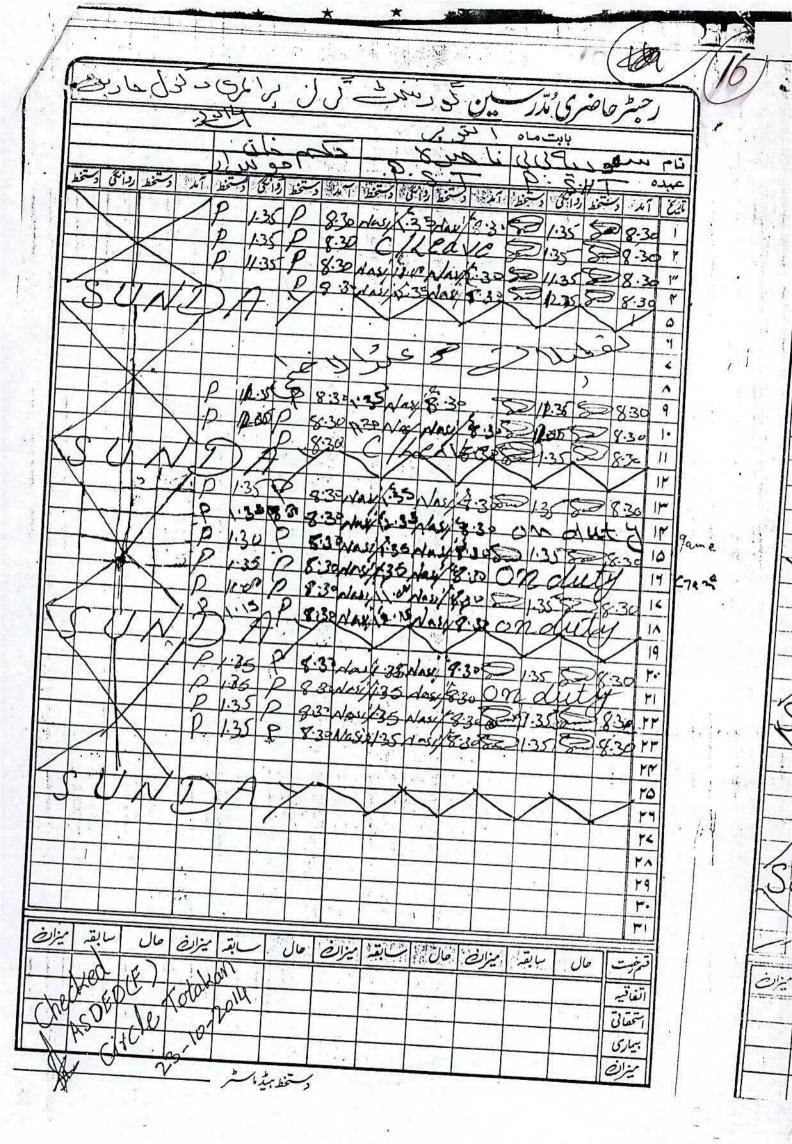
55. The Assistant Programmer DEMIS Cell Local Office.

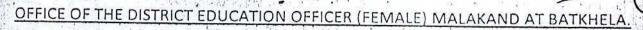
DISTRICT EDUCATION OFFICER (FEMALE)

E (13) Annexure-A + M1/1 22-08-2014 4/10 3257 -3305 13/1 086 Le (let in sulle por le profit de de les por W dein 7,00 Bill of in Contract E 201 Grielo. 1 1/3 / 1/0 11/2 (NA 0/1/gd 7.1/g Nasi & SPS GGPS FINT Deut المعالمة المرارن عن 3251-3305 عارة المعالم المراه المولية المو صاحبر (زنام) مالدللر بعقام سط خيل ا ع بمورخ الع 23 لعراز دوم إلى مس سوديم الى ١٤٠١- PST-BK-14 فسيَّة في ألين في يَرْمُ بيِّرِي كُورِينَ عَلَى الْمِن كُو اللَّهِ مِرْالْمِي كُول حاريط عن این عبر کا فارج سنمال کی ۔ فارج رورط هاو فزیت 64/-wrecy DD



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#### CORRIGENDUM/

The place of posting in respect of the following SPST B-14 promoted to PSHT B-15 Shown at as under of this Office order issued under Endst:No.3251-3305 dated 22.8.2014. May be read as under.

S.No	Sr.No.	Name	Father'Name	Present place of posting	School where posted as PSHT	Remarks
1.	229	Shamshad Begum	Asmatullah	GGCMS Karkani(Khar) √	GGPS Jarbat Instead of GGPS Chapal	Against
2.	488	Saudia Bibi	A STATE OF THE PARTY OF THE PAR	GGCMS Kharkai Pirkhel.	GGPS No.1.Nari Tangi instead of GGPS Jarbat	Vice

(RABBIA BIBI)
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

Endst:No. 3313 -20/FNo.Promotion of PST (F)/DEO(F)/Mkd:

dated 23/8/2014

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

- 1. The Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
- 2. The District Accounts Officer Malakand.
- 3. The SDEO(F), Swat Ranizai at Batkhela.
- 4-6. The Head Teachers , concerned schools.
- 7. The Asstt: Programmer, DEMIS Cell, local office.
- 8. The Mistress concerned.

DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

#### OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

ADJUSTMENT/

On the acceptance of appeal of Mst.Sultan Zaree PSHT. The following adjustment in the promotion order are hereby ordered in this office order issued under endst:No.3251-3305 dated 22.8.2014 and corrigendum endst:No.3313-20/ dated 23.8.2014.

S.No	Sr.No.	Name & Designation	Present place of posting	School where adjusted	Remarks
1.	15	Sultan Zaree PSHT	GGPS Khar	GGPS Jarbat instead of GGPS Mishta vice Safia	Against vacant
2.	229	Shamshad Begum PSHT	GGCMS Karkani(Khar)	GGPS Mishta instead of GGPS Jarbat	Vice Safia Bibi PST
3.	806	Safia Bibi PST	GGPS Mishta GGCMS Karkani		Vice S.No.2.
4.	488	Saudia Bibi PSHT	GGCMS Kharkai Pirkhel.	GGPS No.1.Nari Tangi vice Rahmania PST —	Remain intact as per corrigendum issue vide this office E/No.3313- 20/ dated 23.8.2014
5.	667	Rahmania PST	GGPS No.1.Nari Tangai	GGCMS Kharkai Pirkhel	Vice S.No.4.

(RABBIA BIBI)
DISTRICT EDUCATION OFFICER (FEMALE)
MALAKAND AT BATKHELA.

Endst:No. 3518-3 FNo.Promotion of PST (F)/DEO(F)/Mkd:

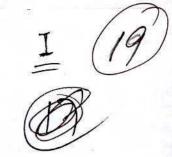
dated 4 4 /2014

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

- 1. The District Accounts Officer Malakand.
- 2. The SDEO(F), Swat Ranizai at Batkhela.
- 3-8 The Head Teachers , concerned schools.
  - 9. The Asstt: Programmer, DEMIS Cell, local office.

10-14. The Mistress concerned.

DISTRICT EDUCATION OF MER (FEMALE)
MALAKAND AT BATKHELA.



## OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

#### CORRIGENDUM/

Please read GGPS Jarbat instead of GGPS Mishta (Agra) against the name of Mst.Shamshad Begum PSHT order issued vide this office No.3518-32 dated 4.9.2014.

Further added the promotion order of BPS-15 in respect of Mst.Sultan Zaree GGPS Jarbat is hereby withdrawn on her own request.

Note. 1.Charge report should be submitted to all concerned.

(RABBIA BIBI) DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

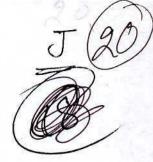
dated 30/10 12014. Endst:No.4913-19\_/FNo.Rationalization of PST (F)/DEO(F)/Mkd: Copy of the above is forwarded for information and necessary action to:-

- 1.The SDEO(F), Swat Ranizai at Batkhela .
- 2. The District Accounts Officer Malakand.
- 3. The Asstt: Programmer DEMIS Cell local office.
- /4-6.The Head Teachers ,concerned schools.
- ( 7-8.The Mistresses concerned.

DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.







The Director, E&SE,Khyber Pakhtunkhwa,Peshawar.

Subject:-

APPEAL AGAINST THE UNLAWFUL ORDER OF THE D.E.O(F), MALAKAND ISSUED UNDEDR ENDST:No.3313-20/Dated 23.8.2014.

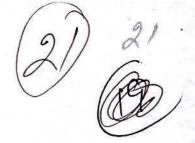
Respectfully Sir,

With profound reverence I venture to lay down the following few lines for your kindful and sympathetic consideration.

- 1- I am a bonafide resident of village Jolagram (Union Council Dheri Jolagram, District Malkand. Copies of my NIC and Domicile Certificate are attached as annexure "A.B".
- 2- I have been serving in the E&SE Deptt: as PST since 20-9-1989. During the whole career of my service I have performed my duties well efficiently and have given no chance of complaint to my superiors.
- 3- My husband is also a Senior PS Teacher who has been posted at GPS Jolagram (UC Dheri Jolagram). Copy of his service certificate is attached an annexure-C
- 4- Prior to my present posting as PSHT on 22-8-2014, I was performing my duties as SPST at GGPS Kharkil Pirkhel, Union Council Pirkhel and as such we both husband and wife were posted in different union councils.
- 5- According to the Spouse Policy of the Govt:, husband and wife while serving in the Govt: Departments shall be posted at the same station.
- 6- Sub –section-1 of section-3 of the Khyber Pakhtunkhua (Appointment, Deputation and Transfers of Teachers, Lecturers, instructors and doctors) Regulatory Act, 2011 explicitly provides that vacancy of pry:school teacher shall be filled in from the candidates belonging the union council of their permanent residence and those appointed in the adjacent union councils shall be transferred against the vacant post available in the union council of his permanent residence.

Sub-Section-4 of Section -3 of the ibid act further provides that Govt: shall, within a period not exceeding one year of the commencement of the said act make arrangement for posting of all Pry: School Teachers, appointed prior to coming into force of the ibid act to the schools of their respective or adjacent U/C as the case may be. Copy of the act is attached as annexure- "D".





- 7- On the recommendation of the DPC the DEO(F), Malakand through an office order issued under her office Endst:No.3251-3305 Dated 22.8. 2014 promoted the Senior Primary School Teachers to the post of Primary School Head teachers wherein my name was shown at S.No.13 and I was posted against the vacant post at GGPS Jarbat in Union Council of me and my husband 's permanent abode. Copy of the order is attached as annexure –E. As my placement in the said promotion order was quite in accordance with the Law and Policy of the Govt:, therefore, I took over charge of my post on 23.8.2014.Copy attached as annexure-F.
- 8- But the DEO (F) Malakand in violation of the Spouse Policy transgressing the ibid act through a corrigendum issued under Endst:No.3313-20 Dated 23.8.2014 (Copy attached as annexure-G) changed the place of my posting without any reason/justification and inducted Mst:Shamshad Begum, from the adjacent Union Council, Khar on the basis of favoritism, nepotism and external influences.
- 9- Mst: Shamshad Begum who is the permanent resident of Union Council Khar was erstwhile posted as PSHT at GGPS Chapal, the adjacent Union Council of her permanent residence. See S.No.2 of the attached copy of promotion order of 22.8.2014.

The impugned corrigendum of 23.8.2014 has been issued on malafide intention in violation of the Govt: Policy, rules and general norms of justice which has virtually infringed upon my right. Hence it is craved that the order of my promotion of 22.8.2014 may graciously be restored setting aside the unlawful corrigendum of 23.8.2014 issued by the DEO(F), Malakand.

I shall pray for your long prosperous life.

Yours obediently

Saludia Dibi SAUDIA BIBI PSHT, GGPS JARBAT, UNION COUNCIL DHERI JOLAGRAM. DISTRICT MALAKAND.

#### Copy forwarded to the:-

- 1. PS to Minister Education Khyber Pakhtunkhwa Peshawar.
- 2. PS to Secretary Education Khyber Pakhtunkhwa Peshawar.
- 3. PA to Director E&SE Department Khyber Pakhtunkhwa Peshawar.

4. District Education Officer (F) Malakand at Batkhela.

Saudia BiBi Bilza

PSHT, GGPS JARBAT U/C DHERI JULAGRAM, MKD

25/08/2014

Divers office Divery NO. 842 dt: 26-8-2014.

## KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1359/2014,

Mst. Saudia Bibi, PST, GGPS Jarbat, District Malakand Versus The Government of KPK through the Secretary (E&SE) Peshawar etc.

#### JUDGMENT

09.04.2015

PIR BAKHSH SHAH. MEMBER. Counsel for the appellant (Mr. Muhammad Asif Yousafzai, Advocate), Mr. Muhammad Jan, GP with Mosam Khan, AD for the official respondents and counsel for private respondent No. 4 (Mr. Noor Muha nmad Khattak, Advocate) present.

- 2. Appellant Mst. Saudia Bibi filed the instant appeal under Section 4 of the Khyber Pakthunkhwa Service Tribunal Act, 1974 against the order dated 23.8.2014, whereby she has been transferred from GGPS Jarbat to GGPS No. 1 Nari Tangi.
- Arguments heard. Record perused.
- 4. It was submitted that in pursuance of order dated 22.8.2014 the appellant took charge as PHST at GGPS Jarbat on 23.08.2014, where she rendered service till 30.10.2014 but the respondents-department in order to adjust private respondent No. 4 (Mst. Shamshad Begum)

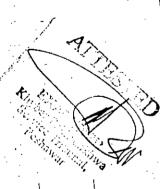


issued a corrigendum in a factitious dated 23.08.2014. It was (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory

Act. 2011.

On the other hand learned counsel for private respondent No. 4 who submitted Wakalatnama to-day which is placed on life, argued that the impugned order was made with bonalide, in accordance with promotion policy of Education Department. The learned Government Pleader also relied on the arguments of the learned counsel for private respondent No.4.

- During the course of arguments, it was resolved by the parties that the case may be remined to the District Education Officer (F) Malakand at Batkhela to look into the matter of posting/transfer of the appellant and private respondent No. 4 strictly in the light of the Regulatory Act. 2011 and promotion policy dated 18.1.2013 above.
  - Hence, the DEO (Female) Malakand at Batkhela is directed in the above terms and to decide the matter within one month of the receipt of this order. Since both the parties claim to be possessing charges of the posts, therefore, status quo as it is, to be maintained till decision of



the case by the D.E.O(F) Malakand: The appeal is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room. ANNOUNCED Say fil bahill likely
09.4.2015

Latif

Member

Memb

#### MINUTS OF MEETING/

In pursuance the decision of the Honourable Service Tribunal Khyber Pakhtunkhwa Peshawar announced on 9.4.2015 in <u>service appeal No.1359/2014 issued vide No.566/ST dated 17.4.2015.</u> A meeting of review committee was held at the office of District Education Officer (Female) Malakand at Batkhela on 9.5.2015 to look in to the matter thoroughly and provide ample opportunity to the appellant for personal hearing.

#### COMMITTEE.

Rabbia Bibi DEO(F). Chairperson
 Shazia ADO(F) (F) Primary Member.
 Umar Khitab B&AO Member.
 Khwaja Rashid Suptd: (F) Member

6. Abdul Ali S/C

5. Farmanullah Assistant

The meeting started with the recitation from the Holy Quran. After recitation the committee thoroughly scrutinized all the relevant documents of the appellant Mst.Saudia Bibi (Seniority No.488)PSHT GGPS No.1. Nari Tangai and respondent No.4 Mst.Shamshad Begum (Seniority No.229) PSHT GGPS Jarbat Malakand being senior one from the appellant in the light of Govt: of Khyber Pakhtunkhwa, Notification No.2412-25/promotion/Estab/ dated 21.01.2013, in which clearly written at S.No.4&5.

Member.

The Committee reached at this result that the Mst.Shamshad Begum PSHT may retained at her present school i.e GGPS Jarbat and Mst.Saudia Bibi may directed to resume her duty at GGPS No.1.Nari Tangai.

		(
1.	Rabbia Bibi DEO(F).	Chairperson Cy
2.	Shazia ADO(F) (F) Primary	Member.
3.	Umar Khitab B&AO	Member.
4.	Khwaja Rashid Suptd: (F)	Member MRase S  Member.
5.	Farmanullah Assistant	
<u>6.</u>	Abdul Ali S/C	D.A (PST(F). Beclail,

Endst:No. 15 74 - 77 /P/F Saudia Bibi PSHT/ Dated 9/5 /2015.

Copy forwarded to:-

- 1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar w/r to his letter No.566/ST dated 17.4.2015.
- 2. The P/S to Secretary, E&SE Department Khyber Pakhtunkhwa, Peshawar.
- 3. The Director E&SE Department Khyber Pakhtunkhwa, Peshawar.
- 4. The SDEO(F) Swat Ranizai at Batkhela.

DISTRICT EDUCATION OFFICER (FEMALE)

No. 260-61

0 Dated, 20-5 /2015.

From

The SDEO(Female)

Swat Ranizai at Batkhela..

То

1.Mst:Shamshad Begum,PSHT,GGPS,Jarbat.

2.Mst:Saudia PSHT,GGPS,Naray Tangay No.1

Subject

RESUMPTION OF DUTY.

Memo

Reference District Education Officer(F) Malakand office order Endst;No.1574-77, dated,09.05.2015, on the subject cited above.

You Mst: Shamshad Begum PSHT,GGPS,Jarbat is hereby directed to perform her duty at GGPS,Jarbat being senior, While Mst:Saudia Bibi PSHT, Naray Tangay No.1 is directed to perform her duty at GGPS,No.1 Tangay, forthwith, under intimation to this office, as per directives of the DEO(F) Malakand vide her office memo No. quoted above.

SDEO(Female)
Swat Ranizai at Satkhela.

Endst:No.		
LIIUSLINO		

Copy to the:-

1. The DEO(F)Malakand at Batkhela.

 ASDEO(F)Circle Totakan with the remarks to visit both the schools i.e. GCPS, Jarbat and GGPS. Naray Tangay and submit her report of the above Named mistresses.

SDEO(Female)

Swat Ranizai at Batkhela.



# THE KHYBER PAKHTUNKHWA (APPOINTMENT, DEPUTATION, POSTING AND TRANSFER OF TEACHERS, LECTURERS, INSTRUCTORS AND DOCTORS) REGULATORY ACT, 2011

AN ACT

to regulate by law appointments, postings and transfers of teachers serving in primary, middle, secondary and higher secondary schools, lecturers in colleges and instructors in technical institutions and doctors in health facilities.

Preamble.---WHEREAS it is expedient to regulate by law appointments, postings and transfers at local level, of teachers serving in primary, middle, secondary and higher secondary schools, lecturers in colleges and instructors in technical institutions and doctors in health facilities and to ensure the availability of teachers in schools, lecturers in colleges and instructors in technical institutions and the doctors in health facilities, and to regulate deputation of doctors abroad, and to provide for matters connected therewith or ancillary thereto;

#### It is hereby enacted as follows:

- 1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011.
- (2) It shall apply to teachers serving in primary, middle, secondary and higher secondary schools, lecturers in colleges as well as commerce colleges and instructors serving in technical institutions and doctors serving in the health facilities in the Province of the Khyber Pakhtunkhwa.
  - (3) It shall come into force at once.
- 2. Definitions.---(1) In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-
- (a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (aa) "college" means a degree college;
- (b) "doctor" means a doctor serving in the health facility;
- (c) "Government" means the Government of the Khyber Pakhtunkhwa;
- (d) "health facilities" mean all health facilities established and managed by Government to provide medical facilities to general public;



- (e) "lecturer" and "instructor" respectively means a lecturer or an instructor serving in a Technical Institution as well as in a college, as the case may be;
- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "rules" mean the rules made under this Act;
- (h) "school" means school in the public sector including primary, middle, secondary school, higher secondary school or an institution of equivalent level imparting education through any system or medium of instruction in the public sector;
- (i) "teacher" means a teacher of primary, middle, secondary or higher secondary school; and
- (j) "technical institution" means and includes a Commerce College or Government College of Management Sciences or Technical Institute or Technical and Vocational Training Center or Skill Development Center in the public sector imparting technical education to students leading to the award of a degree or a diploma or a certificate.
- (2) Words and phrases used in this Act, but not defined, shall have the same meanings as respectively assigned to them under the relevant federal law or provincial law or any other statutory order or rules for the time being in force.
- Appointment, posting and transfer of primary school teachers.--(1) The vacancy of primary school teacher shall be filled in from the candidates belonging to the Union Council of their permanent residence mentioned in their Computerized National Identity Card and domicile, on merit and if no eligible candidate in that Union Council is available where the school is situate, such appointment shall be made on merit from amongst eligible candidates belonging to the adjacent Union Councils:

Provided that on availability of a vacancy, a primary school teacher, appointed from adjacent Union Council, as referred to in this sub-section, shall be transferred against a vacant post in a school of the Union Council of his residence within a period of fifteen days.

- (2) Upon marriage, the primary school teacher on request may be transferred to the school in the Union Council, where his spouse, ordinarily resides, subject to the availability of vacancy.
- (3) The primary school teacher shall be transferred to other school within the Union Council on completion of tenure as may be prescribed or before completion of tenure, subject to the policy of rationalization for maintaining certain students teachers ratio, if any.
- Government shall, within a period not exceeding one year of the commencement of this Act, make arrangement for posting of all the primary school



teachers appointed prior to coming into force of this Act, to the schools of their respective Union Councils or adjacent Union Councils, as the case may be.

4. Appointment of doctors, lecturers, instructors, subject specialists and teachers on adhoc basis.---(1) Government may, through the competent authorities make adhoc appointment on merit against the vacant posts of doctors, lecturers, instructors, subject specialists and teachers, falling within the purview of Commission, in a district concerned from the domicile holders of that district for a period of one year or till the arrival of recommendees of Commission, whichever is earlier after fulfilling the pre-requisites of giving wide publicity in the press. On assumption of charge of post by recommendee of the Commission, the services of such ad hoc appointee shall stand automatically terminated:

Provided that if no suitable and eligible candidate is available in the district concerned for appointment, then the candidates belonging to the neighbouring districts shall be considered for appointment in the order of their merit.

- (2) Save as the appointment made under proviso of this section, "ad hoc appointee" shall serve in the district of his domicile.
- (3) The post of a doctor, lecturer, instructor, subject specialist or teacher who proceeds on training or long leave may be treated as vacant post for the purpose of contract or contingent appointment till the return of such employee from training or long leave and assumption of charge of the post:

Provided that the period of such training or long leave shall not be less than one year and no appointment on contract or contingent shall be made on the post which may fall vacant for a period less than one year.

- 5. Initial posting. --- (1) The doctors, lecturers, instructors subject specialist or teachers, upon their appointment shall be first posted in the periphery of the zone against whose quota they have been recruited, and they shall not be transferred for a period of at least three years.
- (2) Upon expiry of the tenure as referred to in sub-section (1), transfer shall be made only upon the availability of substitute.
- 6. Deputation of Doctors.---(1) Government may allow deputation abroad for all categories of doctors only once in their entire service, for a period not exceeding three years.
- (2) Deputation to "Foreign Service" within Pakistan shall be permissible only in respect of medical officers for a period not exceeding three years:

Provided that no further extension, on expiry of agreed tenure shall be given to the doctors who are already on deputation abroad or within Pakistan.



- 7. Postgraduate Medical Education.---(1) The Health Department, on the basis of objective need assessment and analysis, shall determine the intake number of Trainee Medical Officers (TMOs) in Postgraduate Medical Institute (PGMI) and Junior Registrars in Tertiary Care Hospitals every year. This stipulated number shall not exceed in any case.
- (2) Any doctor selected or permitted for postgraduate medical training shall be treated on leave without pay and may be entitled only for stipend fixed by Government from time to time for such training.
- (3) A doctor selected or permitted for postgraduate medical training shall provide surety bond prescribed by Government ensuring that upon completion of his studies for which he was initially selected, shall compulsorily serve for three years in the district of his domicile and in case of non-availability of a post in the district of domicile, he shall serve for three years in the rural area.
- (4) For the purpose of sub-section (3), the doctor shall also provide guarantee of two government officers.
- (5) In case of violation of sub-section (3), Government shall serve one month notice upon the doctor for resumption of duty, failing which the amount shall be recovered from him or from the guarantor, as the case may be.
- 8. Provisions relating to doctors apply to lecturers and instructors. --- The provisions relating to doctors in section 7 of this Act shall mutatis mutandis apply to lecturers and instructors.
- 9. Act to over-ride other laws.---The provisions of this Act shall have effect notwithstanding any thing contained in any other law for the time being in force.
- 10. Jurisdiction barred.---Save as provided under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 and the Khyber Pakhtunkhwa Service Tribunal Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974), no order made or proceedings undertaken under this Act, or the rules made there under or any officer authorized by it shall be called into question in any Court, and no injunction shall be granted by any Court in respect of any decision made, or proceedings taken in pursuance or by any power conferred by or under this Act or the rules.
- 11. Removal of difficulties.---Government may, by order, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.
- 12. Power to make rules.---Government may make rules for carrying out the purposes of this Act.





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

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

- All the posting/transfers shall be strictly in public interest and shall not i) be abused/misused to victimize the Government servants
- All Government servants are prohibited to exert political, Administrative ii) or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- All contract Government employees appointed against specific posts, can iii) not be posted against any other post.
- The normal tenure of posting shall be three years subject to the condition iv) 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)
- While making postings/transfer from settled areas to FATA and vicevi) 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.

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

nwfp.gov.pk

Para-I(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.



- 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.

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 <sup>1</sup>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 column2 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-17and 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-
<b></b> _	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:	

<sup>&</sup>lt;sup>1</sup> Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

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	a) Within the same Department!	Secretary of the Department concerned.
	b) To and from an Attached Department	Secretary of the Dept in consultation with Head of Attached Department concerned.
<del>-</del>	c)Within the Secretariat from one Department to another	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.
- 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.	

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- 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.	Ι	am	further	$\operatorname{directed}$	to	request	that	the	above	noted	policy	may	be
strictly	y (	bsei	rved /imp	olemented	l.						•		

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: Latter 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.

#### SPECIMEN NOTIFICATION.

GOVERNMENT OF NWFP NAME OF ADMINISTRATIVE DEPARTMENT

		Dated Peshawar,	
<u>NOTIFI</u>	CATION		
<u>NO.</u>		hority is pleased to order the transfer of Mand to post him as	Ir.
in		vice, with immediate effect.	
		CHIEF SECREARY	
	• •	GOVERMENT OF NWFP	
Copy for	lo, and date even. warded		
1.			
2.		MATI	
3. 4.		HILLER	
**			

5.

#### (NAME) SECTION OFFICER Administrative Department

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the NWFP Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest, subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and sprit in future so as to keep good governance standard in this regard. {Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008}.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously. {Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.}

The Chief Minister NWFP has directed that:-

- Submission of summary would not be required in case of mutual i) transfer.
- ii) Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;

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v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No; SOR-VI/E&AD/1-4/2003, dated 86-2004. Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2005.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) NWFP Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}

The competent authority has decided that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the NWFP Govt Servants (Conduct) Rules 1987 shall be proceeded against under the NWFP Removal from Service (Special Powers) Ordinance 2000. As required under the NWFP Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports. {Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}.

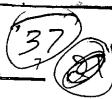
### 1PLACEMENT POLICY.

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

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.
- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the

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



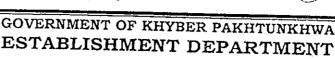
officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:

- a) Permanent posting of an officer to the training institutions for 2-3 years;
- b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
- c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participant will decline/represent against his/her posting.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Allested





(REGULATION WING) NO. SOR.VI (E&AD)1 -4/2005/Vol-II Dated Peshawar, 27th February, 2013

1. The Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.

2. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.

3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.

4. All Commissioners in Khyber Pakhtunkhwa.

Subject:

CONSTITUTION PETITION NO.23 OF 2012 OUT OF SUO MOTO CASE NO. 3/2012 (PETITION BY MS. ANITA TURAB FOR PROTECTION OF CIVIL SERVANTS REGISTERED UNDER ARTICLE 184 (3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.)

Sir,

I am directed to refer to the subject noted above and to state that the Supreme Court of Pakistan vide the subject cited judgment has... enunciated the following principles of Law with regard to protection and conduct of civil servants.

Appointments, Removals and Promotions: (i) Appointments, removals and promotions must be made in accordance with the law and the rules made thereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.

Tenure, Posting and Transfer: When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

- (iii) Illegal Orders: Civil Servants owe their first and foremost? allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule based norms; instead, in such situations, they must record their opinion and, if necessary, dissent.
- OSD: Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.
- I am, therefore, directed to request you to note the above principles of law for strict compliance.

Yours faithfully,

(NAJ-MUS-SAHAR) SECTION OFFICER (REG-VI)

#### Encl: as above.

A copy is forwarded to:-

- 1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
- 2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 3. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
- 4. The Accountant General, Khyber Pakhtunkhwa. 5. The Registrar, Peshawar High Court, Peshwar.
- 6. The Secretary Khyber Pakhtunkhwa, Public Service Commission.
- 7. All Addl: Secretaries Establishment & Administration Department.
- 8. All Deputy Secretaries in Establishment & Administration Department.

SECTION OFFICER (REG-VI)

: Aleslet

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### GOVERNMENT OF THE KHYBER PAKHTUNKHWA FLEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

#### NOTIFICATION |

Peshawar, dated the November 13,2012.

صرر اشامراندر

No.SO(PE)4-5/SSRC/Meeting/2012/Tenching Cadre:- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civi and Apparament. Promotion and Transfer) Rules. 1989 and in supersession of all Notifications issued in this behalf, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby mays down the medical of recruitment qualification and other conditions specified in the Appendix to this Notification which shall be applicable to all the posts specified in Column No. 2 of the said Appendix and the schedule therewith.

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT.

Endst. No. & Date as above.

Copy forwarded to:-

- 1 The Secretary to Govt, of Khyber Pakhtunkhwa, Establishment Department.
- 2. The Secretary to Govt. of Knyber Pakhtunkhwa, Finance Department.
- 3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
- 4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
- 5 The Accountant General, Khyber Pakhtunkhwa Peshawar.
- 6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
- 7 The Director Education (FATA), Peshawar.

میدخارهٔ بی ایر می بیرزالیکی این (APTA) عدر آل براغری بیرزالیکی این (APTA) حوبه طیر کِنُون فوا می ۲۵۶۹۵۹۵۹۵۹ اینا یادی کرون فوا کی جلیمارلی نیام

- The Director Curriculum & Teachers Education Abbottabad.
- 3... The Director (PITE) Knyber Palihtunkhwa Peshawar.
- 10. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar,
- 11. The Deputy Director Database(EMIS) EaSE Department.
- 12. All District Coordination Officers in Knyber Pakhtunkhwa.
- 13. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
- 14. All District Accounts Officers in Khyber Pakhtunkhwa /Agency Accounts Officers FATA.
- 15. All Agency Education Officers FATA.
- 16. P.S to Governor, Khyber Pakhtunkhwa.
- 17. P.S to Chief Minister, Khyber Pakhtunkhwa.
- 18. P.S to Chief Secretary, Khyber Pakhtunkhwa.
- 19. PS to Minister E&SE Knyber Pakhtunknica Peshawar.
- 20, PS to Secretary E&SE Department.
- 21. Master File.

Section Officer (Primary)

#### APPENDIX

S.No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.  3.	Age	a) Fifty percent by promotion on the basi
1.	Secondary School Teacher (BPS-16).	Physics, Mathematics, Statistics Humanuse and other equivalent groups from a recognized University; or	years.	a) Fifty percent by promotion of seniority-cum-fitness, in the followin manner:  (i) forty per cent from amongst the Cartified Teachers (General Certified Teachers (Industrial Art Certified T
		(ii) M.A in Education of Bachelor's Degree in		and Certified Teachers (Hon Beenomies) with at least five year service as such and have qualification mentioned in colum
`r')				No. 3;  (ii) four per cent from amongst  Drawing Masters with at least to the control of the con
				qualification mentioned in con No.3;
				Physical Education Teachers at least five years service as and having qualification mention in column No. 3;

(43)
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	<b>,</b>							11-15-15-15-15-15-15-15-15-15-15-15-15-1
· · · · · · · ·	٠,						•	(iv) one per cent from amongst t Instructional Material Specialis
					;			with atleast five years service
·			•					such and having qualificati
į								mentioned in column No. 3; and
į								(v) one per cent from amongst t
			2011 210	. '				Arabic Teachers with at least fi
			-		,			years service as such and havi
			-					qualification mentioned in Colur
								No.3; and
								(h) (if y and and hy initial way is made
					• •	ļ.		(b) fifty per cent by initial recruitment.
1 2.		Semon Mapie Teacher						By promption, on the basis of contority can
		(SAT) (BPS-16)	-				,	fitness, from amongst Arabic Teachers, with
								least five years service as such and having
						<u> </u> 	. :	qualification as paraibed for init: recruitment of Arabic Teacher.
		1-2-			· · · · · · · · · · · · · · · · · · ·			
3.		Senior Theology Teacher		•		-		By promotion, on the basis of seniority-cut
		(STT) (B-16):						fitness, from amongst Theology Teachers, wi
1				,		,		at least five years service as such and having
				·		, ,		qualification as prescribed for initial recruitme of Theology Teacher.
	· · · - · ·						:	<u> </u>
+-		Senior Certified Teacher		• · · · · · · · · · · · · · · · · · · ·	٠.	•		By promotion, on the basis of seniority-cur
	٠.	(SCT)(General) (BPS-16).						fitness, from amongst Certified Teache (General), with at least five years service as su
		(DI 5-10).					:	and having qualification as prescribed for initi
	.		"	•.		***	•	recruitment of Certified Teacher (General).
L	. ]		<u> </u>			· · · · · · · · · · · · · · · · · · ·		

ر در است. العمادة	Egoto Teacher (AT)	(i)	Second Class Secondary School Certificate,	20 to 35	By initial recruitment
			from a recognized Board with Shahdatul	years.	
	BPS-15).		Alamia Fil Uloomul Arabia wal Islamia Irom		
		-	a recognized Tanzimuatul Wafaqul Madaris:		
•			or Darul Illoom Saidu Sharif Swat, Darul	•	
•			Good Charlash Swat, Darul Hoom Chural,		
· · · · · · · · · · · · · · · · · · ·			Darid Illoom Darosh Chitral and any other		
· ·			Government run Darul Uloom, as notified by	٠.	
		• '	the Government from time to time; or		
i		(ii)	Second Class Master's Degree in Arabic from		
			a recognized University.		(a) Seventy-five per cent by initia
11.	Theology Teacher (TT)	(i)	Second Class Secondary School Certificate,	20 to.35	(a) Beventy ive per
11.	ABS-15).		from a recognized Board with Shandatul	years.	recruitment; and
•			Alimin from a recognized Danzengill	; ;	(b) / awanty-five per com by promotion, on the
•		1	Wataqui Madaris or Darul Uloom Saidu		basis of seniority-cum-fitness, from
		· · · · ·	Sharif Swat, Darul Uloom Charbagh Swat,		amongst the Senior Qaris, with at lea
			Darul Uloom Chitral, Da Iloom Darosh		five years service and havir
			Chitral and any other Government run Darul		qualification prescribed for initi
			Uloom, as notified by the Government from		recruitment of Theology Teacher:
			time to time; or		Note: In case of non availability of suitab
	i I		I alominat		person for promotion, then by initi
		(ii)	Second Class Master's Degree in Islamiyat		recruitment.
			from a recognized University.		By promotion, on the basis of seniority-cur
12.	Senior Qari			-	fitness, from amongst Qaris, with at least fi
	(BPS -15).				years service as such and having qualificati
		, ,			prescribed for initial recruitment.
	<u> </u>	<u></u>	1:0	18 to 35	(a) Forty per cent by initial recruitment; an
13.	Certified Teacher	Bach	elor's Degree or equivalent qualification from a	18 (0 33	(a) Torry per control
	(General) (BPS-15).	recog	gnized University with Certified Teacher	years.	

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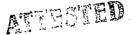
2.	A CALLED TO THE STATE OF THE ST		<del>, </del>	
		Certificate or two years Associate Degree in		(b) sixty per cent by promotion, on the basis
		Education from a recognized University or eighteen		of seniority-cum-fitness, from amongs
		months Diploma in Education.	; ;	the Primary School Head Teachers with
				at least five years service and having
	*			qualitication prescribed for initia
				recruitment of Certified Teache
				(Conord):
				Provided that if no suitable
				candidate is available amongst the
				Primary School Head Teachers to
				transfer, then the posts will be filled by
				promotion on the basis of seniority-cum
				fitness, from amongst Senior Primar
			•	School Teachers with at least five year
				service and having qualification
				prescribed for initial recruitment o
-				Certified Teacher (General).
•				Note: In case of non availability of suitable
				person for promotion, then by initia
				recruitment.
14.	Certified Teacher	(i) Buchelor's Degree from a recognized	18 to 35	(a) Forty per cent by initial recruitment; and
	(Industrial Arts)	University with two years training in the	years.	
	(BPS-15).	relevant technical subjects from any		(b) sixty per cent by promotion, on the basi
		Government Industrial or Govt. Technical		of seniority-cum-fitness, from amongs
· .		Vocational Institute or Center; or		the Primary School Head Teachers wit
				at least five years service and havin
				qualification prescribed for initis
		(b) Bachelor's Degree from a recognized	·	recruitment of Certified Teache

0

(46)

	University with nine months training from any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).	(Industrial Arts):  Provided that if no suitable candidate is available amongst the Primary School Head Teachers for Promotion, then the posts will be filled by promotion on the basis of seniority cum-fitness, from amongst Seniority
15. Certified Teacher		Primary School Teachers with at least five years service and havin qualification prescribed for initial recruitment of Certified Teache (Industrial Arts).  Note: In case of non availability of suitable person for promotion, then by initial recruitment.
(Agriculture) (BPS-15).	University with one year to the	8 to 35 (a) Forty per cent by Initial recruitment; and years.  (b) sixty per cent by promotion, on the basi of seniority-cum-fitness from amongs the Primary School Head Teachers, wit at least five years service and havin qualification prescribed for initial recruitment of Certified Teache (Agriculture):  Provided that if no suitable

	اسواق ا			•		٠.	The second of th
				any Government Agro Technical Teacher	٠.		promotion then the posts will be filled by promotion on the basis of seniority-cumpromotion on the basis of senior Primary
				Training Center of the Level of Certified			fitness, from amongst Senior Primary
	->4			Teacher, Agro technical (Agriculture).			School Teachers with at least five years
	/ ]			Teacher, Agro tecimient (*3			service and having qualification
							prescribed for initial recruitment of
i	,		Ì				Certified Teacher (Agriculture).
	. :		-		į		
						Note:	In case of non availability of suitable
						Note.	person for promotion, then by initial
		1			* 1		11.5000.11.22.2131
					30 35	(5)	Forty per cent by Initial recruitment; and
			(i)	Buchelor's Degree with Home Economics, as	18 to 35	(a)	· i
	16.	Certified Teacher (Home	(1)	e dia cubiest from a recognized	years.	(1-)	sixty per cent by promotion, on the basis
		[Economics)		The consider with in service training from		(b)	e amioring cum-fitness, from amongst
		(BPS-15).		Government Agro Technical Teacher			A Daimany School Head Teachers with
			.	The Control of Control	 	1	Target five years service as the control
			(ii)	Contains Tancher Certificate Will Home			in the applification prescribed for illinoing
			(11)	in a company one of the subjects, from any			recruitment of Certified Teacher (Home
				Government Training school or college with			Economics):
	\$	•		Bachelor's Degree; or	: .		
		,			1	:	Provided that if no suitable
•	•		(iii)	Bachelor's Degree from a recognized		]	anonest the
		į	(111)	University with nine months training from			Daimany School Head Teachers for
:	٠.			Commission Agro' Lechnical Teacher	ļ -	`\.	meanation, then the posts will be filled by
				The level of the level of the		1 .	and the basis of seniority-cum-
	• .			Certified Teacher Agro Technical (Home			Grosse, from amonest Senior, Printary
:				Economics); or	:		School Teachers With at least live years
`i				Macris 1/3 == -			having qualification
į							prescribed for initial recruitment o
į			(iv)	Bachelor's Degree, from a recognized		1	presented for
					*	1	



from any Government training center or Note: In case of non availability of suitab		•		•
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candidate for promotion, then by init			₹	Note: In case of non-availability of suital

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***		University with one year vocational training from any Government training center or institute with nine months training from Government Agro Technical Teacher Training center of the level of certified Teacher Agro Technical (Home Economics).		Note: In case of non availability of suitable person for promotion, then by initia recruitment.
	4			
17.	Drawing Master (BPS-15).	Bachelor's Degree from a recognized University 18 to with one year Drawing Master (DM) course year	. 1	(a) Eighty per cent by initiate recruitment; and
		Certificate.		(b) twenty per cent by promotion, on the basis of seniority-cum-titness, from amongst the Primary School lieu.  Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master:
				Provided that if no suitab candidate is available for promotion the on the basis of seniority-cum-fitnes from Senior Primary School Teache with at least five years service and having qualification prescribed for initirecruitment of Drawing Master.
				Note: In case of non-availability of suital candidate for promotion, then by init recruitment.

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78.	Physical Education   19	Bachelor's Degree from a recognized University	1.	(a) Eighty per cent by initial recruitment; ar
	Teacher (BPS-15).	with one year junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.	years.	(b) twenty per cent by promotion, on all basis of seniority-cum-fitness, fro amongst the Primary School Hea
				Teachers with at least five years servi- and having qualification prescribed t initial recruitment of Physical Education Teacher:
· .				Provided that if no suitab candidate is available for promotion the on the basis of seniority-cum-fitnes
				from amongst Senior Primary Sche Teachers with at least five years service and having qualification prescribed f application recruitment of Physical Education
				eacher.
				Note: In case of non-availability of suitab candidate for promotion, then by initi recruitment.
19.	Primary School Head Teacher (PSHT) (BPS-15).		f T h	By promotion, on the basis of seniority-cum itness, from amongst Senior Primary Scho leachers with at least ten years service ar aving qualification prescribed for initi
20.	Senior Primary School Teacher (BPS-14).		- B	ecruitment of Primary School Teacher.  By promotion, on the basis of seniority-cun itness, from amongst Primary School Teache

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· 35				with at least five years service as such a having qualification prescribed for initrecruitment of Primary School Teacher.
21.	Primary School Teacher (BPS-12).	(i) Intermediate or equivalent qualification, from a recognized Board with Primary School Teacher Certificate/ Diploma in Education from a recognized Institute; or	18 to 35 years.	By initial recruitment on merit at Union Courlevel: provided that if no suitable candidate within the Union Council is available, then if the adjacent Union Councils on merit.
		(ii) Secondary School Certificate, from a recognized Board in second Division with two years Associate Degree in Education		
		from a recognized University.		
	Qari (BPS-12).	Intermediate with Hifz-e-Quran and Qirat Sanad from a recognized Institution.	18 to 35 years.	By initial recruitment.

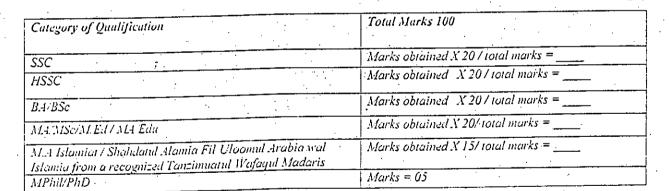


#### SCHEDULE

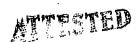
Selection criterion and other conditions for direct recruitment against the below mentioned posts shall be as un

Arabic Teacher	<u> </u>
Educational Qualification	Total Marks: 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20/ total marks =
BA-BSc	Marks obtained X 20 / total marks =
M.A Arabic / Shahdard Alamia Fil Uloomul Arabia wal Islamia from a recognized Tanzimuatul Wafaqul Madaris	Marks obtained X 20 / total marks =
Chier MA-MSchall (Ma) Shi	Marks obtained X 15 / total marks =
MPhil PhD	Marks = 05

#### Theology Teacher



Marks = 05



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#### <u>Oari/Oaria</u>

Category of Qualification	Total Marks 100			
SSC	Marks obtained X 20 / total marks =	·	· · · ·	
Qirt Sanad from a recognized Institution.	Marks obtained V20 / total marks =	· — - — —	<del></del> -	
HSSC	Marks obtained X20 / total marks =			
BA/BSc	Marks obtained N 20 / total marks =		<del></del> -	
MA/MSc/ M.Ed / MA Edu	Marks octained X 15 / total marks =			-
MPhiliphD .	Marks = 05	···		•

Certified Teacher (General , Industrials , Agriculture , Home Economics)

Category of Qualification	Total Marks 100 For Humanitics group at Intermediate/Graduation Level	For Candidate of Science group
SSC HSSC BA/BSc	Marks obtained X 20 / total marks =  Marks obtained X 20 / total marks =  Marks obtained X 20 / total marks =	5 Extra marks for FSc. 5 Extra marks for B.Sc at 5 Extra marks for M.Sc will be added to the tot scare obtained by a candidate during his selection
CT Certificate/ Diploma in Education ADE. MA/MSc/M.Ed / MA Edu	Marks obtained X 201 total marks =  Marks obtained X 15 / total marks =	
Phil/PhD	Marks = 05	



#### Drawing Master

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total-marks =	5 Extra marks for FSe. 5 Extra marks for B.Se and 5 Extra marks for M.Se will be added to the total
HSSC	Marks obtained X 20 / total marks =	score obtained by a candidate during his selection
BA/BSc	Marks obtained X20 / total marks =	
DM Certificate	Marks obtained X 20 / total marks =	
MA/MSc/M.Ed / MA Edu	Marks obtained X 15 / total marks =	
MPhil PhD	Marks = 05	

### Physical Education Teacher

Category of Qualification	Total Marks 100	For Candidate of Science group
SSC	Marks obtained X 20 / total marks =	5 Extra marks for FSc, 5 Extra marks for B Sc and 5 Extra marks for M.Sc will be added to the total
HSSC	Marks obtained X 20 / total marks =	score obtained by a candidate during his selection
BA/BSc	Marks obtained X 20/total marks =	
JDPE or Equivalent Certificate	Marks obtained X 20 / total marks =	
M.4/MSc/M.Ed / M.A Edu	Marks obtained X 15 / total marks =	
MPhil/PhD	Marks = 05	



#### Primary School Teacher

	Category of Qualification	Total Marks 100 For Humanities group at	For Candidate of Science group
	Caregory of Quantificant	Intermediate Level	5 Extra marks for FSc. 5 Extra marks for B.Se and 5
	SSC	Marks obtained X 20 / total marks =	Frame marks for M Sc will be asked to the inial
	IISSC	Marks obtained X 10 / total marks =	score obtained by a candidate during his scientism
	B.1/BSo	Marks obtained   N 25/ total marks =	
	PST Certificate Diploma in	Marks obtained X 20 / total maixs	
7	Education /ADE.  ### JAIMSc/M.Ed / MA Edu	Marks obtained X 20 / total marks =	
*	MPhil/PhD	Marks = 05	

#### Other conditions:-

- The concerned Appointing Authority will scrutinize and verify the documents and make the appointment as per prescribed rule and the will get the documents verified after the issuance of appointment orders within shortest possible time, not exceeding ninety (90) days.
- 2. The merit list prepared by the concerned appointing authority shall be displayed for ten days to receive the objections/appeals, if any, and shall issue the final merit list after making necessary corrections while addressing the observations/objections/appeals, followed by requisite appointment orders.
- 3. In case a document(s) is/are found fakel forged/ bogus upon scrutiny/ verification, the service of the teacher concerned shall be terminated and the amount paid to him as salary shall be recovered from him and an FIR shall be lodged against him on account of forgery/fraud under the relevant law.
- 4. Deni Asnad from recognized Tazcemat-ul-Wafaqul Madaris. Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chiral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time will be acceptable for the purpose of appointment against the posts of Arabic Teachers or Theology Teachers, as the case may be.

### VAKALAT NAMA

NO/20
IN THE COURT OF Scrulce Tribanal Peshaway.
Saudia Bibi (Appellant) (Petitioner) (Plaintiff)
VERSUS
Education Depth . (Respondent) (Defendant)
I/Wé Sandia Bibi
Do hereby appoint and constitute <i>M.Asif Yousafzai, Advocate, Peshawar</i> , 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 costs.
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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.
( 1.1.1.
Dated
ÂCCEPTED
Jan Jan
M. ASIF YOUSAFZAI Advocate
E. Ale.
M. ASIF YOUSAFZAI Advocate High Court, Peshawar.  Advocate  Advocate
OFFICE:

Room No.1, Upper Floor, Islamia Club Building, Khyber Bazar Peshawar. Ph.091-2211391-0333-9103240

### OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

#### PAY RELEASE/

In pursuance of taking over charge in her original school GGPS No.1.Nari Tangay Malakand .Pay in respect of Mst.Saudia Bibi PSHT, is hereby released w.e.from taking over charge.

( SYED MANZARJAN SAJID ) DISTRICT EDUCATION OFFICER (M&F) MALAKAND AT BATKHELA.

16			
Endst:No. 2154 / P/F Saudia Bibi PSHT/DEO(F)Mkd:/	Dated_	17/6	_/2015
Copy of the above is forwarded for information and	d necessa	ary action to:	

The Sub: Divisional Education Officer (Female) Swat Ranizai at Batkhela.

The District Accounts Officer Malakand.

DISTRICT EDUCATION OFFICER (M&F)

MALAKAND AT BATKHELA.

Abdul Ali/D.A PST(F)

1.

2.

لوالت عاجع سروس تربينوا ك ور نام کرنت ۱۹۸۸ دیم 498 /2015 N MI Withdrawal"sy -wigo رمل عزان الله -ص عال معدنت معدم لا دم عرص رسال ہے۔ ا- يركم ومر عنوان الما عوالت حفور من ومر تحوار عن - ce - 10 6 3/16 6 3 08 - por w one . 2 - مد من المالث معدم ل الم عوال الل فرمر عيل من عامل اور رن عزان ماله عل مزمر كا رواق والس لن الاس ي - صى كے سے بن رمورت مورت معزر سے مرسی د خواستگار Outil Nam Girl 1 in 1) ill in روراست فيذا المر عنوان المر يح على مان كرة مول lobe of Withdrawal, wil عادر زاء فات 03 08 ( ) ( ) Sandall . 2016 (3) 16 Em المعارث مدرس في رفاص في Astem Advocate

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### OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MALAKAND AT BATKHELA.

#### PAY RELEASE/

In pursuance of taking over charge in her original school GGPS No.1.Nari Tangay Malakand ,Pay in respect of Mst.Saudia Bibi PSHT, is hereby released w.e.from taking over charge.

( SYED MANZARJAN SAJID ) DISTRICT EDUCATION OFFICER (M&F) MALAKAND AT BATKHELA.

Endst:No. 2154-53/P/F Saudia Bibi PSHT/DEO(F)Mkd:/ Dated 17/6 /2015.

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

, The District Accounts Officer Malakand.

The Sub: Divisional Education Officer (Female) Swat Ranizai at Batkhela.

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Abdul Ali/D.A PST(F) DISTRICT EDUCATION OFFICER (M&F)
MALAKAND AT BATKHELA.

(F) Mkd Date: 8-6-15... At Batkhela علی لوگ F 20-5-2015/1 را كون الما الما الما 10/1/ce M سار ( نرے ساکر میر