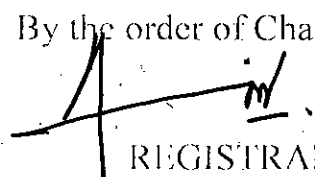


FORM OF ORDER SHEET

Court of: _____

Appeal No.

2611/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20/12/2023	<p>The appeal of Mr. Muhammad Asad Khan presented today by Akhunzada Ahmad Saeed Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>22/12/23</u>. Parcha Peshi is given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 2611 /2023

Muhammad Asad KhanVs.....the Secretary E&SE etc

**APPLICATION FOR FIXING THE INSTANT
SERVICE APPEAL AT PRINCIPAL SEAT AT
PESHAWAR FOR PRELIMINARY HEARING.**

Respectfully Sheweth:

1. That the applicant/appellant has filed the instant service appeal in which no date is fixed so far.
2. That the counsel for the applicant/appellant is doing legal practice at Peshawar as well as the addresses of the main respondents i.e. Secretary (E&SE) and Director (E&SE) are also at Peshawar and the appellant also wants to pursue his case at the principal seat at Peshawar.
3. That it will be convenient for the counsel as well as for the applicant/appellant to fix the instant service appeal at principal seat at Peshawar.

It is therefore most humbly prayed that on the acceptance of this application, the instant service appeal may kindly be fixed at principal seat at Peshawar

* 

Applicant/Appellant

Through


Akhuzada Ahmad Saeed

Advocate High Court

Dated 20.12.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 21611 /2023

Muhammad Asad Khan.....Appellant

V E R S U S

The Secretary E&SE Peshawar & others.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal with affidavit		
2.	Application for suspension alongwith affidavit		1-11
3.	Addresses of parties		12
4.	Copy of office order dt.21.04.2022	A	13
5.	Copies of Office Order dated 10.01.2023, departmental appeal dated 11.01.2023 and Office Order dated 20.01.2023,	B, C & D	14-16
6.	Copy of the Service Appeal No.1860/2023	E	17-18
7.	Copy of the office order dated 08.09.2023	F	19-
8.	Copies of the departmental appeal dated 13.09.2023, a letter dated 15.09.2023 and a letter dated 22.09.2023	G, H & I	20-23
9.	Wakalatnama		24


Appellant

Through


Akhunzada Ahmad Saeed

&

Tanveer Alam

Advocates High Court

Dated 20.12.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 2611 /2023

Muhammad Asad Khan, Computer Operator (BPS-16),
DEO (F) Office, Battagram.....**Appellant**

V E R S U S

1. The Secretary
Elementary & Secondary Education,
Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar
2. The Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar
3. The District Education Officer (F)
District Battagram**Respondents**

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT,
1974, AGAINST THE IMPUGNED ORDER DATED
08.09.2023 WHEREBY THE APPELLANT WAS
TRANSFERRED FROM DEO (F) OFFICE
BATTAGRAM AND WAS PLACED AT THE
DISPOSAL OF DEO (M) BATTAGRAM FOR
FURTHER ADJUSTMENT AND AGAINST THE
IMPUGNED ACTION, BY NOT TAKING ACTION
ON THE DEPARTMENTAL APPEAL OF THE
APPELLANT WITHIN THE STIPULATED PERIOD
OF NINETY DAYS.**

Prayer

By accepting this appeal, this Hon'ble Tribunal may graciously be pleased to

- a) The impugned office order dated 08.09.2023 whereby the appellant was transferred from DEO (F) Office Battagram and was placed at the disposal of DEO (M) Battagram for further adjustment, may please be set aside.
- b) Consequently respondents may please be directed to retain/continue the appellant against the post of computer Operator (BPS-16) at DEO (F) Office Battagram.
- c) Any other relief deems fit and appropriate in the circumstances of the instant appeal may also be passed

Respectfully Sheweth:

1. That the appellant has been serving the respondent department as Computer Operator (BPS-16) with fully devotion, commitment and dedication since 01.10.2007.
2. That the appellant was transferred from the office of the DEO (M) Battagram to the office of the DEO (F) Battagram on 21.04.2022. **(Copy of office order dated 21.04.2022 is attached as Annexure "A")**.
3. That vide office order dated 10.01.2023, the appellant was prematurely transferred from the office of DEO (F) Battagram to DEO (M) Battagram and that too during ban period as the appellant impugned the office order dated 10.01.2023 through departmental appeal which was allowed and the impugned order dated 20.01.2023 was withdrawn through office order dated 20.01.2022. **(Copies of Office Order dated 10.01.2023, departmental appeal dated 11.01.2023 and Office Order dated 20.01.2023, are attached as Annexures "B, C & D respectively")**.

4. That the appellant was regular and punctual but despite of that the respondents were not releasing the salaries of the appellant since the month of January 2023, till date and in this regard the appellant has filed service appeal No.1860/2023 before this Tribunal and is pending yet. **(Copy of the Service Appeal No.1860/2023 is attached as annexure E).**

5. That vide office order dated 08.09.2023, the appellant was once again prematurely transferred from the office of DEO (F) and the appellant was placed at the disposal of DEO (M) Battagram for further adjustment. **(Copy of the office order dated 08.09.2023 is attached as annexure F).**

6. That the appellant then submitted departmental appeal dated 13.09.2023 against the impugned office order dated 08.09.2023 but the same was not decided within a stipulated period of ninety days.

It is pertinent to mention here that in the light of aforesaid departmental appeal dated 13.09.2023, a letter dated 15.09.2023

was issued by respondent No.1 to respondent No.2 and thereafter respondent No.2 issued a letter dated 22.09.2023 to respondent No.3 by asking to submit detail reply/comments but he same has not been yet responded. **(Copies of the departmental appeal dated 13.09.2023, a letter dated 15.09.2023 and a letter dated 22.09.2023 are attached as Annexure G, H & I respectively).**

7. That the appellant being mortally aggrieved, prefers this service appeal for the following amongst others grounds:

GROUND S:

- A. That the impugned order dated 08.09.2023 whereby the appellant was prematurely transferred from DEO (F) Office to DEO (M) Office Battagram and the impugned action, by not taking action on departmental appeal of the appellant within the stipulated period of 90 days is against law, facts, norms of justice and material on record, hence not tenable and liable to be set aside.

- B. That the appellant was transferred twice in a short span of time as under the mandate of law the government of such category is entitled to serve the office/school at least for two years, such act/order of the department is highly unethical and undesirable and liable to be struck down.

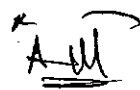
- C. That the impugned order is premature, based on malafide, violative and has been passed during ban period and on behest of political as well as other extraneous consideration which is illegal, unlawful and of no legal effect. **(Copy of a letter dated 11.09.2023 is attached as annexure J),**

- D. That the respondents were supposed to demonstrate fairness and transparency and should not have been succumbed to political interference but in case of the appellant respondent have acted otherwise which necessitated the interference of this Hon'ble Tribunal.

- E. That any other ground, not specifically mentioned, may be raised at the time of arguments, with the prior permission of this Hon'ble Tribunal.

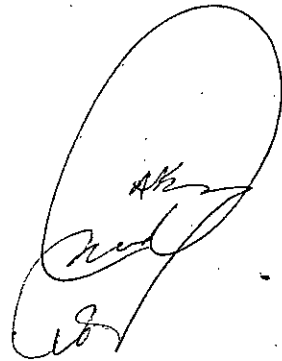
It is, therefore, most humbly prayed that by accepting this service appeal,

- d) The impugned office order dated 08.09.2023 whereby the appellant was transferred from DEO (F) Office Battagram and was placed at the disposal of DEO (M) Battagram for further adjustment, may please be set aside.
- e) Consequently respondents may please be directed to retain/continue the appellant against the post of computer Operator (BPS-16) at DEO (F) Office Battagram
- f) Any other relief deems fit and appropriate in the circumstances of the instant appeal may also be passed



Appellant

Through



Akhunzada Ahmad Saeed

&

Tanveer Alam

Advocates High Court

Dated 20.12.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2023

Muhammad Asad Khan.....Appellant

V E R S U S

The Secretary E&SE Peshawar & others.....Respondents

A F F I D A V I T

I, Muhammad Asad Khan, Computer Operator (BPS-16), DEO (F) Office Battagram, do hereby solemnly affirm and declare that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Asad Khan

DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2023

In

Service Appeal No. _____/2023

Muhammad Asad Khan.....**Appellant**

V E R S U S

The Secretary E&SE Peshawar & others.....**Respondents**

**APPLICATION FOR SUSPENSION OF THE
OPERATION IMPUGNED OFFICE ORDER
DATED 08.09.2023. TILL THE FINAL
DECISION OF INSTANT APPEAL.**

Respectfully Sheweth:

1. That the titled appeal is being filed before this Honourable Tribunal in which no date of hearing has yet been fixed.
2. That the grounds of the main appeal may be considered as integral part of this Application.
3. That the balance of convenience also lies in favour of the applicant/ appellant.
4. That the applicant/ appellant has a prima facie case in his favour and he is sanguine of its success.

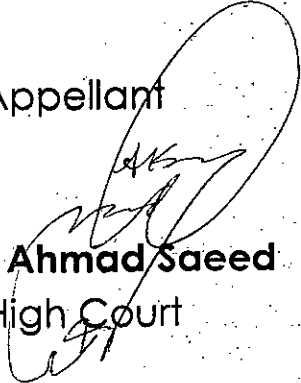
5. That if the impugned office order dated 08.09.223 is not suspended, the applicant/ appellant will suffer an irreparable loss.

It is, therefore, prayed that by accepting this application, the impugned order office order dated 08.09.2023 may please be suspended, till the final decision of instant appeal.



Applicant/Appellant

Through



Akhunzada Ahmad Saeed
Advocate High Court

Dated 20.12.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M No. _____/2023

In

Service Appeal No. _____/2023

Muhammad Asad Khan.....**Appellant**

V E R S U S

The Secretary E&SE Peshawar & others.....**Respondents**

A F F I D A V I T

I, Muhammad Asad Khan, Computer Operator (BPS-16), DEO (F) Office Battagram, do hereby solemnly affirm and declare that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2023

In

Service Appeal No. _____/2023

Muhammad Asad Khan.....**Appellant**

V E R S U S

The Secretary E&SE Peshawar & others.....**Respondents**

ADDRESSES OF PARTIES

APPELLANT:

Muhammad Asad Khan, Computer Operator (BPS-16),
DEO (F) Office, Battagram

R E S P O N D E N T S

1. The Secretary Elementary & Secondary Education,
Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
2. The Director Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar
3. The District Education Officer (F)
District Battagram


Appellant

Through

Akhuzada Ahmad Saeed

&

Tanveer Alam

Advocates High Court

Dated 20.12.2023



(13)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
Phone: 091-9225344 Email: dde@kde.gov.pk

Office Order

Annex

Muhammad Asad Khan Computer Operator BS-16 office of the DEO (M) Battagram is hereby transferred/adjusted against vacant post of Computer Operator DEO (F) Battagram on his own pay and BPS in the interest of public service with effect from the date of his taking over charge.

Note:

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. HS-69 F.No.101/A-23/MS/Battagram Vol-V

Dated Peshawar the 9/1/22/2022

Copy forwarded to the:-

1. District Education Officer (Male/Female) Battagram
2. District Accounts Officer Battagram
3. Official concerned
4. PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar
5. Master File

[Signature]
Assistant Director (Admn)
Directorate E& Secondary Education
Khyber Pakhtunkhwa, Peshawar

14

Annex B^c

25



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
Phone: 091-9225344 Email: dde@kpk.gov.pk

OFFICE ORDER

The posting/transfer in respect of the following officials is hereby ordered on their own pay and BPS in the interest of public service with effect from the date of their taking over charge.

S.No	Name/Design	Present Posting	Adjusted at	Remarks
1	Mr. Asad Khan Computer Operator BPS-16	DEO (F) Battagram	DEO (M) Battagram	A.V.P
2	Mr. Murshid Alam Computer Operator BPS-16 (working against wrong post of Assistant Programmer)	DEO (F) Battagram	DEO (F) Battagram	V.S.No. 01

Notes:-

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc is allowed.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endstl No: 6352-56 / P.No/A-23/MS/Transfer/Adjustment/KPK/2020
Dated Peshawar the 10/11/23

- Copy forwarded to the:-
1. Accountant General Khyber Pakhtunkhwa Peshawar/District Accounts Officer Concerned.
 2. District Education Officer (M/F) Battagram.
 3. Officials concerned.
 4. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
 5. Master File.

[Signature]
10/11/23
Assistant Director (Admin)
Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

MA/Asst/Secy/MS/Transfer/Adjustment/KPK/2020/Murshid Alam Battagram.doc

Scanned with CamScanner

CS CamScanner

CS Scanned with CamScanner

CS CamScanner

15

Dated: 11-01-2023

To

The Honorable Secretary,
Elementary & Secondary Education,
Khyber Pakhtunkhawa Peshawar

Anex C

Subject: APPEAL

Respected Sir,

With due respect, it is stated that I am working as Computer Operator BPS-16 in District Education Officer (F) Battagram since 21-03-2022 (Copy attached). The Director, Elementary & Secondary Education Peshawar did my transfer order to District Education Office (M) Battagram on 10-01-2023 and the person occupying wrong post in the DEO (F) office Battagram is adjusted on my place. Sir ^{instead} of transferring the wrong employee on original vacant post I am displaced.

Sir, a ban on Posting/transfer in Elementary & Secondary Education Department has been imposed by your good self on 27-12-2022 (Copy attached).

It is worth mentioning that I performed my duties in the District Education Office (F) Battagram only for eight months and my tenure is not even completed.

Your good self is requested kindly cancel my transfer order and give me justice. I will be very thankful to you for this act of kindness and make oblige.


Muhammad Asad Khan

Computer Operator BPS-16

Copy for Information to the

1. Directorate Elementary & Secondary Education Khyber Pakhtunkhawa Peshawar.

16

Annex 'D'



DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

OFFICE ORDER:

This Office order issued vide Endst: No. 6352-56/P.No.A-23/MS/Transfer/Adjustment/KPK/2020 dated 10-01-2023, is hereby withdrawn in the interest of public service.

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 1322-34 /P.No. 05-A/Medical Board Retirement Case
Dated Peshawar the 20/01/2022

Copy of the above for information is forwarded to the:

1. District Education Officer (Male) Concerned.
2. District Accounts Officer Concerned.
3. Official concerned.
4. Master File.

[Handwritten Signature]
20/1/23

Assistant Director (Admn.)
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

(17)

Annex E

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1860/2023



Muhammad Asad Khan, Computer Operator. (BPS-16),
DEO (F) Office Battagram.....**Appellant**

V E R S U S

1. The Secretary
Elementary & Secondary Education,
Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar
2. The Director
Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar
3. The District Education Officer (F)
District Battagram**Respondents**

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT,
1974, AGAINST THE IMPUGNED ACTION OF
THE RESPONDENTS BY NOT RELEASING THE
SALARIES OF THE APPELLANT FROM THE
MONTH OF JANUARY 2023. TILL DATE AND
AGAINST THE IMPUGNED ACTION, BY NOT
TAKING ACTION ON THE DEPARTMENTAL
APPEAL OF THE APPELLANT WITHIN THE
STIPULATED PERIOD OF NINETY DAYS.**

Certified to be true copy


**Khyber Pakhtunkhwa
Service Tribunal,
Peshawar**

A. No. 1860/2023

M. Asad Khan vs Govt

26th July, 2023

1. Learned counsel for appellant present and heard Mr. Asad Ali Khan, Assistant Advocate General respondents present.



(18)

2. Despite notices, neither anybody on behalf of the respondents is present nor written reply on their behalf has been submitted, therefore, they are placed ex-parte. The appeal is admitted to regular hearing. The appellant is directed to deposit security fees within 10 days. To come up for arguments on 12.02.2024 before D.B. P.P given to the parties.

(Kalim Arshad Khan)
Chairman

Adnan Shah

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 20/12/23
Number of Words 27
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyist 20/12/23
Date of Completion of Copy 20/12/23
Date of Delivery of Copy 20/12/23

19

Annex F



**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

Phone: 091-9225344 Email: dladmn.ese@gmail.com

OFFICE ORDER

Consequent upon approval of the competent authority, the services of Mr. Asad Computer Operator office of DRO (M) Battagram is hereby placed at the disposal of DRO (M) Battagram for further adjustment in his own pay and HPS in the interest of public service with effect from the date of his taking over charge.

Note:

1. Charge report should be submitted to all concerned.
2. NO TA/DA etc is allowed

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 4251-53 / F.No.101/A-23/MS/Battagram/Vol-V

Dated Peshawar the 8/9/2023

Copy forwarded to the:-

1. District Education Officer (female) Battagram w/r to her letter no. 2616 dated 29-08-2023
2. District Education Officer (M) Battagram.
3. District Accounts Officer Concerned
4. Official concerned
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Master File.

[Handwritten Signature]
Assistant Director (Admin)
 Directorate of Elementary & Secy. Education
 Khyber Pakhtunkhwa, Peshawar

8/9/2023

(20)

Anna

بخدمت جناب سیکرٹری صاحب ایگزیکٹو اینڈ سیکنڈری ایجوکیشن پشاور

عنوان: اپیل برائے غیر قانونی ابدیتی پر مبنی ٹرانسفر زاور 9 ماہ تنخواہ کی بندش

جناب عالی

گزارش ہے کہ درخواست کنندہ ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام میں 21-04-2022 سے عکسیت کپوٹرا پریٹر BPS-16 تعینات ہے۔ ڈائریکٹریٹ ایگزیکٹو اینڈ سیکنڈری ایجوکیشن پشاور نے اپیل کنندہ کو 10-01-2023 کو ڈسٹرکٹ ایجوکیشن آفس فی میل سے ڈسٹرکٹ ایجوکیشن آفس میل بگرام میں ٹرانسفر کیا۔ جس کو بعد میں پوسٹنگ ٹرانسفر پر پابندی اور پری پیجور ہونے کی وجہ سے 20-01-2023 کو withdraw کیا گیا۔ اپیل کنندہ ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام میں اپنی ڈیوٹی باقاعدگی سے کرتا رہا لیکن ڈسٹرکٹ ایجوکیشن آفس نے جان بوجھ کر اپیل کنندہ کی تنخواہ روک رکھی۔ اس سلسلے میں اپیل کنندہ نے سیکرٹریٹ اور ڈائریکٹریٹ آفسز میں درخواستیں بھی جمع کی لیکن کچھ بھی نہ ہوا۔ ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام نے 17-05-2023 پر اپیل کنندہ کو اپنے اصل پوسٹ کپوٹرا پریٹر سے ہٹا کر اسٹنٹ پروگرامر BPS-17 کے غلط پوسٹ پر ٹرانسفر کر دیا اور اپنے اختیار سے تجاوز کی۔ اس غلط ٹرانسفر کے خلاف اپیل کنندہ نے ڈائریکٹریٹ ایگزیکٹو اینڈ سیکنڈری ایجوکیشن پشاور کو درخواست بھی دی لیکن اس کا بھی کچھ اثر نہ ہوا۔

مرشد عالم کپوٹرا پریٹر جو کہ اپیل کنندہ پر اپنا ٹرانسفر آرڈر بار بار کر رہا ہے ڈسٹرکٹ ایجوکیشن آفس میل بگرام میں اپنی اصل پوسٹ BPS-16 CO پر کام کر رہا تھا۔ اس نے وہاں اپنا اصل پوسٹ چھوڑ کر ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام میں اسٹنٹ پروگرامر BPS-17 کی غلط پوسٹ پر اپنا ٹرانسفر کر دیا اور جب اسٹنٹ پروگرامر کی پوسٹ پر تعیناتی ہو گئی تو اس نے اپنا ٹرانسفر اپیل کنندہ کی پوسٹ پر کر دیا بعد میں ڈائریکٹریٹ پشاور نے اپیل کنندہ کا ٹرانسفر آرڈر واپس لے لیا اور اپیل کنندہ کو اپنی اصل پوسٹ کپوٹرا پریٹر پر بحال کیا۔ اپیل کنندہ اپنی پوسٹ پر ہوتے ہوئے 9 ماہ اپنی تنخواہ سے محروم رہا اور مرشد عالم بغیر آرڈر کے تنخواہ لیتا رہا۔ ڈائریکٹریٹ پشاور نے ایک دفعہ پھر مرشد عالم کو ڈسٹرکٹ ایجوکیشن آفس فی میل سے ڈسٹرکٹ ایجوکیشن آفس میل بگرام میں ٹرانسفر کر دیا اور اس نے وہاں جا کر Arrival بھی جمع کی لیکن اس کے باوجود ڈائریکٹریٹ پشاور نے مرشد عالم کی سر و سوسر ڈسٹرکٹ ایجوکیشن آفس میل سے ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام میں کر دی۔ پھر ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام نے اپیل کنندہ پر اس کا غلط ٹرانسفر آرڈر کر دیا اور اپیل کنندہ کو اپنی اصل پوسٹ سے ہٹا دیا۔

ڈائریکٹریٹ پشاور نے 08-09-2023 کو ایک اور آفس آرڈر جاری کر دیا جس میں اپیل کنندہ کو ایک دفعہ پھر ڈسٹرکٹ ایجوکیشن آفس فی میل سے ڈسٹرکٹ ایجوکیشن آفس میل بگرام میں ٹرانسفر کر دیا۔ جیسا کہ سب کو معلوم ہے کہ اس وقت پوسٹنگ ٹرانسفر پر مکمل پابندی ہے اور اپیل کنندہ کا ٹینور بھی پورا نہیں ہے لیکن اس کے باوجود ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام نے غیر قانونی اور اپنے عہدے/اختیارات کا ناجائز استعمال کرتے ہوئے ایک دفعہ پھر ڈائریکٹریٹ پشاور سے اپیل کنندہ کا غیر قانونی ٹرانسفر کر دیا۔ اپیل کنندہ کی تنخواہ پہلے ہی 9 ماہ سے ابھی تک بند ہے اور اس کے غیر قانونی ٹرانسفر پر ٹرانسفر ہو رہے ہیں کبھی ایک پوسٹ پر تو کبھی دوسرے پوسٹ پر کبھی ایک دفتر میں تو کبھی دوسرے دفتر میں بغیر کسی وجہ کے (پہلا ٹرانسفر 10-01-2023، withdraw 20-01-2023، دوسرا ٹرانسفر 17-05-2023، تیسرا ٹرانسفر 08-09-2023)۔ اپیل کنندہ سے پہلے بھی ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام نے دو اور آئی ٹی کے بندوں کو بہت تنگ کیا اور پھر انہوں نے ڈپٹی کمشنر کو درخواست بھی دی تھی۔

آپ سے درخواست ہے کہ آپ رحمان یا عین ڈسٹرکٹ ایجوکیشن آفس فی میل بگرام کو اس غیر قانونی اقدامات کا سدھار فرمایا جائے اور اپیل کنندہ کی 9 ماہ کی تنخواہ اور بدیتی پر مبنی غلط ٹرانسفر آرڈر نمبر 4251-53 تاریخ: 08-09-2023 کی واپسی کے انتظامات صادر فرمایا جائے۔ اپیل کنندہ ساری عمر آپ کا شکر گزار رہے گا۔

محمد اسد خان
کپوٹرا پریٹر BPS-16

DEO (F) Battagram

Dated: 13/09/2023



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-9223587)

(21)

(CR)

Anna H

No.SO (P/M)/E&SED/5-1/G. Misc/Muhammad Asad Khan/Computer Operator/Battagram/2023
Peshawar Dated 15th September, 2023

To

The Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.

[Signature]
15/9/23

Subject: APPEAL FOR MALICIOUS TRANSFER & 09 MONTHS SALARY RELEASE.

I am directed to refer to the subject noted above and to enclose here with a copy of an application which is self-explanatory received from Muhammad Asad Khan Computer Operator DEO (F) Battagram along with its enclosures to look into the matter and necessary action at your end, please.

Encl: AA

Copy forwarded to: -

1. District Education Officer (Female), Battagram.
2. PS to Secretary E&SE, Khyber Pakhtunkhwa.

[Signature]
15/09/23
SECTION OFFICER (PRIMARY MALE)

[Signature]
15/09/23
SECTION OFFICER (PRIMARY MALE)

[Signature]



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
 KHYBER PAKHTUNKHWA PESHAWAR.
 No. 1860 /F.No. /A-2/MIS/Battagram
 Dated Peshawar the 22/09 /2023
 Phone: 091-9225344 Email: ddadon_ese@gmail.com

130

To

The District Education Officer
 (Female) Battagram.

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Annex I
 20

Subject: APPEAL FOR MALICIOUS TRANSFER AND 09 MONTHS SALARY RELEASE

Memo:

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No. SO(PE)E&SED/S-1/General Misc/Muhammad Asad Khan/Computer Operator/Battagram/2023 Dated 15/09/2023 KPK Peshawar alongwith its enclosure received from Section Officer (PE) E&SED Khyber Pakhtunkhwa Peshawar and to ask you to submit detail report/comments with full justification for further necessary action and submission to quarter concerned.

[Signature]
 Assistant Director (Admin)
 Directorate E& Secondary Education
 Khyber Pakhtunkhwa, Peshawar

Encl: No. 1860-62

Copy forwarded to the:-

1. Section Officer (PE) E&SED Khyber Pakhtunkhwa Peshawar vide his letter No cited above.
2. Muhammad Asad Khan Computer Operator DEO(F) Battagram.
3. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. Master File.

[Signature] 21/9/2023
 Assistant Director (Admin)
 Directorate E& Secondary Education
 Khyber Pakhtunkhwa, Peshawar





GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

23

21

No. SO (Policy) (E&AD) 1-4/2023
Dated Peshawar, the 11th September, 2023

To

1. Additional Chief Secretary P&D, Govt. of Khyber Pakhtunkhwa
2. Senior Member Board of Revenue, Govt. of Khyber Pakhtunkhwa
3. Administrative Secretaries to Govt. of Khyber Pakhtunkhwa


Subject: - **BAN ON POSTINGS AND TRANSFERS IN KHYBER PAKHTUNKHWA**

Dear Sir,

I am directed to refer to this department circular of even number dated 29th May/2023 on the above cited subject and to state that despite clear instructions issued vide the circular referred to above, various departments are processing summaries regarding posting/transfer of officers/officials without adhering to these instructions as neither the tenure of the officers/officials is mentioned nor any express reason(s) for such posting/transfer is given. Chief Secretary has taken a very serious view of this state of affairs.

2. I am, therefore, directed to request you once again that while processing summaries for Chief Minister for obtaining relaxation of ban for posting/transfer of officers/officials where such transfer/posting is proposed on administrative grounds and tenure is not complete, express reasons/justifications shall invariably be given in the summary for informed decision making.
3. I am further directed to reiterate that in cases where NOC from Election Commission is required, departments are required to first obtain approval of the Chief Minister and thereafter share a copy of approved summary with this department for taking up the case with ECP for its concurrence/NOC.
4. Above instructions may be complied with in letter and spirit.


Yours sincerely,


(Naqil Haq)
Deputy Secretary (Policy)

ENDST: NO. & DATE EVEN

Copy is forwarded for information to:

1. Principal Secretary to Government, Khyber Pakhtunkhwa
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
3. CSO/PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
4. All Additional Secretaries/Deputy Secretaries/Section Officers in Establishment & Administration Department


Section Officer (Policy)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

**WAKALATNAMA
(Power Of Attorney)**

24


.....
(Petitioner)
(Plaintiff)
(Applicant)
(Appellant)
(Complainant)
(Decree Holder)

VERSUS

.....
(Respondent)
(Defendant)
(Accused)
(Judgment Debtor)

I/ We, _____ The undersigned _____ in the above noted _____ do hereby appoint **Mr. Akhuzada Ahmad Saeed**, Advocate to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our counsel in the above noted case and with the authority to engage /appoint an other Advocate/Counsel on my/our behalf in my/our case and that my/our counsel will not appear whenever a strike call is made by the PBA, PHCBA, KP Bar Council, Pakistan Bar Council or by any other representative body of the lawyers' community, Furthermore, my/our counsel shall not be liable for any acts on my/our behalf, if I/we have furnished an incorrect information or mis-statement and that my/our counsel shall not be liable for any disciplinary action in case of his default in the aforesaid delegated authority, matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/Counsel at my/our matter.

Attested & Accepted By.



Signature of Executants
Muhammad Asad Khan

Akhuzada Ahmad Saeed (bc-11-1885)
Advocate High Court, Peshawar
Office: 15-B, Haroon Mansion, Khyber Bazar,
Peshawar
Cell No.0333-2902529
CNIC No. 15705-5473448-3