


Form- A

FORM OF ORDER SHEET

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

Implementation Petition No. 963 /2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1	11.12.2023	<p>The implementation petition of Mst. Shamshad Bibi received today by registered post through Mr. Khalid Mahmood Advocate. It is fixed for implementation report before touring Single Bench at D.I.Khan on - _____ . Original file be requisitioned. AAG has noted the next date.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST

Case Title: Shamshid Bibi vs Govt of KPW & others

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Counsel</u>		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly pagged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A G D A G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

Wahid Mehmood

Signature:

Wahid Mehmood  
AHC

Dated:

8/12/2023

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

Implementation Petition No: 963 /2023

In line and with reference to  
**Service Appeal No. 137 of 2022**

Mst. Shamshad Bibi SDEO

VS.

Government of Khyber Pakhtunkhwa through  
Secretary Education, Peshawar and other

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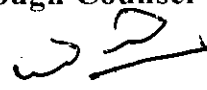
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Yours Humble Petitioner

(Mst shamsrad bibi)  
Through Counsel

Dated: 8/12/2023

  
Khalid Mahmood  
Advocate High Court  
Stationed at DIKhan  
03364330001

①

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

Implementation Petition No: \_\_\_\_\_/2023

In line and with reference to

Service Appeal No. 137 of 2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 9820

Dated 11-12-2023

**Mst. Shamshad Bibi**, Sub Divisional Education  
Officer (female) Tehsil Paharpur, District D.I.Khan

Petitioner

VERSUS

1. **Secretary to Govt of Khyber Pakhtunkhwa Elementary & Secretary Education Department, Peshawar.**
2. **District Education Officer (F) Dera Ismail Khan, Education.**
3. **District Account Officer, D.I.Khan.**

Respondents

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**APPLICATION FOR IMPLEMENTATION OF  
JUDGMENT DATED: 30.09.2022 PASSED BY THIS  
HON'BLE TRIBUNAL IN SERVICE APPEAL  
NO.137/2022, WHEREBY, THE APPEAL OF  
PETITIONER WAS ACCEPTED AND THE IMPUGNED  
NOTIFICATION DATED: 12.01.2022 REGARDING  
TRANSFER AND POSTING OF PETITIONER WAS  
DECLARED ILLEGAL AND INVALID, CONSEQUENTLY  
STANDS SET ASIDE AND CANCELLED.**

**PRAYERS**

On acceptance of this implementation Petition this Hon'ble Tribunal may please be directed the respondents to fully and effusively make compliance of the Judgment dated 30.09.2022 of this Honourable Tribunal in true letter & spirit without any further delay.

Respectfully Sheweth,

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Concise Facts

1. That petitioner was posted as SDEO (F) Paharpur vide notification dated 07.10.2021 (Annexure-A) and was transferred vide notification dated 12.01.2022 (Annexure-B) against which the petitioner filed service Appeal No. 137 of 2022 before this Honourable Tribunal. On fixation of the case, after having heard the appellant/petitioner at great length vide judgment dated: 30.09.2022 passed by this Hon'ble Tribunal, the Notification dated 12.01.2022 was set-aside/cancelled and thereby appeal of the petitioner was accepted(Annexure-C).
2. That on 31.01.2022, Honorable Tribunal suspended the notification dated 12.01.2022 and fixed for reply on 24.02.2022 but respondent did not complied the order of Honorable Tribunal and posted Mst. Samina Shehnaz as SDEO Paharpur vide notification dated 21.12.2022 in place of petitioner and on 22.02.2022 withdrawn the said notification (Annexure-D) D.D.
3. That respondent implemented the order of Honorable Tribunal Dated 31.01.2022 on 22.02.2022 for just two days till 24.02.2022 (Annexure-E)
4. That after 24.2.2022 respondents violated the order dated 31.1.2022 and private respondent (Sonia Nawaz) continued to hold the office of SDEO Paharpur (Annexure-F & F1) and due to retirement of Honorable Chairman Service Tribunal, the Honorable Service Tribunal was dysfunctional, therefore aggrieved from act of respondents, petitioner filed CM petition No 195-D/2022 in Peshawar High Court Bench DIKhan and vide order dated 08.03.2023 of Honorable Court disposed of (Annexure-G).
5. That petitioner once again filed writ petition no 161-D/2022 before Honorable Peshawar High Court DIKhan Bench and vide order dated 15.03.2022 Honorable Court disposed of (Annexure-H) meaning by petitioner was not permitted to hold the post of SDEO(F) Paharpur by the

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respondents from 12.01.2022 to 17.03.2022 i.e. more than 2 months.

6. That in utter disregard of the Judgment, again posted the petitioner as OSD (report to directorate) vide notification dated 26.05.2023 (Annexure-I); aggrieved from this, petitioner filed execution petition no 493/2023 before the Honorable Tribunal and respondent cancelled the notification dated: 26.05.2023 vide notification dated 21.08.2023 (Annexure J) submitted before the Honorable Tribunal on 24.08.2023 (Annexure-K) i.e., after 3 months.
7. That once again respondent No: 8 (Sonia Nāwaz) was transferred in place of petitioner vide impugned notification No: 05.12.2023 as alleged in compliance of judgment of Service Tribunal dated: 03.11.2023 in Service Appeal No: 1403/2023 titled "Noreen Saba & others VS Govt of KPK" (Annexure-L), however Sonia Nawaz has already served as SDEO (F) Paharpur more than 2 Years. (Anex L)
8. That it is pertinent to mention here that in Service Appeal No: 1403/2022 vide order dated: 13.11.2023 there was no direction about petitioner, however in Service Appeal No: 1403/ 2022 where Sonia Nawaz was respondent & connected Appeal No: 1442/2023, where Sonia Nawaz was Petitioner and dispute was among three SDEO (F) i.e. Mst. Nighat Shaheen, Mst. Sonia Nawaz & Noreen Saba for the post of SEDO (F) Paroa, SDEO (F) Tank & SEDO (F) Hangu but respondent utter disregard of Judgment dated: 30.09.2022 displace the petitioner and posted the Sonia Nawaz as SDEO (F) Paharpur instead of Paroa. (Anex M, M<sub>1</sub>, M<sub>2</sub>)
9. That normal tenure is 3 years (Annexure-M<sub>3</sub>) but petitioner was permitted as SDEO (F) Paharpur one year and 9 months only.
10. It is pertinent to mention that petitioner is in promotion zone from SDEO (BPS-17) to DDO (BPS-18) and placed at serial #1 in district DIKhan which PSB will be conducted within near future (Annexure-N).
11. That it is far-fetched to mention here that despite clear and well explained judgment in favour of petitioner, the

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respondents/Department without any lawful reason have lurk in hesitation to fully implement the judgment of this Hon'ble Court, rather violated the essence and validation of the judgment whereas the law prohibit them to do as such, but the department/ respondents in careless manner, flatly denying the judgment of this Tribunal and in-respect of which, they may be dealt with in accordance with law viz to comply with the subject judgment.

12. That the judgment dated 30.09.2022 in *service appeal*, the Department / respondents have not complied so far in true essence and spirit, despite various resorts of petitioner to the Secretary Education, Peshawar / Competent authority, rather issued impugned Notification dated: 05.12.2023 by posting the same respondent No: 8 (Sonia Nawaz) as SDEO (F) Paharpur DIKhan in utter disregard of the judgment of this Hon'ble Tribunal, therefore, the petitioner approaches this Honourable Tribunal for implementation of judgment dated 30.09.2022 on inter-alia the following grounds.

B/

G R O U N D S

- a. That the Judgment dated 30.09.2022 in the subject service Appeal is self-contained wherein was specifically stated that *“As a sequel to the above the service appeal is allowed with the direction to the respondent department to allow the appellant to continue on her present station of posting till completion of her normal tenure. The appeal is accepted in above terms.”* but direction of this Hon'ble Tribunal has not yet been fully and wholly implemented.
- b. That the judgment dated 30.09.2022 in the main service appeal of this Tribunal is self-explanatory, simple and clear and it did not require any further interpretation. But respondents tactfully, illegally and unlawfully twisted the same on technical grounds to smash the essence of judgment in order to sabotage the rights of petitioner. As, *Quoties in verbis nulla est*



*ambiguities, ibi nulla exposition cantra verba fienda est* which means "so long as there is no ambiguity in the words, there should be no interpretation contrary to the words" therefore, respondents have no lawful authority to go beyond the specific verdict of the *ibid* judgment.

c. That the scheme of the law is that in one proceeding the court/Tribunal determines the liability of a party and the corresponding right of the other party and incorporates them in the judgment/order and in another proceeding it executes the said order /judgment, i.e. at the instance of one party specifically enforces the liability against the other. There can be no execution or specific enforcement of a liability without a previous determination of the liability by a Court and incorporated in a formal document called judgment. In the instant matter, the liability and corresponding rights of the parties have rightly been determined and after passing the judgment, the respondents/department have not in entirety honored the decision of this Hon'ble Tribunal which act of respondents is nullity in the eye of law.

d. That the successive transfers of the petitioner to various stations within a span of one and half year are against the posting/transfer policy of the Provincial Government, which indicated that a Government servant should not be transferred, in ordinary circumstances, prior to completion of a period of three years at one place of posting. In this backdrop, the wisdom may also be derived from the judgment of Hon'ble Supreme Court 2011 P L C (C.S.) 935(Supreme Court of Pakistan), whereby it is held that;-

----- S. 30 (3) ----- Constitution of Pakistan  
Art.212(3)--Successive Transfer -- Respondent was patwari who was transferred to three stations within a span of eight month--- Service Tribunal accepted appeal filed by respondent patwari and

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set aside his transfer orders --- Validity --- Successive transfer of respondent to three stations within a span of eight months were against posting/transfer policy of Provincial Government, which indicated that a government servant should not be transferred in ordinary circumstances, prior to completion of a period of three years at one place of posting --- Transfer order of respondent was passed during ban period, prematurely under political influence, as copy of the same was sent to private secretary to Provincial Minister for Revenue --- Tenure of posting of an officer or official of Government to a District Government was provided in S.30(3) of North-West Frontier Province Local Government Ordinance, 2001, as three years but any officer could be transferred earlier due to exigency of service or in public interest to an individual grievance and no substantial question of law of public importance was involved warrant interference by Supreme Court under Art.212 (3) of the Constitution---Supreme Court did not find any illegality or infirmity in the Judgment passed by Service Tribunal so as to justify interference by Supreme Court under Art.221(3) of the Constitution---Petition was dismissed.

- e. That the respondent /department without any lawful reason willfully not implementing the order of this Hon'ble, albeit, in doing so, this Tribunal while exercising its jurisdiction may deal with the matter with iron hands because the matter of honour and integrity or order of Court.
- f. That it may not be out of place to mention here that order/Judgment or any Court or court shall be implemented/executed by the Tribunal concerned in its true essence and its implementation by the department / authority concerned is the moral duty of that authority to obey it accordingly. For the sake of harmony


amongst the functionaries of the state, it is imperative for all concerned to fully honour the order/judgment of competent Court/Court. In such view of the matter, denial of respondents to effusively implement the Judgment passed in service appeal is beyond the settled parameters of jurisprudence.

- g. That it is imperative to highlight that the respondents, in sheer violation of Rules and policy in vogue by the Government of Khyber Pakhtunkhwa, have posted the respondent No: 8 to Tehsil Paharpur DIKhan who were not obliged to do so for the reason the petitioner has not completed the normal tenure of service at the incumbent position. In fact, the petitioner has no political legs to stand upon to make her transfer and posting according to her wish and whims, that's why, exploited at the hands of respondent despite having decision in her favour.
- h. That it is pertinent to mention here that the respondent have used this Honorable Tribunal for their own wish and whim, because there was no any direction in order dated: 13.11.2023 in Service Appeal No: 1403/2022 regarding petitioner and nor was petitioner disputed in Service Appeal No: 1403/2022 as well as 1441/2023.
- i. That Counsel of the petitioner may please be allowed to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that respondents may please be directed to make fully and effusively compliance of the Judgment dated 30.09.2022 of this Honourable Tribunal in true essence & spirit without any further delay.

Yours humble Petitioner  
Through Counsel

Dated: 8 / 12 / 2023

  
Khalid Mahmood  
Advocate High Court  
D.I.Khan

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

Implementation Petition No: \_\_\_\_\_ /2023

In line and with reference to  
**Service Appeal No. 137 of 2022**

**Mst Shamshad Bibi**

VS.

Government of Khyber Pakhtunkhwa through  
Secretary Education, Peshawar and other

**AFFIDAVIT**

I, **Mst Shamshad Bibi**, Sub Divisional Education Officer (female), Education Department, D.I.Khan, the petitioner, do hereby solemnly affirm and declare on oath that all the Para-wise contents of this **Petition** are correct and true to the best of my knowledge & belief. I further solemnly affirm and declare that no part of above petition is false and nothing material has been deliberately concealed.

Dated: 8/12/2023

**Identified by Counsel:**

**Khalid Mahmood AHC**

D I Khan



12101-4389262-8

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

---

Implementation Petition No \_\_\_\_\_ /2023

In line and with reference to

**Service Appeal No. 137 of 2022**

**Mst Shamshad Bibi**

VS.

Government of Khyber Pakhtunkhwa through  
Secretary Education, Peshawar and other

**APPLICATION WITH THE REQUEST TO SUSPEND THE  
OPERATION OF IMPUGNED NOTIFICATION DATED  
05.12.2023 TO THE EXTENT OF SONIA NAWAZ SDEO,  
WHEREBY, THE RESPONDENT NO: 8 (SONIA NAWAZ)  
WAS POSTED AS SDEO (FEMALE) TEHSIL PAHARPUR IN  
UTTER DISREGARD OF THE SPIRIT AND ESSENCE OF  
THE JUDGMENT DATED 30.09.2022 RENDERED BY THIS  
HON'BLE TRIBUNAL TILL DECISION OF THE  
IMPLEMENTATION PETITION**

Respectfully Sheweth,

1. That a implementation petition is being filed before this Tribunal and the grounds of same may please be considered as an integral part of the subject petition.
2. That the petitioner has not yet completed her ordinary tenure of the service and posting of respondent No: 8 (Sonia Nawaz) through impugned Notification is based on malafide and is due to the political victimization, and also there are no compelling circumstances for the impugned posting of respondent before completion of ordinary tenure of petitioner rather the respondents in defiance of the judgment of this Tribunal, issued the said Notification.
3. That posting of respondent No 8 to the Tehsil Paharpur District DIKhan is the outcome of political influence and the same was only to oblige the political figures of the area. Petitioner is having no political backing that's why he is victimize at the hands of

respondent. Thus, grant of interim relief as prayed for would be in the best interest of justice.

It is, therefore, humbly prayed that on acceptance of the present petition for suspension of impugned Notification as prayed for, the respondent may please be directed to suspend the operation of impugned Notification dated: 05.12.2023 to extent of Sonia Nawaz, till decision of the subject petition, and in the meanwhile, status quo may please be ordered to be maintained.

Yours Humble Petition

Mst Shamshad Bibi

Through Counsel

Dated: 8 / 12 / 2023

Khalid Mahmood,  
Advocate High Court.

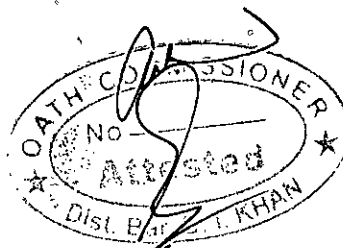
D I Khan

**AFFIDAVIT**

I, Mst Shamshad Bibi, Sub Divisional Education Officer (female), Education Department, D.I.Khan, the petitioner, do hereby solemnly affirm and declare on oath that all the Para-wise contents of this **Petition** are correct and true to the best of my knowledge & belief. I further solemnly affirm and declare that no part of above petition is false and nothing material has been deliberately concealed.

**Identified by Counsel:**  
Khalid Mahmood  
Advocate High Court

D I Khan



8/12/23

**Deponent**

12101-4389262-8



Dated Peshawar the, October 07<sup>th</sup>, 2021

**NOTIFICATION**

**No. SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/MC:** The Competent authority, in compliance with the decision of the Provincial Cabinet, is pleased to order the posting // transfers of the following Sub Divisional Education Officers (SDEOs BS-17) of the Elementary & Education Department, Khyber Pakhtunkhwa, in the public interest, with immediate effects.

Sr. No	Name & designation	From	To
1.	Mst. Shahida Parveen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Peshawar Town-IV vice No-15	Sub Divisional Education Officer (Female) Tangi Charsadda
2.	Mst. Zeenat Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Tangi Charsadda	Sub Divisional Education Officer (Female) Town-I Peshawar.
3.	Mst. Maryam Rashid SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Town-I Peshawar.	Sub Divisional Education Officer (Female) Jehangira Nowshera.
4.	Mst. Syeda Nasra Azam SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Jehangira Nowshera.	Sub Divisional Education Officer (Female) Lower Tanawal Abbottabad.
5.	Mst. Naila Naz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Swabi,	Sub Divisional Education Officer (Female) Chitral Lower.
6.	Mst. Muarrat Jamal SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Chitral Lower.	Sub Divisional Education Officer (Female) Torkhow Mulkhow Chitral Upper
7.	Mst. Arifa Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Torkhow Mulkhow Chitral Upper	Sub Divisional Education Officer (Female) Soa Kohistan Upper AVP.
8.	Mst. Nancy Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Topi Swabi	Sub Divisional Education Officer (Female) Haripur
9.	Mst. Surrlya Taj SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Haripur	Sub Divisional Education Officer (Female) Pabbi Nowshera
10.	Mst. Nazia Anjum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Pabbi Nowshera	Sub Divisional Education Officer (Female) Dalakot Mansohra.
11.	Mst. Adoela Rani SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Balakot Mansohra.	Sub Divisional Education Officer (Female) Ghazi Haripur.
12.	Mst. Saooda Bano SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Ghazi Haripur.	Sub Divisional Education Officer (Female) Darband Mansohra.
13.	Mst. Sajida Sakhi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Darband Mansohra.	Sub Divisional Education Officer (Female) Pattan Kohistan Lower AVP.
14.	Mst. Fozia Parveen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Serai Naurang Lakki Marwat.	Sub Divisional Education Officer (Female) Takhti Nusrati Karak

**ATTESTED**

**KHALID MEHMOOD**  
Advocate High Court  
Stationed at D.I.Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

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15.	Mst. Shahnaz Begum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Takhti Nusrati Karak	Sub Divisional Education Officer (Female) Serai Naurang Lakki Marwat.
16.	Mst. Bibi Arifa SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Mansehra	Sub Divisional Education Officer (Female) Serai Naurang Lakki Marwat.
17.	Mst. Mehar Sani SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Gaggra Buner.	Sub Divisional Education Officer (Female) Havellian Abbottabad.
18.	Mst. Farhat Yasmeen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Karak	Sub Divisional Education Officer (Female) Takhti Nusrati Karak.
19.	Mst. Bibi Ayusha Naz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lower Tanawal Abbottabad.	Sub Divisional Education Officer (Female) Karak
20.	Mst. Malak Taja SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Mardan.	Sub Divisional Education Officer (Female) Adezai Dir Lower.
21.	Mst. Shabnam Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Adezai Dir Lower.	Sub Divisional Education Officer (Female) Timergara Dir Lower.
22.	Mst. Shaheen Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Battagram	Sub Divisional Education Officer (Female) Kalkot Dir Upper AVP.
23.	Mst. Shamshad Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Tank	Sub Divisional Education Officer (Female) Pharpur DI Khan
24.	Mst. Sonia Nawaz SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Pharpur DI Khan	Sub Divisional Education Officer (Female) Tank
25.	Mst. Naheed Fazal SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Abbottabad.	Sub Divisional Education Officer (Female) Sheringle Dir Upper AVP.
26.	Mst. Anisa Jamshed SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lora Abbottabad.	Sub Divisional Education Officer (Female) Kumbar Dir Lower.
27.	Mst. Nageena Bibi SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Havellian Abbottabad.	Sub Divisional Education Officer (Female) Kundai Kohistan Upper AVP.
28.	Mst. Zahida Khanum SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Lakki Marwat.	Sub Divisional Education Officer (Female) Alai, Battagram AVP.
29.	Mst. Nazma Shaheen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Khanpur Haripur	Sub Divisional Education Officer (Female) Barawal, Dir Upper AVP.
30.	Mst. Sobia Tabassum (MC BS-17)	Sub Divisional Education Officer (Female) DI Khan	Sub Divisional Education Officer (Female) Domel Bannu.
31.	Mst. Farhat Yasmoon (MC BS-17)	Sub Divisional Education Officer (Female) Domel Bannu.	Sub Divisional Education Officer (Female) DI Khan
32.	Mst. Rizwana Pari (MC BS-17)	Sub Divisional Education Officer (Female) Khadu Khet Buner	Sub Divisional Education Officer (Female) Karak

Handwritten signatures and initials on the left margin.

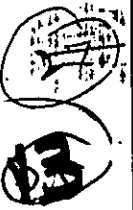
ATTESTED

HALID MEHMOOD  
Advocate High Court  
stationed at D.I. Khan





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588



33.	Mst. Shagufta Noreen (MC BS-17)	Assistant Director, Directorate of E&SE KP	Sub Divisional Education Officer (Female) Garhi Kapoora, Mardan AVP.
34.	Mst. Naseem Bukhari (MC BS-17)	Waiting for posting in Directorate of E&SE KP	Sub Divisional Education Officer (Female) Khyber AVP.
35.	Mst. Azra Afridi, ASDO (BS16)	Assistant Sub-Divisional Education Officer (Female) Daggar Buner	Sub Divisional Education Officer (Female) Dagga Buner in OPS.
36.	Mst. Salma ASDEO (BS-16)	Assistant Sub- Divisional Education Officer (Female) Balkhela	Sub Divisional Education Officer (Female) Thana Baizai Malakand in OPS.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of Even No & date

Copy forwarded for information to the :-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned.
4. District Accounts Officers concerned.
5. Director EMIS, E&SE Department with the request to upload the posting/  
transfer notification on the official website of the department.
6. PS to Chief Secretary, Khyber Pakhtunkhwa.
7. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Officers concerned.
10. Mnstr file.

Attested  
33

ATTESTED

KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

(HAFEEZ UR REHMAN SHAH)  
SECTION OFFICER (SCHOOLS FEMALE)

7/12/2017

Amex - **3** **14**  
 NKHW  
 DEPARTMENT  
 District Peshawar

Dated Peshawar the January 12<sup>th</sup>, 2022

**NOTIFICATION**

**NO. SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC:** The Competent Authority is pleased to order the posting/transfer of the following Management Cadre Officers of Elementary & Secondary Education, Khyber Pakhtunkhwa with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
✓ ①	Mst. Shamshad Bibi (MC ES-17)	SDEO (Female) Pharpur DI Khan	SDEO (Female) Tank (Vice No-2)
②	Mst. Sonia Nawaz (MC BS-17)	SDEO (Female) Tank	SDEO (Female) Pharpur DI Khan (Vice No-1)

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
 E&SE DEPARTMENT

Indst: of ovon No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) DI Khan and Tank.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officers DI Khan and Tank.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Officers concerned.
8. Master file.

*Shamshad*  
 12/11/2022  
 (HAFEEZ-UR-REHMAN SHAH)  
 SECTION OFFICER (Management Cadre)

*w2*

Amey: ©

15



Service Appeal No.137/2022 titled "Shamshad Bibi- vs-Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others" decided on 30.09.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Salah- Ud-Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Dera Ismail Khan.

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR CAMP COURT D.I.KHAN.**

SCANNED  
KPST  
Peshawar

BEFORE: KALIM ARSHAD KHAN --- CHAIRMAN  
SALAH UD DIN --- MEMBER(J)

*Service Appeal No.137/2022*

Mst. Shamshad Bibi, SDEO (Female) Paharpur, Education Department, D.I.Khan.

.....(Appellant)

Versus

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
2. Chief Secretary, to government of Khyber Pakhtunkhwa Elementary & Secondary Education Department, Peshawar.
3. Secretary, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
4. Director Education, Department (E&SE) Khyber Pakhtunkhwa Peshawar.
5. District Education Officer (Female), Dera Ismail Khan.
6. District Education Officer (Female), Tank.
7. District Account Officer, D.I.Khan.
8. Mst. Sonia Nawaz, SDEO, (Female), Tank.

.....(Respondents)

Present:

Mr. Ahmad Ali,  
Advocate.....For appellant.

Mr. Muhammad Aded Butt,  
Additional Advocate General.....For official respondents.

Mr. Noman Ali Bukhari,  
Advocate.....For private respondent No.8.

Date of Institution.....31.01.2022

Date of Hearing.....30.09.2022

Date of Decision.....30.09.2022

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AIMED AGAINST THE IMPUGNED NOTIFICATION BEARING NO. SO (MC)/E&SED/4-16/2021/POSTING/TRANSFER/MC DATED 12.01.2022 WHEREBY THE APPELLANT WAS

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*[Handwritten signature]*

TRANSFERRED TO DISTRICT TANK. WHEREAS RESPONDENT NO.8 ON THE BASIS OF FAVOURITISM, WAS BROUGHT TO PAHARPUR, D.I.KHAN IN VIOLATION OF LAW, RULES AND POLICY IN VOGUE BY THE PROVINCIAL GOVERNMENT.

### JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: Facts, to the extent necessary, are that the appellant is serving as Sub-Divisional Education Officer (SDEO) (Female) in the Education Department, Khyber Pakhtunkhwa and previously, she was posted as such at Munda, District Dir Lower vide notification dated 21.02.2019; that vide notification dated 09.08.2019, the petitioner was transferred from the post of SDEO(2) Munda Dir Lower to the post of SDEO(1) Tank; that thereafter on 07.10.2021, the appellant was transferred from the post of SDEO(1) Tank to the post of SDEO(F) Paharpur, District D.I.Khan; that, just after three months of transfer of the appellant to Paharpur, D.I.Khan, the respondents issued another impugned transfer notification dated 12.01.2022, vide which the appellant was transferred back to District Tank whereas private respondent No.8 was transferred in her place at Paharpur District D.I.Khan; that the appellant felt herself aggrieved from the order dated 12.01.2022 and filed departmental appeal, which was not responded and the appellant then filed this appeal in this Tribunal.

02. On receipt of the appeal and its admission to full hearing, the respondents were summoned, who, on putting appearance, contested the appeal by filing reply/comments mainly on the grounds that under section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, every civil servant was able to serve anywhere within or outside the province; that the

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ATTESTED  
*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*Service Appeal No137/2022 titled "Shamshad Bibi-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others" decided on 30.09.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Saif-Ud-Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Dera Ismail Khan.*

impugned order was acted upon, therefore, the appeal had rendered infructuous; that the private respondent No.8 was posted back to Paharpur on acceptance of her representation and totally on humanitarian grounds. The defence setup was a total denial of the claim of the appellants.

03. We have heard learned counsel for the appellant, learned Additional Advocate General for official the respondents and counsel for private respondent No.3.

04. Learned counsel for the appellant argued that the appellant was transferred back to the District Tank and consequent thereof respondent No.8, on the basis of favoritism, was brought back to the Paharpur D.I.Khan is against the law, rules and regulations framed there-under, thus is not maintainable and is liable to be declared void ab-initio. Learned counsel further argued that the impugned transfer order is pre-mature and against the posting/transfer policy of the Provincial Government. He contended that the impugned order is based on malafide and is due to the political victimization. At the end he requested that the impugned order is set aside the appellant might be allowed to complete her normal tenure as per policy.

05. Learned Additional Advocate General contradicted the arguments of learned counsel for the appellant and raised preliminary objection on the maintainability of the service appeal under Section-5 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. He further stated that as per Section-10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, every civil servant shall be liable to serve anywhere within or outside the province. He requested that the appeal might be dismissed with cost.



**ATTESTED**  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

06. Learned counsel for private respondent No.8 submits that the instant appeal is not maintainable under Section-4 of the Service Tribunal Act 1974 on the ground that the statutory period of ninety days was not lapsed, hence premature which should be rejected. He further contended that the appellant has been treated in accordance with law and rules, therefore, the instant appeal is being devoid of merit might be dismissed.

07. In order to streamline and regulate the postings and transfers of the Civil Servants, the Government of Khyber Pakhtunkhwa introduced a posting/transfer policy. Main conditions of the same relevant to the instant appeal are as under:-

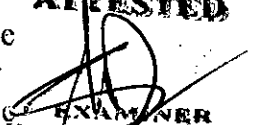
*i. All the postings /transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants.*

*iv. The normal tenure of posting shall be three years subject to the condition that for the officers /officials posted in unattractive areas, the tenure shall be two years and for hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.*

08. It is observed at the very outset that the reply of the official respondents has urged that the private respondent No.8 was transferred back on humanitarian grounds on acceptance of her departmental representation but neither such humanitarian ground was explained nor any public interest or exigency was stated in the reply of the respondents in transferring back the private respondent No.8.

09. The posting and transfer policy specifically fixes a normal tenure for the civil servants. In the case in hand it is two years but just in three months of the transfer of the appellant she was re-transferred to the previous place of posting without allowing her to complete normal tenure as per the Government's own decision found in the above policy.

**ATTESTED**

  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Service Appeal No137/2022 titled "Shamshad Bibi- vs-Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others" decided on 30.09.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Saleh Ud-Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Dera Ismail Khan.

10. Tenure was originally created to give teachers academic freedom. Civil Servants do not have stability of tenure, particularly and especially in the Education Department where transfers and postings are made frequently at the whims and fancies of the executive head for political and other considerations, and not in the public interest; a fixed minimum tenure would not only enable Civil Servants to achieve their professional targets, but also help them function as effective instruments of public policy; repeated shuffling/transfer of officers is deleterious to good governance; minimum assured service tenure ensures efficient service delivery, and increased efficiency; and Civil Servants can also prioritize various social and economic measures intended to implement for the poor and marginalized sections of society.

11. In 2018 S C M R. 1411 titled "Khan Muhammad Versus Chief Secretary, Government of Balochistan Quetta and others", the august Supreme Court of Pakistan was pleased to have found as under:---

"18. Under section 10 of the Act a civil servant cannot insist to be posted or transferred to a particular post but this does not mean that a civil servant can be made to serve under a subordinate. Moreover, while section 10 does not prescribe a minimum period during which a civil servant must serve at his post it does not mean that the Government without assigning any reason can move a civil servant from the place he was posted to after a month or subject the civil servant to repeated postings in a short period of time because this would amount to punishing him. Such postings also adversely affect the public interest and result in the wastage of scarce resources and constitute bad governance.

19. The Rules designate certain posts as 'tenure posts' (rule 22-read with Schedule IV of the Rules) and prescribe a period of three years for an incumbent to serve on such posts. Such prescribed tenure may therefore be categorized as the ideal duration for which a civil servant should serve at a particular post. The post of Divisional Director however is not a tenure post but the principle of serving for a particular duration at this post should be followed. In the present case the petitioner was posted for a little over a month when he was again posted. Any civil servant posted to a particular post requires some time to familiarize himself with the workings of the office and the

ATTESTED  
  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*Service Appeal No137/2022 titled "Shamshad Bibi-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar and others", decided on 30.09.2022 by Division Bench comprising Kalim Arshad Khan, Chairman, and Saleh-Ud-Din, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Camp Court Dera Ismail Khan.*

*requirements of the post whereafter he will be best placed to acquit himself of the responsibilities of the post. However, a one month posting, as in the case of the petitioner, would not serve the interest of the people."*

12. The upshot of the above discussion is that impugned order dated 07.10.2021 was not issued in public interest or exigencies of service and as such is not tenable in the eyes of law. Pre-mature transfer is clear violation of Clause I and IV of Posting and Transfer Policy notified by the provincial government. It is also violative of instructions circulated vide letter dated 27.02.2013 pertaining to tenure in posting/transfer. Ordinary tenure for posting has been specified in the law or rules made there-under, such tenure must be respected and cannot be varied, except for compelling reasons. It should be recorded in writing and are judicially reviewable.

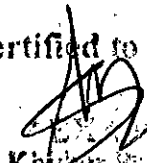
13. As a sequel to the above, the service appeal is allowed with the directions to the respondent-department to allow the appellant to continue on her present station of posting till completion of her normal tenure. The appeal is allowed in the above term. Costs shall follow the event. Consign.

14. *Prima facie in open Court at Camp Court D.I. Khan and given under our hands and the seal of the Tribunal on this 30<sup>th</sup> day of September, 2022.*

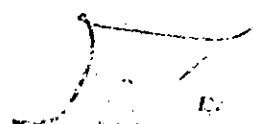


**KALIM ARSHAD KHAN**  
Chairman  
Camp Court D.I. Khan

**Certified to be true copy**



**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



**SALAH UD-DIN**  
Member Justice  
Camp Court D.I. Khan



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Date of Presentation

Pages = 6  
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5/20/1  
25/1



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

Dated Peshawar the February 21<sup>st</sup>, 2022

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC:** The following posting / transfers amongst the Management Cadre Officers of Elementary & Secondary Education Khyber Pakhtunkhwa, are hereby ordered with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
1.	Mst. Shamshad Bibi (MC BS-17)	SDEO (Female) Tank, District Tank.	SDEO (Female) Ladha, South Waziristan (AVP)
2.	Mst. Samina Shahnaz (MC BS-17)	SDEO (Female) Munda, Dir Lower.	SDEO (Female) Tank, District Tank (Vice No-1)


SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No.& date:**

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) Dir Upper and Tank.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officers Dir Upper and Tank.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Officers concerned.
8. Master file.

ATTESTED

  
KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

  
(JUNAID SHAH)  
SECTION OFFICER (Management Cadre)

21  
A-11

22



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

Dated Peshawar the February 22<sup>nd</sup>, 2022

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC:** This Department's Notification of even number dated 21-02-2022 regarding posting/transfer of Mst. Shamshad Bibi (MC BS-17) and Mst. Samina Shahnaz (MC BS-17) from SDEO (Female) Tank, Munda Dir Lower is hereby withdrawn *ab-initio*.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No.& date:**

Copy forwarded for information to the :-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) Dir Lower, Tank and South Waziristan.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officers Dir Lower, Tank and South Waziristan.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Officers concerned.
8. Master file.

*Junaid Shah* 22/2/22

(JUNAID SHAH)

SECTION OFFICER (Management Cadre)

*Exhalid Mehmood*  
EXHALID MEHMOOD  
Advocate High Court  
Stationed at D.I Khan

BE  
THE SUBSTITUTED WITH THE NOTIFICATION I

THE SAME NUMBER AND DATE



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223382

AMX 23  
E

Dated Peshawar the February 22<sup>nd</sup>, 2022

**NOTIFICATION**

**NO. SO(MC)E&SED/4-16/POSTING/TRANSFER/MC:** This Department's Notification of even number dated 12-01-2022 regarding posting/transfer of Mst. Shamshad Bibi (MC BS-17) and Mst. Sonia Nawaz (MC BS-17) from the post of SDEO (Female) Pharpur DI Khan and SDEO (Female) Tank is hereby suspended in light of the Khyber Pakhtunkhwa Service Tribunal Order sheet dated 31-01-2022 in Service Appeal No. 137/2022 till date fixed (24-02-2022).

SECRETARY TO THE GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No. & date:**

Copy forwarded for information to the: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officers (Female) DI Khan and Tank.
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. District Accounts Officers DI Khan and Tank.
7. Section Officer (Litigation-II) E&SE Department with the direction to pursue the case in KP Service Tribunal Peshawar till final decision.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Officers concerned.
10. Master file.

*Junaid Shah*  
22/2/22

(JUNAID SHAH)  
SECTION OFFICER (Management Cadre)

ATTESTED

*Mehmood*  
MEHMOOD  
High Court  
D.I. Khan



OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) D.I.KHAN

Ph: 0966-9280133, emisfdikhan@gmail.com

AMC: - (F)

No. \_\_\_\_\_

Dated D.I.Khan the 14/02/2022

24

To

Mst. Sonia Nawaz  
SDEO (F) Paharpur

**Subject:** SUSPENSION OF TRANSFER ORDER DATED 12-01-2022 IN SERVICE APPEAL No.1372022 BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

Memo:

With reference to court order passed on 31-01-2022 on the above cited subject.

Mst. Shamshad Begum filed a petition against her transfer order and the Honorable Service Tribunal suspended her transfer order, but you have not compliance the said court order. Now this office received a notice from Ahmad Ali (Advocate Supreme Court) on behalf of Mst. Shamshad Begum for contempt petition against Govt. of Khyber Pakhtunkhwa.

The undersigned being a competent authority is hereby relieved of from your duty as the court suspend your order. You are hereby directed to hand over the charge to Mst. Shamshad Begum immediately with Govt. vehicle under intimation to this office.

DISTRICT EDUCATION OFFICER  
(FEMALE) D.I.KHAN

Ends No. 1436-40 /

Copy to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa Peshawar Elementary & Secondary Education Peshawar.
2. District Accounts Officer D.I.Khan
3. District Monitoring Officer (EMA) D.I.Khan
4. District Education Officer (Female) Tank
5. Mst. Shamshad Begum, Petitioner.

ATTESTED

KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

DISTRICT EDUCATION OFFICER  
(FEMALE) D.I.KHAN

14/02/2022

Shamshad bint  
V  
Govt KPH -

Amr

(F)

25



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (F) TANK**

Telephone No. 011-510290  
E-mail: [deof@kpk.gov.pk](mailto:deof@kpk.gov.pk)  
Facsimile No. 011-5103  
Twitter: @deofkpk

No 1752

Dated Tank the 11/03 2022

To

The Sonia Nawaz (Respondent No. 2)  
Sub-Divisional Education Officer  
(Female) Tank

Subject:

**ENSURE YOUR ATTENDANCE AT YOUR DUTY STATION**

Memo.

It is to inform you that you have left the station without providing any legal/ official documents to the undersigned which show your inefficiency in your services due to which the numerous official works are being suffered/ interrupted.

You are therefore, directed to ensure your attendance on your duty station. In case of failure, strict disciplinary action will be initiated as per Govt rules.


District Education Officer  
(Female) Tank


Endst: No. 1753-59

Copy to the:-

1. PS to Secretary E&SE Govt of Khyber Pakhtunkhwa Peshawar
2. PA to Director E&SE Khyber Pakhtunkhwa Peshawar
3. Deputy Commissioner Tank for necessary action please
4. Deputy Directress (Female) E&SE Khyber Pakhtunkhwa Peshawar
5. Deputy Directress (Estab) E&SE Khyber Pakhtunkhwa Peshawar
6. District Education Officer (Female) Dera Ismail Khan
7. Office File

ATTESTED

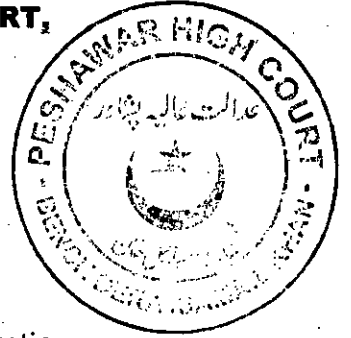
  
KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

  
District Education Officer  
(Female) Tank

26  
Anet: (G)

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT,  
D.I.KHAN BENCH**

Civil Misc. No. 195/2022 in  
Service Appeal No. 137 of 2022  
[pending in Service Tribunal]



Mst. Shamshad Bibi, SDEO (Female) Paharpur, Education  
Department, D.I.Khan.

Petitioner

Filed today 10.55  
Add: Registrar  
02/3/2022

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary education Department, Khyber Pakhtunkhwa, Peshawar.
2. Chief Secretary, to Government of Khyber Pakhtunkhwa Elementary & Secondary education Department, Peshawar
3. Secretary, Elementary & Secondary education Department, Khyber Pakhtunkhwa, Peshawar.
4. Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
5. District Education Officer (Female), D.I.Khan.
6. District Education Officer (Female) Tank.
7. District Account Officer, D.I.Khan.
8. Mst. Sonia Nawaz, SDEO, (Female), Tank

**Respondents**

*Address of the parties are suffice as state above  
for the purpose of service.*

*Yours humble Petitioner  
Through Counsel*

**Ahmad Ali**  
Advocate Supreme Court

ATTESTED

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

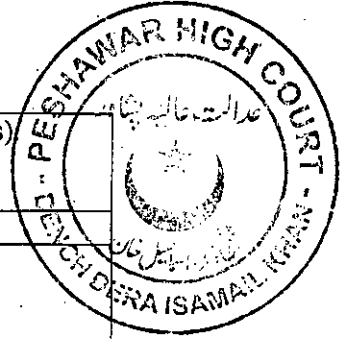
11/03/2022

CM NO.195-2022

**PESHAWAR HIGH COURT, D.I.KHAN BENCH**

## FORM OF ORDER SHEET

Date of Order or proceedings	Order or other proceedings with signature of Judge(s)
(1)	(2)
08.3.2022	<p><b><u>C.M No. 195-D/2022</u></b></p> <p><b><u>Present:</u></b> Mr. Ahmad Ali Khan, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><b><u>MUHAMMAD FAHEEM WALI, J.-</u></b> Through the instant Civil Misc No. 195-D/2022, the petitioner seeks that the charge assumption report submitted by Ms. Sonia Nawaz for the post of SDEO (female) Paharpur, D.I.Khan which was accepted by District Education Officer, (Female), D.I.Khan vide letter dated 01.3.2022 and thereby handing over relevant documents and vehicle vide letter dated 04.3.2022 may kindly be suspended.</p> <p><u>2.</u> Heard. Record perused.</p> <p><u>3.</u> On perusal of the record, it transpires that Service Appeal No. 137 of 2022 is pending before Service Tribunal Khyber Pakhtunkhwa Peshawar and in this regard, petitioner annexed copies of appeal alongwith its enclosures with this petition. During the course of arguments, learned counsel for the petitioner mainly stressed that due to retirement of Chairman, Service Tribunal, Khyber Pakhtunkhwa Peshawar, the Service Tribunal has become dis-functional, therefore, need was felt to file instant C.M before this Court having no other efficacious remedy. True, the Service Tribunal Khyber</p>



*(Handwritten signature)*

ATTEST

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

11/03/2022




28

Pakhtunkhwa Peshawar is not performing functions due to retirement of its Chairman, but this Court cannot assume the powers of Service Tribunal while invoking its original jurisdiction and since the petitioner/applicant has already filed her service appeal before the Service Tribunal and got interim relief therein which has reportedly been violated by the concerned department, taking benefits of the Tribunal being dysfunctional. There are certain other remedies available for enforcement of the order of the Tribunal without seeking the interference of this Court and the petitioner may do so, if he so advised.

4. In view of above, this petition (C.M) is disposed of accordingly.

Announced  
Dt: 08.3.2022

  
JUDGE

ATTESTED

  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

11/03/2022

(S.B)

Hon'ble Mr. Justice Muhammad Faheem Wali

Hasnain/\*



GR No 1257  
Approach received on 10.3.022  
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Signature of Examiner [Signature]

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EXAMINOR  
Peshawar High Court Bench D I Khan  
Authorized Under Section 97  
Qanoon-a-Shahadat Act

[Signature]

Arif: -

(H)

**BEFORE THE HONOURABLE THE PESHAWAR HIGH  
COURT, D.I.KHAN BENCH**

W.P.No. 161 - -D/2022

Mst. Shamshad Bibi, Sub-Divisional Education Officer (Female),  
Tehsil Paharpur, Dera Ismail Khan.

(Petitioner)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary education Department, Khyber Pakhtunkhwa, Peshawar.
2. Chief Secretary, to Government of Khyber Pakhtunkhwa Elementary & Secondary education Department, Peshawar
3. Secretary, Elementary & Secondary education Department, Khyber Pakhtunkhwa, Peshawar.
4. Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
5. District Education Officer (Female), D.I.Khan.
6. District Education Officer (Female) Tank.
7. District Account Officer, D.I.Khan.
8. Mst. Sonia Nawaz, SDEO, (Female), Tank

(Respondents)

ATTESTED

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

18/03/2022

30

**JUDGMENT SHEET**  
**IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH**  
(Judicial Department)

**Writ Petition No.161-D of 2022 with**  
**C.M.Nos.215 & 216-D of 2022**

Mst. Shamshad Bibi

Versus

Govt: of Khyber Pakhtunkhwa through Secretary,  
Elementary & Secondary Education Department  
Peshawar and others



**JUDGMENT**

For petitioner:

Mr. Ahmad Ali Khan, Advocate.

For respondents:

Mr. Adnan Ali, Asstt. A.G and Wilayat Ali  
Khan Gandapur, Advocate.

Date of hearing

15.3.2022

**IJAZ ANWAR, J.-** Same judgment as in W.P.No.160-D of 2022

(Muhammad Iqbal. Vs. Govt: of Khyber Pakhtunkhwa through  
Chief Secretary, Khyber Pakhtunkhwa and others).

Announced.

Dt: 15.3.2022.

Habib/\*

JUDGE

JUDGE

(DB)

Hon'ble Mr. Justice Ijaz Anwar  
Hon'ble Mr. Justice Muhammad Faheem Wali

ATTESTED

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

18/03/2022

17/03

31

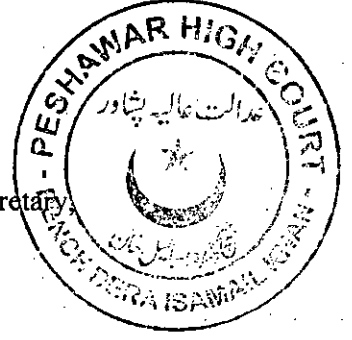
**JUDGMENT SHEET**  
**IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH**  
(Judicial Department)

**Writ Petition No.160-D of 2022 with**  
**C.M.Nos.213 & 214-D of 2022**

Mahmood Iqbal

*Versus*

Govt: of Khyber Pakhtunkhwa through Chief Secretary  
Khyber Pakhtunkhwa and others



**JUDGMENT**

For petitioner: Mr. Ahmad Ali Khan, Advocate.  
For respondents: Mr. Adnan Ali, Asstt: A.G and Malik Hidayatullah Malana, Advocate.  
Date of hearing **15.3.2022**

**IJAZ ANWAR, J.-** Through this single judgment, we intend to dispose of instant W.P.No.160-D of 2022 and connected Writ Petitions No.161-D of 2022 and 162-D of 2022 as identical question is involved in all the three petitions.

2. The facts forming the background of the instant petitions are that petitioners in all the three petitions had earlier filed Service Appeals against their transfer orders before the Honourable Khyber Pakhtunkhwa Service Tribunal, Peshawar and as an interim relief, the orders issued vide Notifications dated 03.01.2022, 04.01.2022 and 12.01.2022 were suspended till 24.02.2022, however in view of the retirement of the incumbent Chairman, the Khyber Pakhtunkhwa Service Tribunal, Peshawar became non-functional and as such the respondents are again bent upon relieving the petitioners.

3. Both the parties heard at length.

ATTEST.

EXAMINOR  
Peshawar High Court Bench,  
D.I. Khan

18/03/2022



4. We are of the view that since the impugned orders of transfer have already been impugned before the Khyber Pakhtunkhwa Service Tribunal, Peshawar, as such, any discussion on merits of the case would prejudice the case of either party. However, in view of the judgment of august Supreme Court of Pakistan in the case of Raja Talat Mahmood. Vs. Ismat Ehtishamul Haq (NLR 2000 Civil 4) since the stay orders have not been specifically vacated but in view of the vacancy of the Chairman of the Tribunal the same have not been extended, as such, unless specifically vacated, the interim orders dated 31.01.2022 granted by the Khyber Pakhtunkhwa Service Tribunal, Peshawar shall remain in field.

5. With regard to objection pertaining to the bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, suffice it to say that it shall not be applicable to the case in hand in view of the fact that presently the Tribunal is not functional and the petitioners cannot be left remediless.


6. With the above clarification, all the three petitions stand disposed of.

Announced.  
Dt: 15.3.2022.  
Habib/

File  
17/03

  
/ JUDGE  
  
JUDGE

(DB)  
Hon'ble Mr. Justice Ijaz Anwar  
Hon'ble Mr. Justice Muhammad Faheem Wali

ATTESTED  
  
18/03/2022

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Signature of Examiner [Signature]

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EXAMINER

Peshawar High Court Bench B L K  
Authorized Under Section 10  
Qamran-2010-10-10-40

[Signature]

Annex: (I)

33



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9210626

Dated: 26<sup>th</sup> May, 2023

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2023/Posting/Transfer/MC/DIK:** The following postings/transfers are hereby ordered with immediate effect, in the best public interest:-

Sr. No	Name & Designation	From	To	Remarks
1.	Samina Shahnaz MC BS-17	SDEO Female Jandola Tank	SDEO Female Paharpur D.I.Khan	V S No 2
2.	Shamshad Bibi MC BS-17	SDEO Female Paharpur Dikhan	Report to Directorate of E&SE	
3.	Noor Khadija MC BS-17	SDEO (Female) Wana South Waziristan	SDEO (Female) Daraband Kalan D.I.Khan	V S No 4
4.	Shamim Akhtar MC BS-17	SDEO (Female) Daraband Kalan D.I.Khan	SDEO Female Jandola Tank	V.S.No.1

2. No TA/DA is allowed.


SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No.& date:**

Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officer (Female) D.I.Khan.
5. District Accounts Officers D.I.Khan.
6. PS to Advisor to Chief Minister on E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.

ATTESTED

  
KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

111/26-5-2023  
IMRAN ZAMAN)  
SECTION OFFICER (Management Cadre)





Anex 1

**(J)**

34

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT**  
 Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
 Phone No. 091-9210626

Dated: 21<sup>st</sup> August, 2023

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2023/Posting/Transfer/MC/DIK:** Consequent upon the Execution of Petition No. 493/2023 in Service Appeal No. 137/2022 filed by Mst. Shamshad Bibi Vs Govt. of Khyber Pakhtunkhwa. This Department's Notification of even number dated 26-05-2023 regarding posting / transfer Notification to the extent of **Mst. Shamshad Bibi (MC BS-17)**, appearing at Sr. No-2 is hereby withdrawn/Cancelled.

2. No TA/DA is allowed.

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA**  
**E&SE DEPARTMENT**

**Endst: of even No & date**

Copy forwarded for information to the:

1. Registrar Service Tribunal Khyber Pakhtunkhwa
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. Section Officer (Lit-II) E&SE Department.
5. District Education Officer (Female) D.I. Khan.
6. District Accounts Officers D.I. Khan.
7. PS to Advisor to Chief Minister on E&SE Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.

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**IMRAN ZAMAN**  
 SECTION OFFICER (Management Cadre)

**ATTESTED**

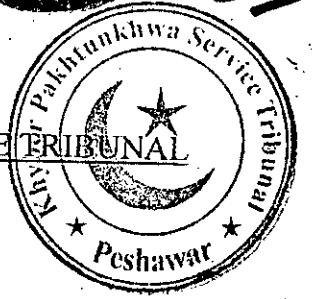
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**KHALID MEHMOOD**  
 Advocate High Court  
 Stationed at D.I. Khan

ANEX: -

(K)

35

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR



Execution Petition No. 493/2023

Date of institution ..... 14.07.2023

Mst. Shamshad Bibi, Sub-Divisional Executive Officer (Female) Tehsil Paharganj, District D.I.Khan.

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar and 06 others.

ORDER  
24.08.2023

Mr. Khalid Mehmood, Advocate for the petitioner present. Mr. Amjid Ali, Section Officer (Litigation) and Mr. Muhammad Faheem, Assistant along with Mr. Muhammad Jan, District Attorney for the respondents present.

Representatives of the respondents produced Notification No. SO(MC)E&SED/4-16/2023/Posting/Transfer/MC/DIK dated 21.08.2023 and stated Notification dated 26.05.2023 regarding posting/transfer Notification to the extent of petitioner has been withdrawn/cancelled, therefore, the execution petition in hand may be filed. Copy of the said Notification handed over to learned counsel for the petitioner, who after going through the same stated at the bar that as the grievance of the petitioner has been redressed, therefore, the execution petition in hand may be filed without further proceedings. In this respect, written endorsement of learned counsel for the petitioner obtained at the margin of order sheet.

In view of the above, the execution petition in hand stands filed being implemented. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
24.08.2023

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to be true copy  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

Case 18/1/2023  
Khalid Mehmood Adv.

Date of Presentation of Application 26/10/23

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26/10/23

26/10/23

Ans: (L)

36



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9210626

Dated; 5<sup>th</sup> December, 2023

**SECRETARY**

**NO.SO (MC) E&SED/4-16/2023/PT/ASDEOs** In light of Service Tribunal Judgment dated 03.11.2023 in Service Appeal No. 1403/2023, the following posting/ transfer of SDEOs are hereby ordered with immediate effect, in the best public interest.

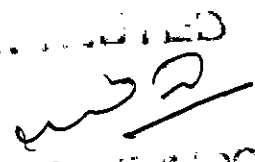
S#	Name	From	To	Remarks
1	Mst. Nighat Shaheen (MC BS-17)	SDEO (F) Parova D.I.Khan	SDEO (F) Tank	V.S.No.2
2	Mst. Sonia Nawaz (MC BS-17)	SDEO (F) Tank	SDEO (F) Paharpur D.I.Khan	V.S.No.6
3	Noreen Saba (MC BS-17)	SDEO (F) Hangu.	SDEO (F) Jandola Tank	V.S.No5
<b>CONSEQUENTIAL POSTING/ TRANSFER</b>				
4	Mst. Sobia Tabassum (MC BS-17)	SDEO (F) D.I.Khan	SDEO (F) Parova D.I.Khan	V.S.No.1
5	Mst. Samina Shehnaz (MC BS-17)	SDEO (F) Jandola Tank	SDEO (F) D.I.Khan	V.S.No.4
6	Shamshad Bibi (MC BS-17)	SDEO (F) Paharpur D.I.Khan	SDEO (F) Ghazni Khel Lakki Marwat	AVP

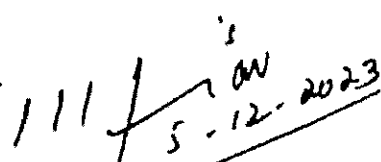
SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officers (Female) concerned.
5. District Accounts Officer concerned.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.

  
KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

  
(IMRAN ZAMAN)  
SECTION OFFICER (Management Cadre)

Amr

(L-1)

(B)

(37)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MIA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax: 091-9211400

NOTIFICATION

Dated Peshawar the August 07, 2019

9/8/2019

TO: SDE/EL & SDE/AL (6/7019) Assistant/MLC

Consequent upon approval of the

Government Authority, the following Management Cadre, Assistant Sub-Division Education Officers, and Divisional Education Officers (Female) of B&SED are hereby adjusted against the mentioned posts with immediate effect.

Name of Officers	Adjustment Station	Remarks
Mr. Maryam Bano, SDE (F) Peshawar	SDE (F) Town Peshawar	AVP
Mr. Asim, SDE (F) Peshawar	SDE (F) Turcho Murkhaw	Vice Sr. No. 1
Mr. Zahir Khan, ASDE (F) Peshawar	SDE (F) Drash Chitral	AVP (own pay & scale)
Mr. Nazim Jamal, SDE (F) Peshawar	SDE (F) Chitral	AVP
Mr. Khuda Bakhsh, ASDE (F) Peshawar	SDE (F) Tahir Mohd Mardan	Vice Sr. No. 30 (own pay & scale)
Mr. Samir Khan, SDE (F) Peshawar	SDE (F) Tashiq Mardan	AVP
Mr. Muzaffar Khan, ASDE (F) Peshawar	SDE (F) Baham Mardan	AVP (own pay & scale)
Mr. Faraz, ASDE (F) Razza Swat	SDE (F) Razza Swat	AVP (own pay & scale)
Mr. Saqib Jaleel, SDE (F) Peshawar	SDE (F) Chitral (Phone Swat)	Vice Sr. No. 70
Mr. Zahir Khan, ASDE (F) Peshawar	SDE (F) Babozai Swat	AVP (own pay & scale)
Mr. Fazal, ASDE (F) Swat	SDE (F) Barikot Swat	AVP (own pay & scale)
Mr. Saqib Jaleel, ASDE (F) Peshawar	SDE (F) Hebram Swat	AVP (own pay & scale)
Mr. Saqib Akmal, ASDE (F) Peshawar	SDE (F) Kabal Swat	AVP (own pay & scale)
Mr. Rukhsana Naz, ASDE (F) Peshawar	SDE (F) Matta Swat	Vice Sr. No. 35 (own pay & scale)
Mr. Saqib, ASDE (F) Peshawar	SDE (F) Bakhsh Mela Cand	AVP (own pay & scale)
Mr. Arif, SDE (F) Torghar	SDE (F) Mamehra	AVP
Mr. Saqib Amreen, SDE (F) Peshawar	SDE (F) Demail Jammu	Vice Sr. No. 10
Mr. Saqib, ASDE (F) Peshawar	SDE (F) Darchan Kohat	AVP

*[Handwritten signature]*

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1	Mst. Saadia Niswar, Haveli, District Muzaffargarh	SDEO (F) Pakpattan D.I. Khan	AVP
2	Mst. Sabina Bishki, SDEO (F) Bahawalpur	SDEO (F) Kotachi D.I. Khan	AVP
3	Mst. Farhat Yasmin, SDEO (F) Bahawalpur	SDEO (F) D.I. Khan	AVP
4	Mst. Shamshad Begum, SDEO (F) Bahawalpur	SDEO (F) Tank	AVP
5	Mst. Nasim Begum, ASDFO (F) Bahawalpur Dir Lower	SDEO (F) Bahawalpur Dir Lower	AVP (own pay & scale)
6	Mst. Yasmin Akhtar, ASDFO (F) Bahawalpur Dir Lower	SDEO (F) Bahawalpur Dir Lower	AVP (own pay & scale)
7	Mst. Ayesha, ASDFO Bahawalpur Dir Lower	SDEO (F) Bahawalpur Dir Lower	AVP (own pay & scale)
8	Mst. Shabnam, ASDFO (F) Bahawalpur Charsadda	SDEO (F) Bahawalpur Charsadda	Vice Sr. No. 27 (own pay & scale)
9	Mst. Zeenat Bibi, SDEO (F) Bahawalpur Charsadda	SDEO (F) Bahawalpur Charsadda	AVP
10	Mst. Sheila Noz, SDEO (F) Bahawalpur Dir Lower	SDEO (F) Bahawalpur Dir Lower	AVP
11	Mst. Naveed Arjum, MC-BS-17, Services placed at the disposal of Directorate of E&SE	SDEO (F) Bahawalpur Dir Lower	AVP
12	Mst. Nazam Nazeem, ASDFO (F) Bahawalpur Kohistan	SDEO (F) Bahawalpur Kohistan	Vice Sr. No. 31 (own pay & scale)
13	Mst. Maryam Anon, SDEO (F) Bahawalpur Multan	Assistant Director, Directorate of E&SE	Vice Sr. No. 38
14	Mst. A.P.A. Amin, SDEO (F) Bahawalpur Kohistan	SDEO (F) Bahawalpur Kohistan	Vice Sr. No. 33
15	Mst. Mercedes Noor, SDEO (F) Bahawalpur Bahawalpur	SDEO (F) Bahawalpur Bahawalpur	Vice Sr. No. 32

CONSEQUENTIAL TRANSFERS

16	Mst. Samra-ul-Jad, HM (BS-17) working as SDEO (F) Bahawalpur Kohistan	Services placed at the disposal of Directorate of E&SE	
17	Mst. Zahida Begum, SST working as SDEO (F) Bahawalpur Swabi	Services placed at the disposal of Directorate of E&SE	
18	Mst. Shabeen Begum, SS (BS-17) working as SDEO (F) Bahawalpur Chahore Swabi	Services placed at the disposal of Directorate of E&SE	
19	Mst. Shah Nizar, SDEO (F) Bahawalpur Kohistan	Services placed at the disposal of Directorate of E&SE	
20	Mst. Shahnaz Akhtar, HM (BS-17) working as Assistant Director, Directorate of E&SE	Services placed at the disposal of Directorate of E&SE	
21	Mst. Rana Atta Ullah, Headmistress (BS-17) SDEO (F) Bahawalpur Bahawalpur	Services placed at the disposal of Directorate of E&SE	

*[Handwritten signature]*

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The above order will be effective subject to the condition that the officers posted in their own pay & scale will give an undertaking/ Affidavit on legal/ stamp paper to Secretary, E&SE Directorate E&SE, Peshawar to the effect that they will not claim benefits of graded pay and emoluments of the higher pay scale

No TADA is allowed.

SECRETARY  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Enlist of even No. & date:

- Copy forwarded to the:
- 1 Accountant General Khyber Pakhtunkhwa, Peshawar.
- 2 Director E&SE Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officers (Female) concerned.
- 4 District Accounts Officers concerned.
- 5 PS to Secretary E&SE Department.
- 6 In-charge EMISE, E&SE Department for uploading at official website at the earliest
- 7 Office concerned.
- 8 Office or for file.

Altogether 8

*[Signature]*  
Advocate High Court  
Stationed at D.I.Khan

*[Signature]*

(GULRIKH)  
SECTION OFFICER (SCHOOLS FEMALE)

Better Copy

40



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Block "A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone 091-921040, Fax 091-09211419

Dated Peshawar August 9<sup>th</sup> 2019

**NOTIFICATION**

**No. SO(S)EF/SEED/4-16/2019 Adjustment/MC**

Consequent upon approval of the competent Authority, the following Management Cadre, Assistant Sub Division Education Officer, Sub Divisional Education Officer (Female) of E&SED are hereby adjusted against the mentioned with immediate effect.

S#	Name of Officer	Adjustment Station	Remarks
1.	Mst Maryam Rashid, SDEO (F) Mingora	SDEO (F) Town-4 Peshawar	AVP
2.	Mst Arifa Bibi, SDEO (F) Shangla Dir Upper	SDEO (F) Turkbo Mulhoe Chitral	Vice Sr No.1
3.	Mst Zubaida Khurram ASDEO (F) Chitral	SDEO (F) Drash Chitral	AVP (own pay & Scale)
4.	Mst Mussrat Jahan SDEO (F) Mulkhw Chitral	SDEO (F) Chitral	AVP
5.	Mst Khudija Bibi ASDEO (F) Mrdan	SDEO (F) Takht Bhai Mardan	Vice Sr No. 39 (own pay & scale)
6.	MSt Samira Iftkhar SDEO (F) Shangla	SDEO (F) Katling Mardan	AVP
7.	Mst Shahnaz Ihsan ASDEO (F) Mrdan	SEDO (F) Rustam Mardan	AVP (own Pay & Scale)
8.	Dil Raj ASDEO (F) Swabi	SDEO (F) Razzar swabi	AVP Own pay & Scale
9.	Mst Shagufta Jabeen SDEO (F) Diamar Bunir	SDEO (F) Chota Lahore Swabi	Vice Sr No. 16
10.	Mst Zakia Raza AASDEO (F) Swat	SDEO (F)	AVP Own pay & Scale
11.	MST Fazilat ASDEO (F) Swat	SDEO (F) Bari Kot Swat	AVP Own pay & Scale
12.	Msst Saima Bibi ASDEO Babozai (F) Swat	SDEO (F) Behrain Swat	AVP Own pay & Scale
13.	Mst Naheed Akhtar ASDEO (F) Swat	SDEO (F) Kabal Swat	AVP Own pay & Scale
14.	Mst Rukhsana ASDEO (F) Swat	SDEO (F) Matta Swat	Vice Sr. No35 AVP Own pay & Scale
15.	Mst Safia ASDEO (F) Batkhela Malakand	SDEO (F) Batkhela Malakand	AVP Own pay & Scale
16.	Mst Arifa SDEO (F) Torghat	SDEO (F)F mashehra	AVP
17.	Mst Sabrin Ambreen, SDEO (F) Lal Qila Dir Lower	SDEO (F) Domail Bannu	Vice Sr. No. 20
18.	Mst Nayyar Sultana SDEO (F) Charbagh Sar	SDEO (F) Darabn Kalan D.I.Khan	AVP
19.	Mst Sunia Nawaz Baloch SDEO (F) Manda Bunir	SDEO (F) Paharpur D.I.Khan	AVP
20.	Mst Saima Bashir, SDEO (F) Domail Bannu	SDEO (F) Kulachi D.I.Khan	AVP
21.	MST Farhat Yasmin SDEO (F) Tank	SDEO (F) D.I.Khan	AVP

ATTESTED

KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

*[Handwritten signature]*



22	Mst Shmshad Bibi SDEO (F) Mindar Dir Lower	SDEO (F) Tank	AVP
23.	Mst Nasim Begum ASDEO (F) Balambut Dir Lowrer	SDEO (F) Balambat Dir Lower	AVP Own pay & Scale
24.	Mst Yasmin Akhtar, ASDEO (F) Khall Dir Lower	SDEO Khall Dir Lower	AVP Own pay & Scale
25.	Mst Ayesha ASDEO Alpuri (F) Shangla	SDEO (F) Alpuri Shangla	AVP (own pay & Scale)
26.	Mst Shaista, ASDEO (F) Shabqadar Charsadda	SDEO (F) Shangla	AVP (own pay & Scale)
27.	Mst Zeenat Bibi SDEO (F) Shabqadar Charsadda	SDEO (F) Charsadda	AVP
28.	Mst Shehla Naz SDEO (F) Wari Dir Upper	SDEO (F) Tangi Charsadda	AVP
29.	Mst Nazia Anjum (MC-BS-17) Services on the disposal of Directorate of E&SE	SDEO (F) Pabbi Nowshehra	AVP
30.	Mst Nasri Naseem ASDEO (F) Palas Kohistan	SDEO (F) Kolni Pallas Kohistan	AVP
31.	MSt Maryam Aman SDEO (F) Malakand	Assistant Director Directorate of E&SE	Vice Sr No. 38
32.	Mst Asifa Amin SDEO (F) Kolmi	SDEO (F) Tali Hangu	Vice SR.No. 32
33.	Mst mehar Un Nisa SDEO (F) Tali Hangu	SDEO (F) Kohat	Vice No. 32
34.	Mr Shams Ul Haq	HM (BS-17 working as SDEO (F) Kolai Pallas Kohistan	
35.	Mst Zahida Begum SST Working as SDEO (F) Mata Swat	Services placed at the disposal of Directorate of E&SE	
36.	Mst Shaheen Begum SS (BS-17) working as SDEO (F) Chota Lahore	Services placed at the disposal of Directorate of E&SE	
37.	Mr Shah Nazir SDEO (F) Patteri Kohistan	Services placed at the disposal of Directorate of E&SE	
38.	Mst Shahnaz Akhtar HM BS-17) Working as Assistant Director Directorate E&SE	Services placed at the disposal of Directorate of E&SE	
39.	Mst Rana Atta Ullah Head master (BS-17) SDEO (F) Takht Bhai Mardan	Services placed at the disposal of Directorate of E&SE	

**ATTESTED**



**KHALID MEHMOOD**  
Advocate High Court  
Stationed at D.I.Khan

*Attested*

2. The above order will be effective subject to the condition that the officer posted in their own pay & scale will give an undertaking/ Affidavit/ on legal/ stamp paper to Secretary E&SE/ Directorate E&SE, Peshawar to the effect that they will not claim benefits of graded pay and seniority of the higher pay scale.

3. No TA/DA is allowed.


SECRETARY  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Endst: of given No. & date:

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned.
4. District Accounts Officers concerned.
5. PS to Secretary E&SE Department.
6. In-charge EMISE, E&SE Department for uploading at official website at the earliest.
7. Officers concerned.
8. Office order file.

**ATTESTED**

  
**KHALID MEHMOOD**  
Advocate High Court  
Stationed at D.I. Khan

(GUL RUKH)  
Section Office (School Female)

Anex:

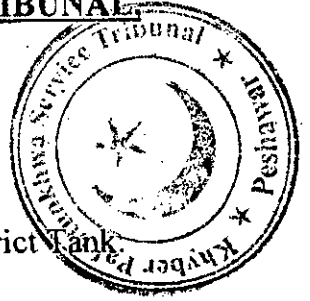
(M)



43

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL**  
**PESHAWAR**

service Appeal No. <sup>1441</sup> /2023



Mst. Sonia Nawaz, Sub Divisional Education Officer (F) Tank, District Tank

.....APPELLANT

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary, Khyber Pakhtunkhwa, Peshawar.
2. Chief Secretary, to Govt. of Khyber Pakhtunkhwa, Peshawar.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, Peshawar Khyber Pakhtunkhwa Peshawar.
4. Director, Elementary & Secondary Education Department, Peshawar Khyber Pakhtunkhwa Peshawar.
5. District Education Officer (Female), Dera Ismail Khan.
6. District Education Officer (Female), Tank.
7. District Account Officer, Dera Ismail Khan
8. Nighat Shaheen, SDEO (F), Paroa District Dera Ismail Khan.

..... Respondents

**SERVICE APPEAL U/S 4 OF KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL ACT 1974. AGAINST THE**  
**NOTIFICATION BEARING NO. SO(MC)E&SED/4-**  
**16/2022/POSTING/TRANSFER/MC/ DATED 22/03/2023** TESTED  
**ISSUED BY THE RESPONDENT NO.3.**

*[Handwritten signature and stamp]*  
Khyber Pakhtunkhwa  
Services Tribunal  
Peshawar

**PRAYER:**

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE OFFICIAL REpondents MAY KINDLY BE DIRECTED TO CANCEL THE IMPUGNEED WITHDRAWAL ORDER BEARING NO. SO(MC)E&SED/4-16/2022/POSTING/TRANSFER/MC/ DATED 22/03/2023 BE DECLARED AS VOID AB-INITIO WITHOUT LAWFUL AUTHORITY, AGAINST THE NORMS OF NATURAL JUSTICE AND INEFFECTIVE UPON THE RIGHTS OF APPELLANTS AND THE TRANSFER NOTIFICATION BEARING NO. SO(MC)E&SED/4-16/2022/POSTING/TRANSFER/MC/ DATED 20/03/2023 MAY KINDLY BE RESTORED IN THE BEST INTEREST OF JUSTICE.

Note: The addresses of the parties given above are sufficient for the purpose of services.

Respectfully Sheweth,




44


S.A #. 1441/2023

**ORDER**


13<sup>th</sup> Nov. 2023

1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General for official respondents present. Respondent No.3 in person present. Nobody is present on behalf of private respondent No.8.
2. Vide our detailed judgment of today placed on file of connected Service Appeal No.1403/2023 titled 'Noreen Saba Vs. Education Department', instant service appeal is disposed of. Copy of judgment passed in connected appeal, be placed on file of this case. Consign.
3. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 13<sup>th</sup> day of November, 2023.*

  
(Salah-Ud-Din)  
Member (J)

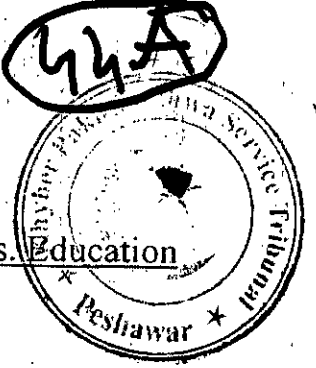
  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

Certified to be true copy  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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Date of Issue .....  
22/11/23  
22/11/23

44A



Service Appeal No.1403/2023 titled "Noreen Saba & other Vs. Education Department"

ORDER

13<sup>th</sup> Nov. 2023 Kalim Arshad Khan, Chairman: Learned counsel for the appellants present.

Mr. Habib Anwar, Additional Advocate General for the official respondents present. Mr. Motasim Billah Shah, Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education (respondent No.2) is present in person. Mr. Ahmad Ali Khan, Advocate present on behalf of private respondent No.10 through video link from D.I.Khan and for the appellants in appeal No.1441/2023.

2. Through this single order, we are going to decide this appeal as well as connected Appeal No.1441/2023 titled "Sonia Nawaz Vs. Education Department" as both are almost interdependent and thus, can conveniently be decided together.

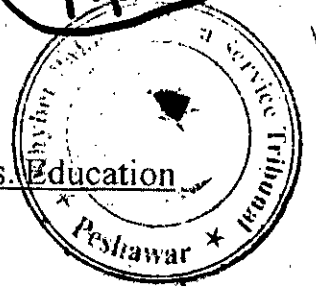
3. At the very outset, respondent No.2 i.e. Secretary Elementary & Secondary Education Department, has informed the Tribunal that the posts, against which the private parties are litigating, are provincial cadre posts. However, in view of the fact that the private parties are ladies, therefore, the department takes all care that they could be accommodated nearer to their home stations. The Secretary further offered that let the matter might be sent to the department, where, he will make all the private parties sit together and he would issue an appropriate order of posting of private parties having regard to the abode, tenure provided in the posting/transfer policy as well as exigency of services and public interest, to which, the learned counsel for the private parties did not object. Therefore, we dispose of these appeals by sending the cases of the private parties of these two appeals to the Secretary

Certified to be true copy

EKAMRIN  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

6/11/23  
44A

Service Appeal No.1403/2023 titled "Noreen Saba & other Vs. Education Department"



ORDER


13<sup>th</sup> Nov. 2023 Kalim Arshad Khan, Chairman: Learned counsel for the appellant present.

Mr. Habib Anwar, Additional Advocate General for the official respondents present. Mr. Motasim Billah Shah, Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education (respondent No.2) is present in person. Mr. Ahmad Ali Khan, Advocate present on behalf of private respondent No.10 through video link from D.I.Khan and for the appellant in appeal No.1441/2023.

2. Through this single order, we are going to decide this appeal as well as connected Appeal No.1441/2023 titled "Sonia Nawaz Vs. Education Department" as both are almost interdependent and thus, can conveniently be decided together.

3. At the very outset, respondent No.2 i.e. Secretary Elementary & Secondary Education Department, has informed the Tribunal that the posts, against which the private parties are litigating, are provincial cadre posts. However, in view of the fact that the private parties are ladies, therefore, the department takes all care that they could be accommodated nearer to their home stations. The Secretary further offered that let the matter might be sent to the department, where, he will make all the private parties sit together and he would issue an appropriate order of posting of private parties having regard to the abode, tenure provided in the posting/transfer policy as well as exigency of services and public interest, to which, the learned counsel for the private parties did not object. Therefore, we dispose of these appeals by sending the cases of the private parties of these two appeals to the Secretary

Page 1  
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EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

45

Elementary & Secondary Education Department Khyber Pakhtunkhwa for appropriate action at his end, within 30 days from today. (Copy of this order be placed on file of connected appeal No.1441/2023 titled 'Noreen Saba Vs. Education Department'). Consign.

4. Pronounced in open Court at Peshawar and given under our hand and seal of the Tribunal on this 13<sup>th</sup> day of November, 2023.

(Salah-Ud-Din)  
Member (Judicial)

(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

Certified to be true copy

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

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Date of Delivery \_\_\_\_\_

22/11/23

22/11/23  
22/11/23

Amr: (MI) (3) (46)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

Dated Peshawar the June 09<sup>th</sup>, 2022

**NOTIFICATION**

NO. SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC: Mst. Sonia Nawaz (MC BS-17) SDEO (Female) Tank is hereby transferred and directed to immediately report to Directorate of Elementary & Secondary Education, Khyber Pakhtunkhwa.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Tank.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officer Tank.
6. PS to Minister E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officer concerned.
9. Master file.

*Naseer*  
9.6.22  
(NASEER ABBAS KHALIL)  
SECTION OFFICER (Management Cadre)

**ATTESTED**

*Khalid Mehmood*  
KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I. Khan





**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT**  
 Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
 Phone No. 091-9223588

47

Dated Peshawar the June 10<sup>th</sup>, 2022

**CORRIGENDUM:**

**NO.SO(MC)E&SED/4-16/2022/PT/POSTING/TRANSFER/MC:** In partial modification of this Department's Notification of even number dated 30-05-2022, the following posting / transfers are hereby ordered, in the best public interest: -

Sr. No	Name and designation	Under transfer as	New place of posting
1	Mr. Wali ur Rehman (MC BS-17)	SDEO (Male) Alai Battagram	SDEO (Male) Barawal Bandi, Dir Upper (AVP)
2	Mr. Said Zamin Shah (MC BS-17)	SDEO (Male) Nawagai, District Bajaur	SDEO (Male) Khwazakhela, District Swat (AVP)
3	Mst. Noreen Saba (MC BS-17)	SDEO (Female) Harban Basha, Kohistan Upper	SDEO (Female) Tank (AVP)

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA**  
**E&SE DEPARTMENT**

Endst: of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Battagram, Bajaur and Tank.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
5. District Accounts Officers Battagram, Bajaur and Tank.
6. PS to Minister E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.

*Naseer*  
10.6.22

(NASEER ABBAS KHAILIL)  
 SECTION OFFICER (Management Cadre)

*Attested*

**ATTESTED**

**KHALID MEHMOOD**  
 Advocate High Court  
 Stationed at D.I.Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated: 20<sup>th</sup> March, 2023

*M2*

*48*

**NOTIFICATION**

**NO:SO(MC)E&SED/4-16/2022/Posting/Transfer/MC/:** The following posting/ transfer are hereby ordered with immediate effect, in the best public interest: -

Sr. No	Name of officer	Present Station	Proposed Station	Remarks
1.	Mst. Sonia Nawaz MC BS-17	SDEO (Female) Tank	SDEO (Female) Parova D.I.Khan	V.S.No.2
2.	Nighat Shaheen MC BS-17	SDEO (Female) Parova D.I.Khan	SDEO (Female) Tank	V.S.No.1

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officers (Female) Tank/D.I.Khan
5. District Accounts Officers Tank/D.I.Khan.
6. Additional Director General (Election-1) Election Commission of Pakistan, Islamabad
7. PS to Advisor to Chief Minister for E&SE Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Master file.

*11/1/2023*

(IMRAN ZAMAN)

SECTION OFFICER (Management Cadre)

*Attested*

ATTESTED

Station Officer (Management Cadre)  
Elementary & Secondary Education  
Govt. of Khyber Pakhtunkhwa

KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

KHALID MEHMOOD  
Advocate High Court  
Stationed at D.I.Khan

ATTESTED

*22/3/2023*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9210626

99  
11

Dated: 22<sup>th</sup> March, 2023

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2022/Posting/Transfer/MC/:** : This Department's Notification of even number dated 20-03-2023 regarding posting/ transfer of SDEOs (Female) Parova D.I.Khan and Tank is hereby withdrawn/cancel.

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT**

**Endst: of even No.& date:**

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officers (Female) Tank/D.I.Khan
5. District Accounts Officers Tank/D.I.Khan.
6. Additional Director General (Election-1) Election Commission of Pakistan, Islamabad
7. PS to Advisor to Chief Minister for E&SE Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
9. Master file.

**ATTESTED**

*[Signature]*  
**KHALID MEHMOOD**  
Advocate High Court  
Stationed at D.I.Khan

*[Signature]*  
**(IMRAN ZAMAN)** 22/3/2023  
SECTION OFFICER (Management Cadre)

*[Signature]*  
*[Signature]*



GOVERNMENT OF NWFP  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(Regulation Wing)

M3

50

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants

All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.

All contract Government employees appointed against specific posts, can not be posted against any other post.

The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.

While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained

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-13 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.

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.

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.

No posting/transfers of the officer's/officials on detailment basis shall be made.

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.

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.

ATTESTED

to be true copy

Advocate  
Par-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI (E&AD) 1-4/2003 Vol. VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

KHALID  
Advocate  
Head of U.I.

Amex - (N)

(51)

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER  
PAKHTUNKHAWA, PESHAWAR.**

No. 8365-68 F.No.ACRs/Female / SDEO-MC- B-17-2023

Dated 22/07/2023

To

1. The District Education Officers (Female) KPK.
2. The Director DPD Peshawar.
3. Director DCTE Abbottabad.


Subject: - **PROVISION OF PERs, ANNUAL MEDICAL, NON INVOLMENT, SERVICE CERTIFICATES, POSTING/TRANSFER AND PAY SLIP.**

Memo:

I am directed to refer to the subject noted above and to ask you to submit PERs for the mentioned period along with relevant documents in respect of the Officers (B-17) MC working under your jurisdiction to this Directorate within 3 days positively. In case of non-submission of PERs, cogent reasons may be recorded in respect of the officer(s) concerned please.

S.No.	Name of Officer	Father's Name	DOB	Domicile	Remarks
1	Iffat Jabeen	Wall Aman Khan	05/02/1973	Mansehra	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
2	Nageena Bibi	Fazal Ahmad	26/02/1976	Haripur	PERs 2022, Non Involvement, service certificate, annual medical certificate & pay slip required
3	Sajida Sakhi	Sakhi Muhammad	6.2.1974	Mansehra	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
4	Saeeda Bano	Kala Khan	26/04/1974	Haripur	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
5	Shabana Bibi	Saif Ullah Khan	16/01/1976	Hangu	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
6	Shamshad Bibi	Gul Dar Ali Khan	01/01/1978	D.I.Khan	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
7	Musrat Jamal	Sultan Nadir Khan	29/07/1972	Chitral	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required
8	Nighat Shaheen	Allah Bakhash	13/04/1971	D.I.Khan	PERs 2020 to 2022, Non involvement, service certificate, annual medical certificate & pay slip required
9	Farhat Yasmeen	Gul Abbas Khan	03/06/1977	Karak	PERs 2022, Non involvement, service certificate, annual medical certificate & pay slip required

**ATTESTED**

  
**KHALID MEHMOOD**  
Advocate High Court  
Stationed at D.I.Khan

CS CamScanner

52/1

10.	Arifa Bibi	Afsar Ali	01/01/1976	Chitral	PERs 2022 ,Non involvement, service certificate, annual medical certificate & pay slip required
11.	Mehrun Nisa	Payo Dar Khan	18/02/1977	Karak	PERs 2022 ,Noninvolvement, service certificate,annual medical certificate & pay slip required
12.	Adeela Rani	Muhammad Nawaz Khan	01/02/1977	Mansehra	PERs 2022 ,Non involvement, service certificate, annual medical certificate & pay slip required
13.	Sonia Nawaz Baloch	Shah Nawaz Baloch	06/06/1980	D.I.Khan	PERs:2020 to 2022 , Non involvement, service certificate,annual medical certificate & pay slip required
14.	Shamim Akhtar	Malik Jan Marwat	01/04/1968	D.I.Khan	PERs 2022 ,Non involvement,service certificate,annual medical certificate & pay slip required
15.	Hunfia Falook	Syed Falook	04/06/1972	Kohat	PERs 2021 & 2022 ,Non involvement,service certificate,annual medical certificate & pay slip required
16.	Maryam Rasheed	Rasheed Ahmad	15/03/1978	Mardan	PERs 2021 & 2022 ,Non involvement,service certificate,annual medical certificate & pay slip required
17.	Naheed Fazal	Fazau Ur Rehman	05/05/1968	Abbottabad	PERs 2019,2021 & 2022 ,Non involvement, service certificate, annual medical certificate & pay slip required
18.	Nazia Anjum	Abdul Rahim	26/04/1976	Peshawar	PERs 2019,2021 & 2022 ,Non involvement,service certificate, annual medical certificate & pay slip required

Note: All the required PERs along with related documents must be submitted to this Directorate by the DEOs concerned through official letter via special Messenger (Dealing Assistant).

22/9/2023  
 DEPUTY DIRECTOR (ESTAB/F-II)  
 ELEMENTARY & SECONDARY EDUCATION KPK  
 PESHAWAR

ATTESTED

KHALID MEHMOOD  
 Advocate High Court  
 Stationed at D.I.Khan

CS CamScanner



KHYBER PAKHTUNKHWA BAR COUNCIL

ADVOCATE HIGH COURT

KHALID MEHMOOD

Advocate

bc-15-5415

Date of Issue: November 2022

Valid upto: November 2025



وکالت

33/1

Secretary  
KP Bar Council

کورت فیس

بعدالت جناب جسٹس کنوٹیاہ سر سید ایچ اے

منجانب پیٹرنز

شمسادی بی بنام گورنمنٹ کون ڈپلومہ

Execution Petition دعویٰ یا جرم

in Service App 137/2022 تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ مقام  
حکومت گلگت بلتستان کے لیے

کو حسب ذیل شرائط پر کیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ مختیار خاص رو برو عدالت حاضر ہونا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف اسکے کسی طرح لادہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر بکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا بکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا جمانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پروا صلہ صاحب موصوف مل کر وہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو مرضی دعویٰ یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اعلیٰ محرمی و ہرجم درخواست پڑھنا و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور ہرجم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہرجم کے بیان دینے اور اس پر ثالثی پارٹس نامہ و فیصلہ بر حقیقہ کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از بکھری صدر بیروی مقدمہ مذکورہ نظر ثانی و اعلیٰ محرمی و ہرجم کی مقدمہ یا مستثنیٰ ڈگری یا طرف یا درخواست حکم اتنا ہی یا ترقی یا کرٹاری ٹیل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا جلی علیہ و علیان بیروی کا اختیار ہوگا اور تمام ساختہ پروا صلہ صاحب موصوف مل کر وہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ اسکے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اعلیٰ یا کرٹاری ٹیل یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا ہرجم کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جمانہ اتنا ہی ہوگا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو ہر ویسے تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورثہ 8 مارچ 2023

مضمون وکالت نامہ سن لیا ہے۔ اور اسی طرح سمجھ لیا ہے اور منظور ہے۔

مستند

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شمسادی بی پیٹرنز

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