

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	05.07.2019	<p align="center"><b><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></b>  <b>Service Appeal No. 399/2019</b></p> <p>Date of Institution ..... 26.03.2019  Date of Decision ..... 05.07.2019</p> <p>Mst. Malak Taja D/o Muhammad Usman Sub-Divisional Education Officer (F), Mardan.</p> <p align="right"><b>Appellant</b></p> <p align="center"><b>Versus</b></p> <ol style="list-style-type: none"> <li>The Chief Secretary, Government of Khyber Pakhtunkhwa Peshawar.</li> <li>The Secretary Elementary &amp; Secondary Education Government of Khyber Pakhtunkhwa, Peshawar.</li> <li>Mst. Rana Atta Ullah, HM, GGHS Katta Khat, Mardan.</li> </ol> <p align="right"><b>Respondents</b></p> <p><b>Mr. Muhammad Hamid Mughal-----Member(J)</b>  <b>Mr. Hussain Shah-- -----Member(E)</b></p> <p align="center"><b><u>JUDGMENT</u></b>  <b><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u></b> Learned counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Learned counsel for private respondent No.3 also present.</p> <p>2. The appellant has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 being aggrieved against the order dated 05.03.2019 to the extent of her posting transfer from the post of SDEO (F) Mardan to the post of SDEO (F) Batkhela Malakand and posting of private respondent No.3 as</p>

5-7-2019

SDEO (F) Mardan. The appellant has also assailed the order dated 25.03.2019 through which her departmental appeal against original impugned order was rejected.

3. Arguments heard. File perused.

4. Learned counsel for the appellant mainly argued that Mst. Rana Atta Ullah (private respondent No.3) belongs to teaching cadre whereas the appellant belongs to administrative cadre and as per policy of Provincial Government notified by Notification No. SO (E-I)/E&AD/0-88/2019 dated 08.02.2019, an employee of teaching cadre could not be posted against the administrative post; that private respondent No.3 being an employee of teaching cadre is wrongly blessed with administrative cadre post.

5. Admittedly the appellant belongs to administrative cadre while the private respondent No.3 is HM belonging to teaching cadre.

6. Learned AAG as well as learned counsel for the private respondent No.3 could not rebut the plea taken by Learned counsel for the appellant in the light of Notification dated 08.02.2019 mentioned above which was issued in relation to the implementation of judgment dated 18.11.2009 of the Hon'ble Peshawar High Court Peshawar passed in Writ Petition No.2937/2009.

7. In view of above this Tribunal is constrained to issue direction to the respondent department/authority to issue fresh transfer posting order in relation to the parties within 15 days of the receipt of this judgment, but strictly in accordance with law/rules

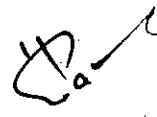
5.7.2019

and transfer posting policy. Till then the operation of the impugned orders shall remain suspended.

8. Parties are left to bear their own costs. File be consigned to the record room.

Disposed of accordingly.

  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

ANNOUNCED  
05.07.2019

24.06.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for official respondents present. Private respondent No.3 in person present. Learned counsel for the appellant seeks adjournment. As order regarding posting transfer is involved in the present case, therefore, the case is adjourned by way of last chance. To come up for arguments on 05.07.2019 before D.B.

  
Member

  
Member

05.07.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for official respondents present. Learned counsel for private respondent No.3 also present. Vide separate judgment of today of this Tribunal placed on file, the respondent department/authority to issue fresh transfer posting order in relation to the parties within 15 days of the receipt of this judgment, but strictly in accordance with law/rules and transfer posting policy. Till then the operation of the impugned orders shall remain suspended Parties are left to bear their own costs. File be consigned to the record room.

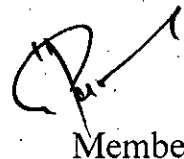
  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

ANNOUNCED  
05.07.2019

20.05.2019

Learned counsel for the appellant present. Learned counsel for private respondent No.3 present. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Written reply on behalf of official respondents No.1 & 2 not submitted. Shakeel Ahmad Superintendent representative of official respondents also absent. Notice of attachment of salary be issued to the absent representative. Notices be issued to the official respondents and their representative for submission for reply/comments. Adjourn. To come up for written reply/comments on 30.05.2019 before S.B.



Member

30.05.2019

Counsel for the appellant and Addl. AG alongwith Shakeel Ahmad, Superintendent for the respondents present.

Joint parawise comments on behalf of respondents No. 1 and 2 have been submitted which are placed on record. Private respondent No. 3 has already submitted her reply, therefore, instant matter is posted for arguments before D.B on 24.06.2019. ~~Supra~~ The appellant may submit rejoinder within fortnight, if so advised.



Chairman

22.04.2019

Counsel for the appellant present. Addl: AG alongwith Mr. Shakeel Ahmad, Supdt for official respondents present. Private respondent no.3 with counsel present. Written reply on behalf of official respondents not submitted. Requested for adjournment. Adjourned. Case to come up for written reply on behalf of official respondents on 07.05.2019 before S.B. Till then the operation of impugned order dated 05.03.2019 is suspended.

  
(Ahmad Hassan)  
Member

07.05.2019

Counsel for the appellant, Mr. Usman Ghani, District Attorney for official respondents No. 1 & 2 and counsel for private respondent No. 3 present. Written reply on behalf of private respondent No. 3 has already been submitted. Written reply on behalf of official respondents No. 1 & 2 not submitted. Learned District Attorney requested for further time for filing of written reply. Adjourned. To come up for written reply/comments on behalf of official respondents No. 1 & 2 on 20.05.2019 before S.B. Till then the operation of impugned order dated 05.03.2019 is suspended.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

01.04.2019

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that she was performing duty as ASDEO (BPS-16) in Mardan. That she was promoted to the post of SDEO(F)(BPS-17) and posted as SDEO (F), Mardan vide order dated 21.02.2019. She submitted arrival report on 22.02.2019, while the incumbent SDEO(F) Mst. Rana Attaullah relinquished the charge of her post. That after two weeks through a corrigendum dated 05.03.2019, she was transferred from Mardan and posted as SDEO (F) Batkhela, District Malakand. Feeling aggrieved, she filed departmental appeal on 11.03.2019 which was rejected on 25.03.2019, hence, the present service appeal. Moreover, private respondent no.3 (Mst. Rana Attaullah) belongs to the teaching cadre, whereas the appellant is from Management cadre. Therefore, as per policy of the Provincial government dated 08.02.2019 an employee of teaching cadre cannot be posted against a management cadre post. Impugned order is also violative of spouse policy, as her husband is working as Auditor Military Accounts. A separate application for suspension of operation of impugned order dated 05.03.2019 has also been submitted.

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 17.04.2019 before S.B. Till then the operation of impugned order dated 05.03.2019 is suspended.

(AHMAD HASSAN)  
MEMBER

17.04.2019



Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Shakeel Ahmad Superintendent for official respondents present. Ameen ur Rehman Advocate appeared on behalf of private respondent No.3 and submitted wakalat nama as well as written reply on behalf of private respondent No.3. Representative of official respondents seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 22.04.2019 before S.B

Member

Form- A  
FORM OF ORDER SHEET

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

Case No. 399/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/03/2019	<p>The appeal of Mst. Malak Taja presented today by Mr. Muhammad Ijaz Sabi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/3/19</p>
2-	29/03/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/04/2019</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR**

Service Appeal No. 399 /2019

Mst. Malak Taja. .... **APPELLANT**

**VERSUS**

The Chief Secretary & others. .... **RESPONDENTS**

**I N D E X**

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal		1-7
2.	Affidavit		8
3.	Suspension Application		9-10
4.	Affidavit		11
5.	Addresses of the Parties		12
6.	Copy of Order dated 21.02.2019	A	13-18
7.	Copy of Charge Assuming Report of Appellant	B	19-20
8.	Copy of Charge Relieving Report of Respondent No.3	C	21-
9.	Copy of Order 05.03.2019	D	22-23
10.	Copy of Departmental Appeal	E	24-27
11.	Copy of Impugned Office Order dated 25.03.2019	F	28-
12.	Copy of Notification dated 08.02.2019	G	29
13.	Copy of W.P.No.2937/2009	H	30-36
14.	Power of Attorney		37-38
15.	Wakalatnama		39

Through

Appellant

**Muhammad Ijaz Khan Sabi**  
Advocate Supreme Court  
Off: B-15, Haroon Mansion,  
Khyber Bazar, Peshawar  
Cell #: 0300-9596713

Dated: 25.03.2019

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

Service Appeal No. 399 /2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 392

Dated 26/3/2019

Mst. Malak Taja D/o Muhammad Usman  
Sub-Divisional Education Officer (F), Mardan. . . . . **APPELLANT**

**VERSUS**

1. The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary,  
Elementary & Secondary Education,  
Govt. of Khyber Pakhtunkhwa, Peshawar.
3. Mst. Rana Attaullah,  
HM, GGHS Katta Khat, Mardan. . . . . **RESPONDENTS**

**SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL ACT,  
1974, AGAINST THE IMPUGNED ORDERS OF  
RESPONDENT NO.2 DATED 05.03.2019 AND  
THAT OF DEPARTMENTAL APPELLATE  
AUTHORITY DATED 25.03.2019, WHO VIDE THE  
SAME WAS PLEASED TO REJECT THE  
DEPARTMENTAL APPEAL OF THE APPELLANT  
WITHOUT ANY SOLID REASONS.**

Filed to-day  
Registrar  
26/3/19

**Respectfully Sheweth:**

1. That the appellant was performing her duties as ASDEO in BPS-16 at Mardan.
2. That as the case of the appellant was matured for promotion from BPS-16 to BPS-17, therefore, on the recommendations of Departmental Promotion Committee, she was promoted from ASDEO (Female) BPS-16 to SDEO (Female) BPS-17 and was posted as SDEO (Female) at Mardan vide order dated 21.02.2019. **(COPY OF THE ORDER DATED 21.02.2019 IS ATTACHED AS ANNEXURE "A")**.
3. That the appellant in compliance of aforesaid order dated 21.02.2019, submitted her arrival report on the very next date i.e. 22.02.2019 and simultaneously the incumbent SDEO (Female) namely Mst. Rana Atta Ullah rightly relieved her charge. **(COPIES OF THE CHARGE ASSUMING REPORT OF APPELLANT AND CHARGE RELIEVING REPORT OF MST. RANA ATTA ULLAH ARE ATTACHED AS ANNEXURE "B" & "C" RESPECTIVELY)**.

4. That just after two weeks, the aforesaid order dated 21.02.2019 was modified as a corrigendum dated 05.03.2019 was issued whereby partial modification was made in the aforesaid order and the appellant was transferred from the post of SDEO (Female) Mardan to the post of SDEO (Female) Batkhela, Malakand. **(COPY OF THE ORDER 05.03.2019 IS ATTACHED AS ANNEXURE "D")**.
5. That the appellant submitted her departmental appeal to respondent No.1, who vide impugned order dated 25.03.2019, rejected the same. **(COPIES OF THE DEPARTMENTAL APPEAL AND IMPUGNED OFFICE ORDER DATED 25.03.2019 ARE ATTACHED AS ANNEXURE "E" & "F" RESPECTIVELY)**.
6. That the appellant now prefers this Service Appeal before this Honourable Tribunal for the following amongst other grounds;

**G R O U N D S:**

- A. That the impugned order dated 05.03.2019 is premature as the appellant was promoted and posted

just **two weeks** ago and thus she was not allowed to serve out her normal tenure and thus the principal laid down by the Supreme Court of Pakistan in "**Anita Turab**" case reported as "**PLD 2013 SC 195**" has totally been violated.

- B. That admittedly Mst. Rana Atta Ullah belongs to the Teaching Cadre whereas the appellant belongs to the Administrative Cadre, therefore, as per the policy of the Provincial Government, notified vide notification dated 08.2.2019, an employee of Teaching Cadre could not be posted as against the post of Administrative Cadre. The aforesaid policy has also been violated through the impugned order as the appellant being an employee of Administrative Cadre has been made a shuttlecock as Mst. Rana Atta Ullah, being an employee of Teaching Cadre has been blessed with Administrative Cadre post. **(COPY OF THE NOTIFICATION DATED 08.02.2019 IS ATTACHED AS ANNEXURE "G").**

C. That the Hon'ble Peshawar High Court, Peshawar in W.P.No.2937/2009 has categorically directed the Provincial Government to adhere to the policy of the Government, whereby teachers belonging to the Teaching Cadre should not be posted against Administrative Cadre posts as the two cadres are distinct from each other in the nature of its duty and its qualifications and the aforesaid order/ judgment of this Honourable Court was circulated by the Establishment Department vide circulation dated 08.02.2019. **(COPY OF THE WRIT PETITION No.2937/2009 AND JUDGMENT IS ATTACHED AS ANNEXURE "H")**.

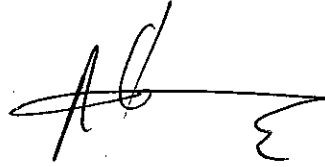
D. That the impugned order of Hon'ble Secretary is violation of spouse policy as the husband of appellant namely Nisar-ul-Mulk is performing his duty as Auditor in Military Accounts at Risalpur Cantt, which is close to Mardan, therefore, proprietary demands that the appellant being his wife should be posted at Mardan.

- E. That in view of the above facts and circumstances, the impugned order of Hon'ble Secretary is illegal, unlawful, against the policy of the Government and is thus liable to be set aside.
- F. That the appellant has been treated against the law and she has also been deprived of equal protection of law.

It is, therefore, most humbly prayed that by accepting this appeal, the impugned order of respondent No.2 dated 05.03.2019 and that of departmental appellate authority dated 25.03.2019, whereby the departmental appeal of the appellant was rejected without any solid and cogent reasons, may please be set aside, by declaring them as illegal, unlawful against the Rules/ Regulations governing the subject and consequently the appellant may be allowed to perform her duty as S.D.E.O (Female) at Mardan.

**OR**

Any other relief as deemed appropriate in circumstances of the case, not specifically asked for, may also be granted to the appellant.



Appellant

Through



**Muhammad Ijaz Khan Sabi**  
Advocate Supreme Court



**Asad Ullah**

&



**Adnan Aman**  
Advocates High Court

Dated: 25.03.2019



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

Service Appeal No. \_\_\_\_\_/2019

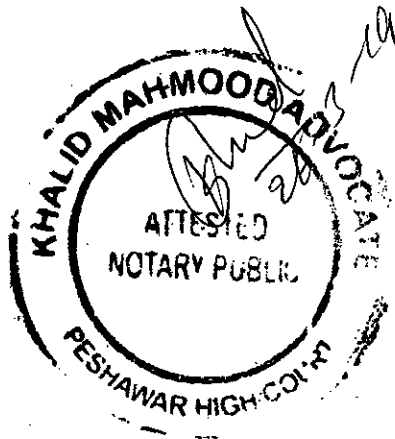
Mst. Malak Taja. .... **APPELLANT**

**VERSUS**

The Chief Secretary & others. .... **RESPONDENTS**

**AFFIDAVIT**

I, Nisar ul Mulk S/o Zahir ul Mulk R/o Risalpur Cantt, Tehsil & District Nowshera, (Special Attorney on behalf of appellant), do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



  
**DEPONENT**

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

Service Appeal No. \_\_\_\_\_/2019

Mst. Malak Taja. .... **APPLICANT/APELLANT**

**VERSUS**

The Chief Secretary & others. .... **RESPONDENTS**

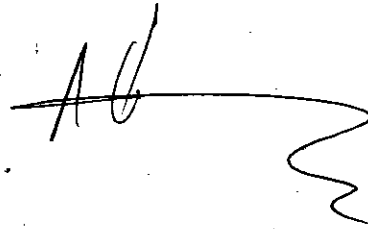
**APPLICATION FOR SUSPENSION OF THE**  
**IMPUGNED ORDER DATED 05.03.2019 TILL**  
**THE FINAL DECISION OF INSTANT APPEAL.**

**Respectfully Sheweth:**

1. That the titled appeal is being filed before this Honourable Tribunal in which no date of hearing has yet been fixed.
2. That the applicant/ appellant has a prima facie case in her favour and she is sanguine of its success.
3. That the balance of convenience also lies in favour of the applicant/ appellant.

4. That if the impugned orders are not suspended, the applicant/ appellant will suffer an irreparable loss.

It is, therefore, prayed that by accepting this application, the impugned order dated 05.03.2019 may please be suspended and maintenance of status quo be ordered till the final decision of instant appeal.



Applicant/ Appellant

Through



**Muhammad Ijaz Khan Sabi**  
Advocate Supreme Court



**Asad Ullah**

&



**Adnan Aman**  
Advocates High Court

Dated: 25.03.2019

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

Service Appeal No. \_\_\_\_\_/2019

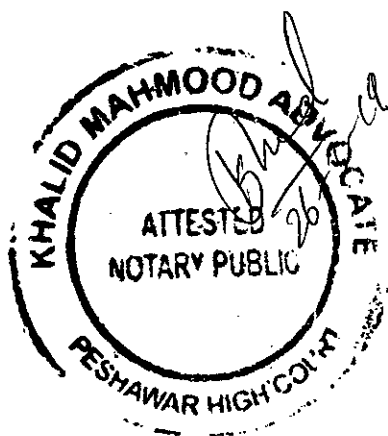
Mst. Malak Taja. .... **APPLICANT/APELLANT**

**VERSUS**

The Chief Secretary & others. .... **RESPONDENTS**

**AFFIDAVIT**

I, Nisar ul Mulk S/o Zahir ul Mulk R/o Risalpur Cantt, Tehsil & District Nowshera, (Special Attorney on behalf of applicant/ appellants) do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



  
DEPONENT

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

Service Appeal No. \_\_\_\_\_/2019

Mst. Malak Taja. .... **APPELLANT**

**VERSUS**

The Chief Secretary & others. .... **RESPONDENTS**

**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Mst. Malak Taja D/o Muhammad Usman  
Sub-Divisional Education Officer (F), Mardan.

**RESPONDENTS:**

1. The Chief Secretary,  
Govt. of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary,  
Elementary & Secondary Education,  
Govt. of Khyber Pakhtunkhwa, Peshawar.
3. Mst. Rana Attaullah,  
HM, GGHS Katta Khat, Mardan.

Through

Appellant

**Muhammad Ijaz Khan Sabi**  
Advocate Supreme Court

Dated: 25.03.2019

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Annex "A"

S.No. 37



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
 ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
 Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
 Phone: 091-9210480, Fax # 091-9211419

Dated Peshawar the February 21, 2019

**NOTIFICATION**

**NO.SQ(SMDE&SED)/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17)**; Consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa is pleased to promote the following Seventy Eight (78) Assistant Sub-Divisional Education Officers/ Assistant District Education Officers (BS-16) to the post of Sub-Divisional Education Officers/ Assistant Directors (BS-17) (Management Cadre) in the Elementary & Secondary Education Department on regular basis.

2. On their promotion they are posted against the post as mentioned against each, with immediate effect:

Sl#	Name of Officer	Father Name	Posted as	Remarks
<b>FEMALE</b>				
1)	Mst. Nizakat Tabassum	Attaullah	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
2)	Mst. Meher Suni	Sikandar Khan	SDEO (F) BS-17 Khanpur Haripur	V.S#77
3)	Mst. Faheem Afshan	Mir Dad Khan	SDEO (F) BS-17 Judba Torghar	A.V.P
4)	Mst. Farhat Yasmeen	Ghulam Yaseen	SDEO (F) BS-17 Tunk	A.V.P
5)	Mst. Kalsoom Begum	Shahnawaz Khan	SDEO (F) BS-17 Barikot Swat	A.V.P
6)	Mst. Samina Inikhar	Inikhar Ahmad	SDEO (F) BS-17 Pura Shangla	V.S#88
7)	Mst. Zahida Khanum	Haq Nawaz Chauhan	SDEO (F) BS-17 Lakki Marwat	V.S#76
8)	Mst. Naila Naz	Ali Gohar	SDEO (F) BS-17 Topi Swabi	A.V.P
9)	Mst. Bibi Haleema Sadia	Muhammad Nasim	SDEO (F) BS-17 Domel Bannu	A.V.P
10)	Mst. Safia Bano	Shamshad Ali	SDEO (F) BS-17 Lahore Swabi	A.V.P
11)	Mst. Gul Farzana	Nawaz Khan	SDEO (F) BS-17 Torkhow Molkhow Chitral	A.V.P
12)	Mst. Shagufta Jabeen	Mufti Dad Khan	SDEO (F) BS-17 Ghazi Haripur	V.S#78
13)	Mst. Samia Ahmad	Bashir Ahmad Paracha	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
14)	Mst. Tahira Jabeen	Master Ghulam Rasool	SDEO (F) BS-17 Ogi Manseltra	A.V.P
15)	Mst. Nadia Begum	Inayatullah	SDEO (F) BS-17 Bukka Khel Bannu	A.V.P

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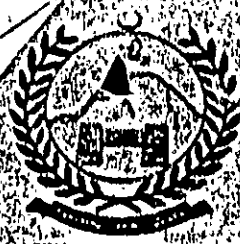
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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

16)	Mst. Saima Bashir	Muhammad Bashir	SDEO (F) Hassanzai Torghar	V.S#100
17)	Mst. Nasira Jabeen	Syed Israr Hussain	SDEO (F) BS-17 Lower Tannawal Abbottabad	A.V.P
18)	Mst. Fozia Parveen	Shaukatullah	SDEO (F) Khwazakhela Swat	A.V.P
19)	Mst. Bibi Ayesha Naz	Qazi Muhammad Nawaz	SDEO (F) BS-17 Alai Battagram	V.S#86
20)	Mst. Sabira Ambreen	Ghulam Zikriya	SDEO (F) BS-17 Lal Qila Dir Lower	V.S#89
21)	Mst. Syeda Nasra Azam	Syef Ghulam Habib Shah	SDEO (F) BS-17 Jehangira Nowshera	A.V.P
22)	Mst. Noor Rahat Yaseen	Adam Khan	SDEO (F) BS-17 Lachi Kohat	V.S#101
23)	Mst. Asfia Ameen	Amin ul Haq	SDEO (Female) BS-17 Kohat	V.S#98
24)	Mst. Nancy Begum	Sher Bahadar	SDEO (F) BS-17 Swabi	A.V.P
25)	Mst. Nasim Bukhari	Maqbool Shah Bukhari	SDEO (F) BS-17 Nowshera	Already occupied
26)	Mst. Gul Raj	Feroz Khan	SDEO (F) BS-17 Town-II Peshawar	V.S#73
27)	Mst. Shahida Parveen	Mir Azam Khan	SDEO (F) BS-17 Town-IV Peshawar	V.S#1
28)	Mst. Iffat Jabeen	Wali Aman Khan	SDEO (F) BS-17 Baffa Mansehra	V.S#79
29)	Mst. Nageena Bibi	Fazal Ahmad	SDEO (F) BS-17 Havelian Abbottabad	V.S#82
30)	Mst. Surriya Taj	Muhammad Taj Khan	SDEO (F) BS-17 Battagram	V.S#81
31)	Mst. Sajida Sakhi	Sakhi Muhammad	SDEO (F) BS-17 Daraband Mansehra	A.V.P
32)	Mst. Saeeda Bano	Kala Khan	SDEO (F) BS-17 Daggar Buner	A.V.P
33)	Mst. Shabana Bibi	Saifullah Khan	SDEO (F) BS-17 Tali Hangu	A.V.P
34)	Mst. Shaghad Bibi	Gul Dar Ali Khan	SDEO (F) BS-17 Munda Dir Lower	V.S#90
35)	Mst. Musarat Jamal	Sultan Nadir Khan	SDEO (F) BS-17 Booni Chitral	A.V.P
36)	Mst. Farhat Yasmeen	Gul Abbas Khan	SDEO (F) BS-17 Karak	A.V.P
37)	Mst. Malak Taja ✓	Muhammad Usman	SDEO (F) BS-17 Mardan	V.S#74
38)	Mst. Arifa Bibi	Afsar Ali	SDEO (F) BS-17 Sheringal Dir Upper	A.V.P
39)	Mst. Mehrun Nisa	Payo Dar Khan	SDEO (F) BS-17 Hangu	A.V.P
40)	Mst. Adeela Rani	Muhammad Nawaz Khan	SDEO (F) BS-17 Balakot Mansehra	A.V.P

Handwritten signature/initials



15

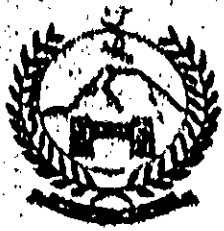
**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT**  
 Block-"A" Opposite MPA's Hostel, Civil Secretariat, Peshawar  
 Phone: 091-9210480, Fax # 091-9211419

41)	Mst. Sonla Nawaz Baloch	Shah Nawaz Baloch	Services placed at the disposal of Directorate of E&SE for further posting as AD.	A.V.P
42)	Mst. Shamim Akhtar	Mullik Jun	SDEO (F) BS-17 Khull Dir Lower	V.S#91
43)	Mst. Hanfia Falook	Syed Falook	SDEO (F) BS-17 Banda Daud Shah Karak	A.V.P
44)	Mst. Maryam Rasheed	Rasheed Ahmad	SDEO (F) BS-17 Pabbi Nowshera	A.V.P
45)	Mst. Naheed Fazal	Fazau Rehman	SDEO (F) BS-17 Abbottabad	V.S#84
46)	Mst. Fozia Azam	Azam Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
47)	Mst. Nazia Anjum	Abdul Rahim	SDEO (F) BS-17 Palas Kohistan	V.S#83
48)	Mst. Anisa Jamsheed	Jamsheed Abbassi	SDEO (F) BS-17 Lora Abbottabad	A.V.P
49)	Mst. Maryam Aman	Aman Ullah Khan	SDEO (F) BS-17 Babuzai Swat	V.S#102
50)	Mst. Nazima Shaheen	Khani Zaman	SDEO (F) BS-17 Cogra Buner	V.S#93
51)	Mst. Shazia Bibi	Muhammad Ishraf	SDEO (F) BS-17 Mandir Buner	A.V.P
52)	Mst. Shaheen Bibi	Muhammad Aslam	SDEO (F) BS-17 Dresham Shangla	V.S#95
53)	Mst. Najma Niaz	Azad Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
54)	Mst. Bibi Arifa	Syed Muhammad Younas Shah	SDEO (F) BS-17 Kandare Torghar	A.V.P
55)	Mst. Shabnum Bibi	Amir Nawaz Khan	SDEO (F) BS-17 Adenzai Dir Lower	V.S#92
56)	Mst. Shahnaz Begum	Qamar Zaman	SDEO (F) BS-17 Takht-e-Nusrati Karak	Already occupied
57)	Mst. Bibi Sanam	Raja Mehboob	SDEO (F) BS-17 Khadukhel Buner	V.S#94
58)	Mst. Zeenat Begum	Sahibullah	SDEO (F) BS-17 Shabqadar Charsadda	V.S#96
59)	Mst. Nusrat Parveen	Abdul Qadar	SDEO (Female) BS-17 Torghar	A.V.P
60)	Mst. Nayyar Sultana	Muhammad Rafiq	SDEO (F) Charbagh Swat	V.S#103
61)	Mst. Shehla Naz	Sahibzada Saradar Ali	SDEO (F) BS-17 Wari Dir Upper	A.V.P
62)	Mst. Rizwana Pari	Shahdaraz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---

*Abdul Jaleel*



16



# GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

MALE				
63)	Mr. Quiser Khan	Muhammad Nawaz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
64)	Mr. Sharafuddin	Gul Nadar Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
65)	Mr. Imtiaz Khan	Gul Zaman Khan	SDEO (Male) Dir Upper	A.V.P
66)	Muhammad Khitab	Gulab	SDEO (Male) Wari Dir Upper	A.V.P
67)	Mr. Bakhtzada	Mahan Gul	SDEO (Male) Larjam Dir Upper	A.V.P
68)	Mr. Zia ur Rehman	Said Rehman	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
69)	Mr. Ihtisham ul Haq	Fazal Haq	SDEO (Male) Kalkot Dir Upper	A.V.P
70)	Muhammad Saleem	Ghulam Sarwar	SDEO (Male) BS-17 Kohistan	A.V.P
71)	Mr. Sikandar Irfan	Faiz Ullah Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
72)	Mr. Abdul Hatiz	Abdur Rashid	SDEO (Male) Chakisar Shangla	A.V.P
CONSEQUENTIAL TRANSFER				
S#	Name of officer	Present place	Adjusted as	Remarks
73)	Mst. Firasat Mumtaz HM (BS-17)	working as SDEO (F) Town-II Peshawar	HM BS-17 GGHS Sinezu Shah Charsadda	A.V.P
74)	Mst. Rana Attaullah HM (BS-17)	working as SDEO (F) Mardan	HM BS-17 GGHS Katta Khat Mardan	A.V.P
75)	Mst. Shaheen Alam SS English (BS-17)	working as SDEO (F) Swabi	SS English BS-17 GGHS Pabini Swabi	A.V.P
76)	Mst. Tujza Abasi SS Pak Study (BS-17)	working as SDEO (F) Lakki Marwat	SS Pak Study (BS-17) S.K Bala Bannu	A.V.P
77)	Mst. Ifat Younis SS H/Civics (BS-17)	working as SDEO (F) Khanpur Haripur	SS H/Civics BS-17 GGHS Kalabat Township Haripur	A.V.P
78)	Noreen Ayaz SS Biology BS-17	working as SDEO (F) Ghazi Haripur	SS Biology BS-17 GGHS Ogi Mansehra	A.V.P
79)	Mst. Shazia Bibi SS Biology (BS-17)	working as SDEO (F) Baffa Mansehra	SS Biology BS-17 GGHS Tarangri Bala Mansehra	A.V.P
80)	Mst. Tahira Gohar SST BS-16	working as SDEO (F) Oghi Mansehra	Services placed at the disposal of DEO (F) Mansehra for further posting	---
81)	Mst. Asma Shaheen HM (BS-17)	working as SDEO (F) Battagram	HM BS-17 GGHS Batto Bandi Mansehra	A.V.P

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# GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat, Peshawar  
Phone: 091-9210480, Fax # 091-9211419

82)	Mst. Yasmin Aziz HM (BS-17)	working as SDEO (F) Havelian Abbottabad	HM BS-17 GGHS Khanaspur Ayubia Abbottabad	A.V.P
83)	Mr. Shamsul Hadi SST (BS-16)	working as SDEO (F) Palas Kohistan	Services placed at the disposal of DEO (M) Kohistan for further adjustment	---
84)	Mst. Ayesha Saeed SDEO (F) Abbottabad	SDEO (F) Abbottabad	DDEO (F) Abbottabad OPS	A.V.P
85)	Mst. Jannat Khatoon SS Islamiat (BS-17)	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHS Shakardara Kohat	A.V.P
86)	Mr. Masood Khan, HM (BS-17)	Working as SDEO (F) Alai Battagram	HM (BS-17) GHS Banna Battagram	A.V.P
87)	Mst. Noreen Saba, ASDEO (BS-16)	working as SDEO (F) Tank	Service place at the disposal of Directorate of E&SE for further posting	---
88)	Mst. Shahi Gulsum, SST (BS-16)	working as SDEO (F) Pura Shangla	Service place at the disposal of DEO (F) Shangla for further posting	---
89)	Mr. Gul Bacha, SS Islamiat (BS-17)	working as SDEO (F) Lal Qila Dir Lower	SS Islamiat (BS-17) GHSS Rehanpur Dir Lower	A.V.P
90)	Mr. Anwar Khan, ASDEO (BS-16)	working as SDEO (F) Munda Dir Lower	Service placed at the disposal of Directorate of E&SE for further posting	---
91)	Mst. Yasmin Akhtar SST (BS-16)	working as SDEO (F) Khall Dir Lower	Service placed at the disposal of DEO (F) Dir Lower	---
92)	Mst. Shakila Bano HM (BS-17)	working as SDEO (F) Adenzai Dir Lower	HM (BS-17) GGHS Inzaro Dir Lower	A.V.P
93)	Mr. Muhammad Zaib, SS Islamiat (BS-17)	working as SDEO (F) Gagra Buner	SS Islamiat (BS-17) GHSS Gagra Buner	A.V.P
94)	Mr. Khush Khawas, SS Maths (BS-17)	working as SDEO (F) Khaduknei Buner	SS Maths (BS-17) GHSS Ghurgoshto Buner	A.V.P
95)	Mst. Ghazala Parveen, SST (BS- 16)	Working as SDEO (F) Besham Shangla	Service placed at the disposal of DEO (F) Shangla for further posting	---
96)	Mst. Shaista ASDEO (BS-16)	working as SDEO (F) Shabqadar Charsadda	Service placed at the disposal of Directorate of E&SE for further posting	---
97)	Mr. Fazli Haq ASDEO (BS-16)	working as SDEO (F) Dassu Kohistan	Service placed at the disposal of Directorate of E&SE for further posting	---
98)	Mst. Hasrat Zuhra SDEO (BS-17)	SDEO (F) BS-17 Kohat	SDEO (Female) BS-17 Dassu Kohistan	V.S#97



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# GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

99)	Mr. Raees Khan, SDEO (BS-17)	Awaiting posting	SDEO (BS-17) Male Dogar Buner A.V.P.	A.V.P.
100)	Mr. Faiz-ur-Rehman, HM (BS-17)	Working as SDEO (F) Hassanzai Torghar	HM (BS-17) GHS Chansair Mansehra	A.V.P.
101)	Mst. Jannat Khatoon, SS Islamiat BS-17	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHSS Shakardara Kohat	A.V.P.
102)	Mst. Parveen Akhtar, H/M BS-17	working as SDEO (F) Babozai Swat	Principal (BS-18) GGHSS Fateh Pur Swat	A.V.P.
103)	Mst. Zulia ASDEO (F) BS-16	working as SDEO (F) Charbagh Swat	Services placed at the disposal of Directorate of E&SE for further posting	---
104)	Mr. Muhammad Azam, DDEO (BS-18)	DDEO (Male) BS-18 Battagram	Services placed at the disposal of Directorate of E&SE	---
105)	Mr. Raja Babu Jehangir, SDEO (BS-17)	Working as DDEO (Male) Upper Kohistan	DDEO (Male) Battagram in OPS	V.S#104
106)	Mr. Raees-ur-Rehman, SDEO (BS-17)	Under transfer as SDEO (Male) (BS-17) Kohistan	Retained as SDEO (Male) Judba Torghar to avoid litigation in the HPIC Abbottabad, caused by the w/p against the previous order of Mr. Raees-ur-Rehman.	---
107)	Mr. Raja Sheraz Ahmad, HM (BS-17)	Working as SDEO (BS-17) Judba Torghar	DDEO (Male) Upper Kohistan in OPS	V.S#105

3. In terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with rule-15(1) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) rule 1989 the above named officers, on their promotion, shall be on probation for a period of one year extendable for further one year as per rules.

SECRETARY  
E&SE Department  
Khyber Pakhtunkhwa

Endst: of even No. & Date :-

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, and hereby directed to furnish the proposal of posting/adjustment in r/o the Teaching Cadre officers working against the post of Management Cadre vide S#1, 13, 41, 46, 53, 62, 63, 64, 68 & 71 for further posting in pursuance of the above adjustment.
3. District Education Officers (Male & Female) Concerned.

(19)

Armed B

## CERTIFICATE OF TRANSFER OF CHARGE

1. Certified that we have on the fore/afternoon of this day respectively made over and receive charge of this office of the O/O SDEO(Female) Primary Mardan in light of order issued vide Govt: of (E&SE) Deptt: Peshawar Notification No. SO(SM) E&SED/3-2/2018/Promotion of ASDEOs(BS 16) to SDEOs (BS-17); dated 21-02-2019.
2. Particulars of case and important secret and confidential documents handed over are noted on the revers;-

Signature of relieved. \_\_\_\_\_

Name of Government Servant. (Rana Attaullah).

Designation SDEO(F) Primary Mardan.

Station. DEO(Female) Mardan.

Signature of relieving. \_\_\_\_\_

Name of Govt Servant. Malak Taja.

Designation SDEO(F) Primary Mardan.

Dated. 28-02-2019. (AN)

### OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) MARDAN.

Endost: No. 157277 / PF. Malak Taja SDEO(F).Mdn Dated Mardan. 2/3 /2019.

Copy for information & necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar..
2. District Accounts Officer Mardan
3. P/S to Secretary E&SE Deptt: Peshawar w/r to above.
4. SDEO(Female) Mardan.
5. Officers concerned.
6. Budget & Account Officer Local Office.

12.12.19  
DISTRICT EDUCATION OFFICER  
(MALE) MARDAN.

93

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ARRIVAL REPORT

Consequence upon my promotion order issued vide Secretary to Govt of KPK(E&S) Education Deptt; Notification NO.SO(SM)E&SED/3-2/2018/PROMOTION OF ASDEOs (BS-16) to SDEOs (BS-17) Dated:-21-02-2019, I submitted my arrival report to day on 22-02-2019(FN) for further necessary action please.



Mst. Mulik Taji  
Sub Divisional Education Officer  
(Female) Mardan

**SDEO Female Mardan**

D.No. 51

Dated: 22/2/2019

Received

US  
22/2/19

93

(21)

Annex "C"

RELIEVING FROM DUTIES


In compliance with order issued vide Govt: of Khyber Pakhtunkhwa E&SE, Department Notification issued No. SO(SM) E&SED/3-2/2018/Promotion of ASDEOs(BS-16) to SDEOs(BS-17) : dated 21-2-2019, Mst. Rana Attaullah is hereby relieved of her duties as SDEO(F) Primary Mardan and is directed to take over charge of her new assignment as Head mistress GGHS Kata Khat (Mardan) being teaching cadre. She is further directed to hand over complete charge of SDEO(F) Office Mardan to her newly promoted Officer immediately.

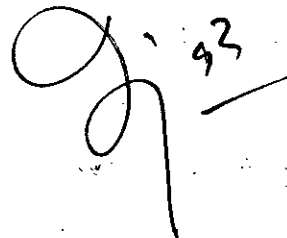
(RUKHSANA RAHIM)  
DISTRICT EDUCATION OFFICER  
(FEMALE) MARDAN.

Endost: No. 1586-71 /Malak Taja SDEO(F) Mardan Dated. Mardan the 2/3 /2019.

Copy for information & necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar..
2. District Accounts Officer Mardan
3. P/S to Secretary E&SE Deptt: Peshawar w/r to above.
4. SDEO(Female) Mardan.
5. Officers concerned.
6. Budget & Account Officer Local Office.

  
DISTRICT EDUCATION OFFICER  
(MALE) MARDAN.





S. No. 118  
Annex "D"  
22

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

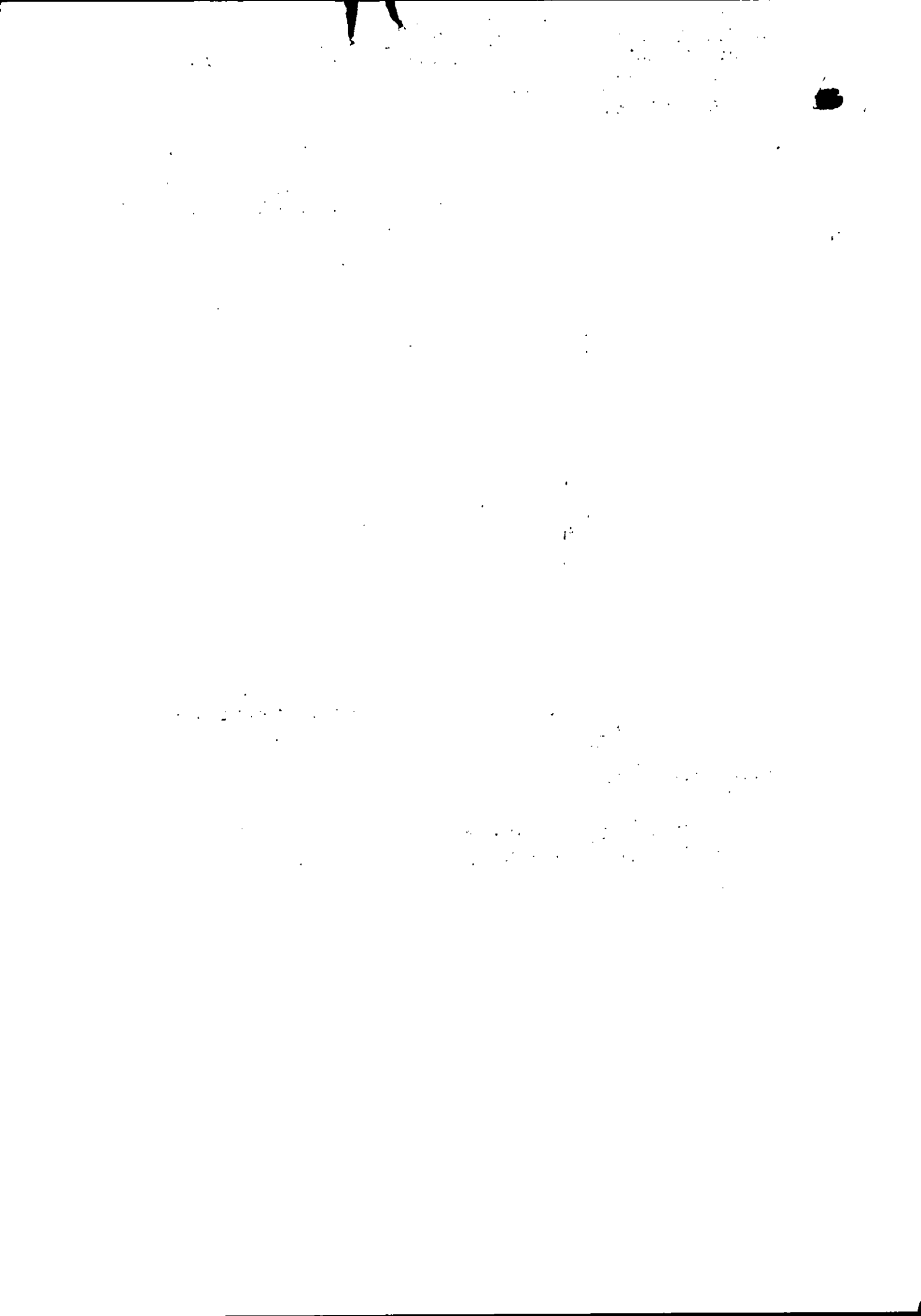
Dated Peshawar the March 05, 2019

CORRIGENDUM

NO.SO(SM)E&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17): In partial modification of this Department notification of even number dated 21.02.2019, the Competent Authority is pleased to order revise posting/adjustment in r/o of the following officers of E&SE Department on the posts/stations as mentioned against each, in the interest of public service, w.e.f. date of issuance:

S#	Name & designation	Under adjustment as	Revised posting	Remarks
1.	Mst. Surriya Taj, SDEO (BS-17)	SDEO (F) Battagram	SDEO (F) Haripur	A.V.P
2.	Mst. Saeeda Bano, SDEO (BS-17)	SDEO (F) Daggar Buner	SDEO (F) Ghazi Haripur	V.S#3
3.	Mst. Shagufta Jabeen, SDEO (BS-17)	SDEO (F) Ghazi Haripur	SDEO (F) Daggar Buner	V.S#2
4.	Mst. Nazima Shaheen, SDEO (BS-17)	SDEO (F) Gagra Buner	SDEO (F) Khanpur Haripur	V.S#5
5.	Mst. Mehr Sani, SDEO (BS-17)	SDEO (F) Khanpur Haripur	SDEO (F) Gagra Buner	V.S#4
6.	Mst. Bibi Halcema Sadia, SDEO (BS-17)	SDEO (F) Domel Bannu	SDEO (F) Bannu	A.V.P
7.	Mst. Saima Bashir, SDEO (BS-17)	SDEO (F) Hassanzai Torghar	SDEO (F) Domel Bannu	V.S#6
8.	Mst. Maryam Aman, SDEO (BS-17)	SDEO (F) Babuzai Swat	Services placed at the disposal of Directorate of E&SE for posting as AD.	---
9.	Mst. Perveen Akhtar, HM (BS-17)	Principal (BS-18) GGHSS Fateh Pur Swat	Retained as SDEO (F) Babozai Swat as per government policy being on the verge of retirement.	V.S#8
10.	Mst. Maryam Rasheed, SDEO (BS-17)	SDEO (F) Pabbi Nowshera	SDEO (F) Town-IV Peshawar	V.S#11
11.	Mst. Shahida Parveen, SDEO (BS-17)	SDEO (F) Town-IV Peshawar	SDEO (F) Pabbi Nowshera	V.S#10
12.	Mst. Hasrat Zuhra, SDEO (BS-17)	SDEO (F) Dasu Kohistan	Services placed at the disposal of Directorate of E&SE for posting as AD.	---

25/3/19  
22







GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

23

13.	Mst. Shabana Bibi, SDEO (BS-17)	SDEO (F) Tall Hangu	SDEO (F) Hangu	V.S#14
14.	Mst. Mehrun Nisa, SDEO (BS-17)	SDEO (F) Hangu	SDEO (F) Tall Hangu	V.S#13
15.	Mst. Shamim Akhtar, SDEO (BS-17)	SDEO (F) Khall Dir Lower	SDEO (F) Samarbagh Dir Lower	A.V.P
16.	Mst. Yasmin Akhtar, ASDEO (BS-16)	Khall Dir Lower	SDEO (F) Khall Dir Lower OPS	V.S#15
17.	Mst. Rana Attaullah, HM BS-17	HM BS-17 GGHS Katta Khat Mardan	SDEO (F) Mardan	V.S#18
18.	Mst. Malak Taja, SDEO (BS-17)	SDEO (F) Mardan	SDEO (F) Batkhela Malakand	A.V.P
19.	Mr. Ihtisham Ul Haq, SDEO (BS-17)	SDEO (M) Kalkot Dir Upper	SDEO (M) Wari Dir Upper	V.S#20
20.	Mr. Muhammad Khitab, SDEO (BS-17)	SDEO (M) Wari Dir Upper	SDEO (M) Kalkot Dir Upper	V.S#19
21.	Mr. Khush Khawas, SS Maths (BS-17)	SS Maths (BS-17) GHSS Ghurghshito Buner	SS Maths (BS-17) GHSS Nogram Buner	A.V.P

2. No TA/DA is allowed.

SECRETARY to  
Govt. of Khyber Pakhtunkhwa  
E&SE Department

Endst: of even No. & Date

Copy forwarded to the:

1. Director, E&SE Khyber Pakhtunkhwa, Peshawar
2. District Education Officers (Male & Female), Concerned.
3. District Accounts Officers, Concerned.
4. PS to Advisor to CM for E&SE Department.
5. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
6. PA to Deputy Secretary (Admn) E&SE Department.
7. Director, EMIS E&SE Department.
8. Officers Concerned.
9. Master File

SECTION OFFICER (SCHOOLS MALE) 5/3/07



The first part of the document  
 discusses the general principles  
 of the project and the  
 objectives that have been set.  
 It also outlines the scope of  
 the work and the resources  
 that will be required to  
 complete it.

The second part of the document  
 provides a detailed description  
 of the methodology that will  
 be used to collect and analyze  
 the data. This includes a  
 discussion of the sampling  
 techniques and the statistical  
 methods that will be applied.

The third part of the document  
 presents the results of the  
 study and discusses the  
 implications of the findings.  
 It also includes a section on  
 the limitations of the study  
 and suggestions for further  
 research.

The final part of the document  
 contains a list of references  
 and a list of figures and  
 tables. This section provides  
 the reader with the necessary  
 information to locate the  
 sources of the data and to  
 understand the structure of  
 the document.

24

Annex E

To

The Chief Secretary,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: **REPRESENTATION AGAINST THE IMPUGNED ORDER  
DATED 05.03.2019 OF SECRETARY TO GOVT. OF  
KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY  
EDUCATION, DEPARTMENT, WHEREBY THE APPELLANT  
WAS TRANSFERRED FROM THE POST OF SDEO  
(FEMALE) MARDAN TO SDEO (FEMALE) BATKHELA.**

*Respected Sir,*

1. That the appellant was performing her duties as ASDEO in BPS-16 at Mardan.
2. That as her case was mature for promotion from BPS-16 to BPS-17, therefore, on the recommendations of Departmental Promotion Committee, she was promoted from ASDEO (Female) BPS-16 to SDEO (Female) BPS-17 and was posted as SDEO (Female) at Mardan vide order dated 21.02.2019. **(COPY OF THE ORDER IS ATTACHED AS ANNEXURE "A")**.
3. That the appellant in compliance of aforesaid order dated 21.02.2019, submitted her arrival report on the very next date i.e. 22.02.2019 and simultaneously the

incumbent SDEO (Female) namely Mst. Rana Atta Ullah relieved her charge. **(COPIES OF THE CHARGE ASSUMING REPORT OF APPELLANT AND CHARGE RELIEVING REPORT OF MST. RANA ATTA ULLAH ARE ATTACHED AS ANNEXURE "B" & "C" RESPECTIVELY).**

4. That just after two weeks, the aforesaid order dated 21.02.2019 was modified as a corrigendum dated 05.03.2019 was issued whereby partial modification was made in the aforesaid order and the appellant was transferred from the post of SDEO (Female) Mardan to SDEO (Female Batkhela, Malakand. **(COPY OF THE ORDER IS ATTACHED AS ANNEXURE "D")**).
5. That the aforesaid order of Hon'ble Secretary E&SE is illegal and unlawful for the following amongst other reasons:-
  - a. That the impugned order dated 05.03.2019 is premature as the appellant was promoted and posted just two weeks ago and thus she was not allowed to serve out her normal tenure and thus the principal laid down by the Supreme Court of Pakistan in judgment reported as PLD 2013 SC 195 has totally been violated.


- b. That admittedly Mst. Rana Atta Ullah belongs to the Teaching Cadre whereas the appellant belongs to the Administrative Cadre, therefore, as per the policy of the Provincial Government, an employee of Teaching Cadre could not be posted as against the post of Administrative Cadre. The aforesaid policy has also been violated through the impugned order as the appellant being belong to Administrative Cadre has been made a shuttlecock as Mst. Rana Atta Ullah (Teaching Cadre) has been blessed with Administrative Cadre post.
- c. That the Hon'ble Peshawar High Court, Peshawar in W.P.No.2937/2009 has categorically directed the Provincial Government to adhere to the policy of the Government, whereby teachers belonging to the Teacher Cadre should not be posted against Administrative Cadre posts as the two cadres are distinct from each other in the nature of its duty and its qualifications and the aforesaid order/ judgment of this Honourable Court was circulated by the Establishment Department vide circulation dated 08.02.2019. **(COPY OF THE CIRCULATION IS ATTACHED AS ANNEXURE "E")**.

- d. That the impugned order of Hon'ble Secretary is violation of spouse policy as the husband of appellant namely Nisar-ul-Mulk is performing his duty as Auditor in Military Accounts at Risalpur Cantt, which is close to Mardan, therefore, proprietary demands that the appellant being his wife should be posted at Mardan.
- e. That in view of the above facts and circumstances, the impugned order of Hon'ble Secretary is illegal, unlawful, against the policy of the Government and is thus liable to be set aside.

It is, therefore, prayed that on acceptance of instant representation, the impugned order dated 05.03.2019, whereby the appellant was transferred from the post of SDEO (Female) Mardan to SDEO (Female) Batkhela may please be set-aside and consequently she may be allowed to perform her duty as SDEO (Female) at Mardan.

Dated: 11.03.2019

Appellant

  
**MST. MALAK TAJA**  
Sub-Divisional Education  
Officer (Female), Mardan



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

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Annex 4

No.SO(SM)E&SED/7-1/2019/SDEOs/MC  
Dated Peshawar the March 25, 2019

To

Mst. Malak Taja,  
SDEO (BS-17) Batkhela Malakand.

Subject:-

APPEAL FOR CANCELLATION OF TRANSFER ORDER.

I am directed to refer to your appeal dated 07.03.2019 on the subject cited above and to state that your appeal has been examined and rejected by the Competent Authority.

*[Signature]* 25-03-19  
for SECTION OFFICER (SCHOOLS MALE)

Copy of the above is forwarded to the:  
1. PS to Secretary E&SE Department.

*[Signature]* 25-03-19  
for SECTION OFFICER (SCHOOLS MALE)



(29) *Amir G*

**GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

NO. SO (E-1)/E&AD/D-08/2010  
Dated Peshawar, the February 8, 2010

To

- 1) The Secretary to Government of Khyber Pakhtunkhwa, Higher Education Department.
- 2) The Secretary to Government of Khyber Pakhtunkhwa, E&SE Department.
- 3) The Secretary to Government of Khyber Pakhtunkhwa, Industries Department.

**SUBJECT: - REQUISITIONING OF SERVICES.**

Dear Sir,

I am directed to refer to the subject cited above and to say that the competent authority has observed that certain Teaching cadre officers are posted out of their cadre since long. Moreover, some teachers/professors are seeking requisitions from different Departments for posting against managerial or administrative posts, hindering deliverance of quality based education to the students. Consequently, competent authority has desired to invite your attention towards the following judgment of Peshawar High Court Peshawar ( In WP No. 2937/2009) (Copy enclosed):-

"As the Provincial Government has taken a firm decisions that all those teachers belonging to teaching cadre shall be posted in the Education Institution to teach the students according to their qualifications while those belonging to administrative cadre shall only hold the posts relating to administration. Therefore, the petitioners must deliver according to the policy of the Government and because they are highly qualified teachers, it is not befitting to hold administrative posts, because they are getting benefits, but the students are suffering thus, they shall go their respective places, where they are required to do the job.

2. In view of the above, the competent authority has desired that the above mentioned judgment of the PHC be implemented, in letter and spirit, under intimation to this Department, for perusal of Competent Authority.

Yours faithfully,

*gpc*

*de*  
(SHITAO AHMAD)  
SECTION OFFICER (Estt I)



30

Annex H

8

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR**



2937

Writ Petition No. \_\_\_\_\_/2009

1. Wasi Ullah,  
Assistant Controller Secrecy BISE Abbottabad.
2. Ihsan Ullah,  
Assistant Controller Secrecy BISE Mardan.
3. Muhammad Rehman,  
Assistant Controller Secrecy BISE Kohat.
4. Wajah-ud-Din,  
Assistant Controller Secrecy BISE D.I.Khan.
5. Naeem Shah,  
Assistant Controller Conduct BISE Peshawar.
6. Aman Ullah,  
Assistant Controller Secrecy BISE D.I.Khan.
7. Awaliz Khan,  
Assistant Controller Conduct BISE Abbottabad. . Petitioners

Versus

1. Chief Secretary N.W.F.P Peshawar.
2. Secretary Education,  
Elementary & Secondary Education Peshawar.
3. Chief Minister N.W.F.P, Peshawar.
4. Director (Elementary & Secondary Education) Peshawar.
5. All Chairman Boards  
Elementary & Secondary Education NWFP. . . . Respondents

**ATTESTED**  
EXAMINER  
Peshawar High Court

=====

**WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973, TO THE EFFECT THAT THE  
ORDER OF RESPONDENT NO.2 DATED  
24.10.2009 AND SUBSEQUENT WITHDRAWAL**

FILED TODAY  
Deputy Registrar  
07 NOV 2009

**ORDERS OF ALL THE PETITIONERS FROM THE CONCERNED BOARD IS ILLEGAL AND LIABLE TO BE SET ASIDE.**

=====

**Respectfully Sheweth:**

1. That all the petitioners were properly appointed in all concerned Boards by the controlling authority on deputation basis and served in their respective Boards to the entire satisfaction of their superior.
2. That no complaints were there against the petitioners either departmentally nor from public side.
3. That on 24.10.2009 the respondent No.2 issued letter No.SO(S)E&SE)(2009)Misc. through which all the Chairmans of Boards of N.W.F.P Intermediate and Secondary Education and Directors were directed to withdraw the services of all SET (Science) posted as head master, SET (Technical) and Subject specialist on their original post and on the basis of said letter/ notification, the services of all the petitioners were withdrawn from respective Board, the petitioners were directed to report the concern department, feeling aggrieved this Writ Petition is filed on the following grounds;

**GROUND S:**

- A. That all posts of Assistant Controller in Board of Intermediate and Secondary Education are always filled through deputation for the period of 3 years as evident from the Board Calendar.

FILED TODAY  
*(Signature)*  
 Deputy Registrar  
 07 NOV 2009

**ATTESTED**  
 EXAMINER  
 Peshawar High Court

CP

- B. That all the petitioners belong to School Cadre and posted in concern Boards as a Assistant Controller for a period of 3 years as per terms and conditions settle with the School directorate and all petitioners were repatriated from the concerned post before completion of 3 years.
- C. That all Board Chairmans/ Secretary filled through deputation process and are still working on the concerned seats and their services are not withdrawn, which is a clear discrimination.
- D. That the services of the petitioners are withdrawn on the ground that petitioners belong to teaching cadre although the post of Chairman, Secretary also belong to teaching cadre, but they are still working on respective seats.
- E. That petitioners were removed on the ground that petitioners belong to teaching cadre and now the seats are filled through college lecturers etc that also belongs to teaching cadre and further the petitioners know better than the college lecturers because all Boards are concerned upto the classes of intermediate only.
- F. That the Board Calendar is still existed i.e. not amended and the notification issued by the respondent No.2 is in conflict with the Board Calendar.
- G. That Chief Minister is the Controlling Authority of the petitioners and all petitioners were appointed by prior approval from the Controlling Authority and now without getting any approval from the controlling authority, the services of the petitioners were repatriated, which is against lawful authority.

FILED TODAY  
07 NOV 2009

**ATTESTED**  
EXAMINER  
Peshawar High Court

- H. That some SET who belong to general cadre are still working on deputation basis and their services are not withdrawn, which is discrimination which also belong to teaching cadre.
- I. That all schools contribute 80% shares in financing/ admission to BISE in N.W.F.P and college contribute only 20% so the removal of the petitioners on the ground belong to School cadre is total discrimination, which is liable to be set aside.
- J. That through the said notification, the fundamental rights of the petitioners are violated and discriminated with the others which is liable to be struck down through this Writ Petition.
- K. That petitioners are appointed through public service commission and lecturers also appointed through public service commission, so it is discrimination with petitioners.
- L. That some other grounds may be adduced during the course of arguments.

It is, therefore, prayed that on acceptance of this Writ Petition, the notification/ order dated 24.10.2009 may be set aside and on the basis of same letter/ notification, all subsequent withdrawals of the petitioners may also be set aside and petitioners may be allowed to serve on their respective seats and no adverse action should be taken against the petitioners.

FILED TODAY  
Deputy Registrar  
07 NOV 2009

ATTESTED  
EXAMINER  
Peshawar High Court

12

Any other relief, which is not specifically asked for may also be granted to the petitioners.

**INTERIM RELIEF:**

That the impugned order may be suspended till the decision of the instant Writ Petition.

Petitioners  
Through

**M. AMIN KHATTAK LACHI**  
Advocate, Peshawar

Dated: 06.11.2009

**CERTIFICATE:**

Certified that no such like Writ Petition has earlier been filed by the petitioner before this Honourable Court as per instructions of my client.

  
Advocate

**LIST OF BOOKS:**

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Case Law according to need.

  
Advocate

**ATTESTED**  
EXAMINER  
Peshawar High Court

**CERTIFIED TO BE TRUE COPY**

EXAMINER  
Peshawar High Court, Peshawar  
Issued Under Article 8.7 of  
the Qanun-e-Shahadat Order 1988

26 MAR 2019

RECORDED  
Deputy Registrar  
07 NOV 2009

35

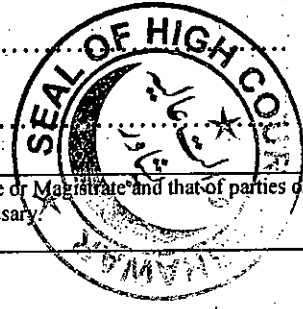
43

PESHAWAR HIGH COURT, PESHAWAR.

FORM OF ORDER SHEET

Court of .....


Case No. .... of .....



Serial No. of Order or Proceedings	Date of Order or Proceedings.	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
	18-11-2009	<p><b><u>W.P No.2937/2009 with I.R.</u></b></p> <p><b><u>Present:</u></b> Mr. Muhammad Amin Khattak Lachi, Advocate, for the petitioners.</p> <p style="text-align: center;">****</p> <p><b><u>DOST MUHAMMAD KHAN, J:-</u></b> As the Provincial Government has taken a firm decisions that all those teachers belonging to teaching cadre shall be posted in the Education Institution to teach the students according to their qualifications while those belonging to administrative cadre shall only hold the posts relating to administration. Therefore, the petitioners must deliver according to the policy of the Government and because they are highly qualified teachers, it is not befitting to hold administrative posts, because they are getting benefits, but the students are suffering thus, they shall go to their respective places, where they are required to do the job. The plea of the learned counsel for the petitioners that similarly placed Teachers/ Professors/Lecturers belonging to Colleges have been retained on administrative posts.</p> <p style="text-align: right;"><b>ATTESTED</b> EXAMINER Peshawar High Court</p>

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2. If such statement is correct then, it is clearly in violation of the policy laid down by the Provincial Government, therefore, copy of this order be sent to the Secretary Higher Education, Government of NWFP, and the learned Advocate General and it is directed that the policy so laid down must be implemented in full and no pick and choose policy shall be adopted in the matter.

Petition disposed of. 

Announced.  
Dated.18.11.2009.

  
JUDGE

*Ex-30A Muzim u J  
Ch. Liaquat Ali Khan*

  
JUDGE

**CERTIFIED TO BE TRUE COPY**

EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Qanun-e-Shahadat Order 1984

26 MAR 2019

*M. Issac  
Secty Registrar  
20-11-09*

12491 26/3/19

NO. ....

Date of Presentation: .....

No of Pages: .....

Copying Fee: .....

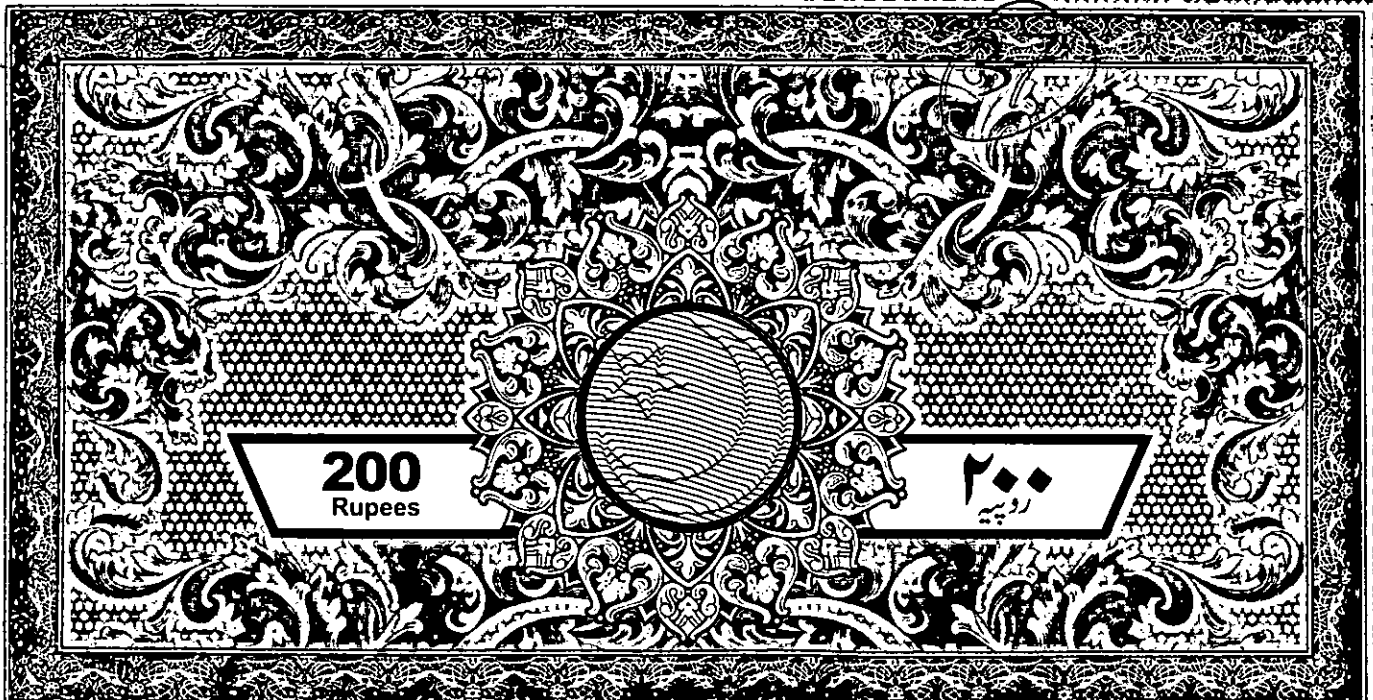
Urgent: *24* .....

Total: *26/3/19* .....

Date of: *26/3/19* .....

Date of Delivery to Court: .....

Received By: *mt* .....



**BEFORE THE *K.P.K SERVICE TRIBUNAL*  
PESHAWAR**

**Mst. Malak Taja**

**VERSUS**

**Secretary Education KPK Peshawar etc**

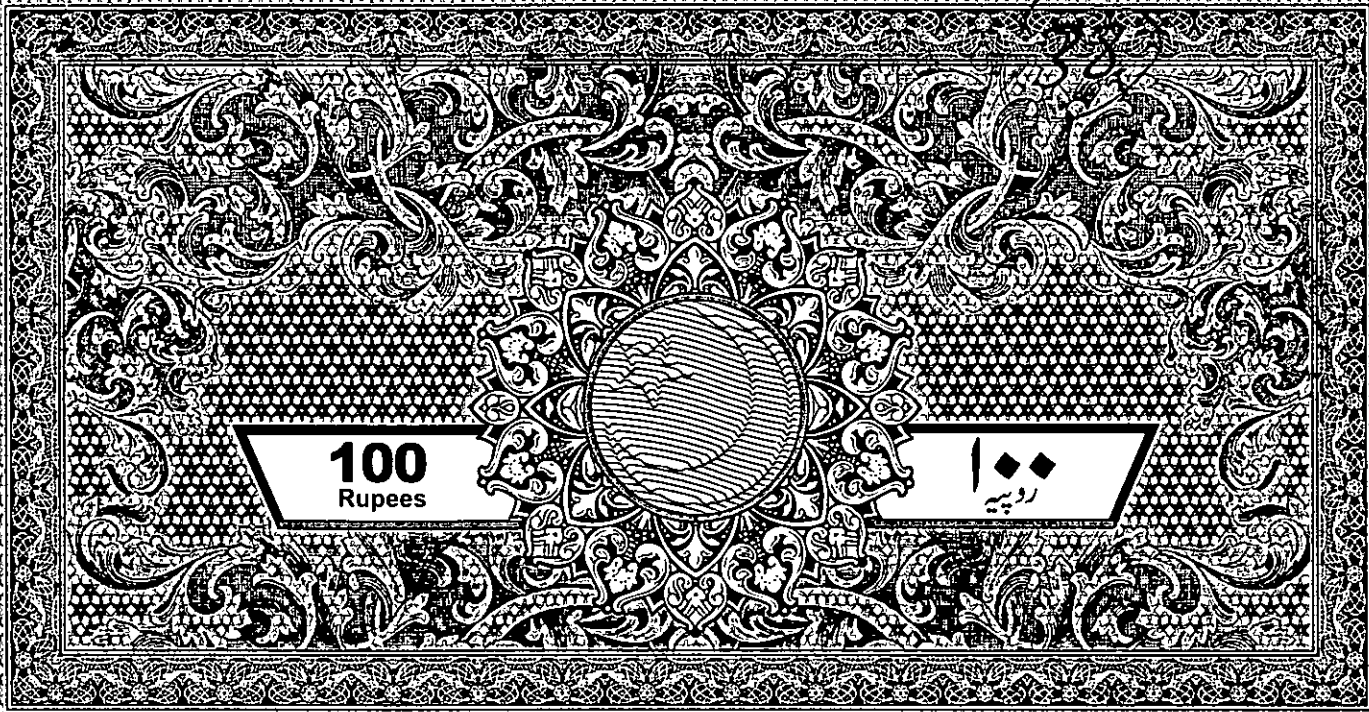
**SPECIAL POWER OF ATTORNEY**

Be it known to all that I Mst. Malak Taja W/O Nisar Ul Mulk R/O PMAD Colony, Engineering Centre, Risalpur Cantt District Nowshera is petitioner in the above mentioned case. As due to Parda Nasheen Lady I am unable to take care of the above mentioned case therefore by this power of attorney I nominate and appoint Mr. Nisar Ul Mulk S/O Zahir Ul Mulk Identity Card#17201-6632546-5, R/O Risalpur, Tehsil and District Nowshera to plead and appear on my behalf. He is authorized to engage advocate or the case and submit written statement, list of witnesses, list of legal heirs, sign affidavits and verifications, give statement, produce documents, file miscellaneous applications, file applications and reply to applications, pay and receive costs or other compensation etc, file appeal, review, revision, compromise with the parties, participates in execution proceedings from the court of first instance till *SERVICE TRIBUNAL* and Supreme Court of Pakistan. Furthermore he is authorized to do all necessary acts, deeds and assurances and all the incidental and ancillary proceedings/steps for the above mentioned case.

I do further declare that within scope of authority delegated by me to the said special attorney, shall be bound by all the deeds and steps taken by him and shall be construed as being done by

**ATTESTED**





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روپے

us and shall be binding on us with full force and affect and hereby ratify all of the acts done by him within the meaning of principles of ratification as laid down in Chapter X of the contract Act of 1872.

**EXECUTANT:**

Mst. Malak Taja NIC#16102-2209512-4 Signature:

Witnessed By

Witness 1.

Witness 2.

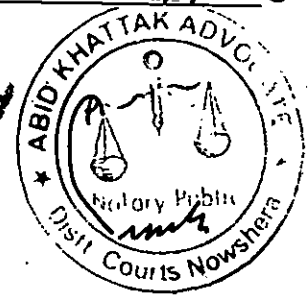
Name: نواد احمد ولد بوستان خان

Name: ڈاکٹر محمد ناصیر خان

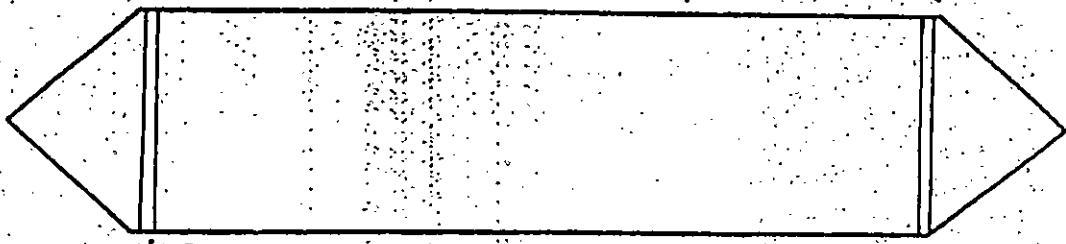
CNIC# 17201-3324177-9

CNIC# 17201-2103992-5

**ATTESTED**



بعدالت حنا۔ صہر کھنڈو کچھ اہل سروس ٹرینوں کی صورت



ملکہ تاجہ بی نام صہر سیکرٹری  
2، منجانب  
وحدہ

موزخہ  
مقدمہ  
دعویٰ  
جرم

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکل کارروائی متعلقہ  
آن مقام بیشاور کیلئے محمد انجمن خاں صاحب عدالت امان، اسب

مقرر کر کے اترار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
دکیل صاحب کو راضی نامہ کرنے و تقرر ثالت ہ فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساخت  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سند ہے۔

Attested

20 \_\_\_\_\_ ماہ \_\_\_\_\_ الرقوم

وہ العبد  
کے لئے منظور ہے

Attested & Accepted  
Attested & Accepted  
Attested & Accepted  
بمقام

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) MARDAN.

NO 8698-04

Dated: 9/4/2019.

To,

The District Education Officer  
(Female) Mardan.

Subject:- HARASSMENT BY MALAK TAJA (SDEOF) BATKHELA ALONG  
WITH HER HUSBAND

Madam,

With respect it is stated that that on 8<sup>th</sup> April 2019, when I was busy in my SDEO(F) office work, Malak Taja, came in a very aggressive mood and put her chair beside me. I have talked to her for the purpose of coming. She said, she was appointed on my post, I have asked her about any written document.

She said, it is not a matter like this. Her husband was on telephonic call with her, and dictating her, when suddenly she abused me a lot, in the meantime, I told her to go out of the office, as she was threatening me and using a rubbish language. Then I left my office as I was unable to work anymore, I have locked my room and quit my office.

Then she again came to my office, along with her husband, and has taken a video of my office without any permission being a female office, and had given it on the social media for my insult as well as my Education Department. Her husband has used a very abusive language about me, and had given a high threat to me, to make the case a police level, and would defame the Department as well.

It is further submitted for your information madam that I have not informed my husband about these issues and my insult, as he is a politician of high level and on Ex-Candidate of Pk-55 Mardan. If Malak Taja along with her husband are highlighting it on the Social Media, it will lead to a disastrous end.

As husband of Malak Taja has shared the video from his Whatsapp No. 0308-5330968 which is a contempt of our department and extremely a crime.

It is kindly requested to take an action against her as soon as possible and to restrict her from such kind of activities in further,

Your, s Sincerely

*Rana Att*

Mst. Rana Attaullah  
Sub Divisional Education Officer (Female)  
Mardan.

Copy for information to the:-

1. PA to Secretary Education Khyber Pakhtunkhwa Peshawar.
2. Director (E&S) Education Khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner Mardan.
4. Register Service Tribunal Khyber Pakhtunkhwa Peshawar.
5. District Nazam Mardan.
6. Office Copy.

Sub Divisional Education Officer (Female)  
Mardan

*Put up to the court with  
relevant app.*

*Na-duc*

*11/4/19.*

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

In Re:

Service Appeal No. 399/2019

Mst. Malik Taja ..... Appellant

Versus

Chief secretary & 2 others ..... Respondents

**I N D E X**

S.No.	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Parawise Reply alongwith Verification		1 - 4
2.	Replication alongwith Affidavit		5-6
3.	Educational Testimonials	R/1	7-10
4.	Notification Dated: 26.07.1997	R/2	11-13
5.	Notification dated: 14.11.2017	R/3	14-16
6.	Notification dated: 21.02.2019	R/4	17-19
7.	Corrigendum dated: 05.03.2019	R/5	20-21
8.	Representation dated: 11.03.2019	R/6	22-25
9.	Office letter dated: 25.03.2019	R/7	26
10.	Order dated: 01.04.2019 of this Hon'ble Tribunal	R/8	27
11.	Notification dated: 05.01.2018	R/9	28-31
12.	Wakalatnama		32

Respondent No. 3

Through

Amin ur Rehman Yusufzai

Sajjad Mehsud

&

Khalid Khan

Advocates, Peshawar  
3-A, Park Avenue, Bhattani Plaza,  
University town, Peshawar

Cell No.0321-9022964, 0333-9981464

Dated: 17.04.2019

(P)

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

In Re:  
Service Appeal No. 399/2019

Mst. Malik Taja ..... Appellant

Versus

Chief secretary & 2 others ..... Respondents

**PARAWISE REPLY FOR AND ON BEHALF OF MST. RANA ATTAULLAH/**  
**RESPONDENT NO.3.**

*Respectfully Showeth:*

**TRUE FACTS OF THE CASE**

- I. That the answering Respondent, alongwith 22 others, was appointed as senior English teacher (SET), by the competent authority, on the recommendation of the Khyber Pakhtunkhwa public service commission, vide Notification dated: 26.07.1997, needles to add that she is qualified upto B.Ed. & MA, M.Ed.  
**(Copies of Educational Testimonials & Notification Dated: 26.07.1997 are attached as Annexures R/1 & R/2 respectively)**
- II. That the answering respondent, alongwith 187 others, was promoted to the post of Head Mistress (BPS-17), by the competent authority, vide Notification dated: 14.11.2017.  
**(Copy of Notification dated: 14.11.2017 is attached as Annexure R/3)**
- III. That the competent authority/Chief Secretary KP transferred the answering respondent from the position of SDEO(F)Mardan to the post of Head Mistress GGHS (kata khat), Mardan, vide Notification dated: 21.02.2019, similarly appellant was promoted from BPS- 16 to BPS-17 and posted as SDEO(F) Mardan, against the post of answering respondent, vide Notification dated: 21.02.2019 ibid  
**(Copy of Notification dated: 21.02.2019 is attached as Annexure R/4).**
- IV. That subsequent to the Notification dated: 21.02.2019 supra, Corrigendum dated: 05.03.2019 was issued, vide, which Notification dated: 21.02.2019, supra, was modified and revised posting/adjustment orders, in respect of 21 employees, including the appellant, who was transferred to Batkhela Malakand as SDEO (F) and the answering respondent, who was retained as SDEO(F) Mardan.  
**(Copy of Corrigendum dated: 05.03.2019 is attached as Annexure R/5)**

V. That appellant, feeling aggrieved of Corrigendum dated: 05.03.2019 supra approached the competent authority/Chief Secretary through representation dated: 11.03.2019, which is still pending decision.

**(Copy of representation dated: 11.03.2019 of the appellant is attached as Annexure R/6)**

VI. That appellant approached this Hon'ble tribunal, on the strength of office letter dated: 25.03.2019, signed for SO ( Schools Male), vide which decision of respondent No. 2, on the appeal dated: 07.03.2019 of the appellant was communicated to her, but astonishingly neither copy of the said appeal dated: 07.03.2019 is annexed with the titled appeal nor this factum is reflecting from the body of her appeal, rather it will be more appropriate to hold that the said letter dated: 25.03.2019 was managed by the appellant to obtain order dated: 01.04.2019 from this Hon'ble tribunal through deceit full manner.

**(Copies of office letter dated: 25.03.2019 & order dated: 01.04.2019 of this Hon'ble Tribunal are attached as Annexure R/7 & R/8 respectively)**

**A. PRELIMINARY OBJECTIONS:**

i. That the titled appeal is premature and not maintainable in its present form.

ii. That appellant has been estopped by her own conduct to file the titled appeal.

iii. That appellant did not approach this Hon'ble Tribunal with clean hands rather tried to be benefited of her foul play.

iv. That appellant is neither aggrieved person nor has got cause of action to file the titled appeal.

v. That the titled appeal is suffering from misjoinder and nonjoinder.

vi. That the departmental representation dated: 11.03.2019 is still pending decision before the competent authority/ respondent No. 1, therefore, under section 4 of the KP Service Tribunal Act, 1974(KP Act No. 1 of 1974) this Hon'ble tribunal, with great respect, has got no jurisdiction to adjudicate upon the titled appeal.

**B. REPLY TO THE FACTS:**

1. Not related to the answering respondent

2. Correct to the extent of promotion of the appellant to BPS-17, however misleading to the extent of actualization of the charge as SDEO(F) Mardan, as Notification dated: 21.02.2019 was revised by the competent authority vide Corrigendum dated: 05.03.2019, vide which the appellant was transferred as SDEO( F) Batkhela Malakand and the answering respondent was retained as SDEO(F) Mardan,

- 3. Incorrect as laid hence denied, furthermore, the answering respondent has never relinquished the charged of the post of SDEO (F) Mardan, therefore, claim of appellant regarding assuming charge as SDEO (F) Mardan, is without substance.
- 4. Correct, to the extent of issuance of Corrigendum dated: 05.03.2019 but within two weeks.
- 5. Misleading as laid, hence denied, Moreover the appeal of the appellant hence no nexus with the impugned dated: 25.03.2019, not only because the appeal was addressed to the Chief Secretary while the order was issued for SO (Schools Male) but also because through the said order appeal dated: 07.03.2019 was rejected which is neither available on file nor this factum is reflecting from pleadings of the appellant, which speaks volume of malafide on her part.
- 6. Misleading as laid, hence denied, Moreover appellant can't invoke the jurisdiction of this Hon'ble tribunal in absence of final order.

**C. REPLY TO GROUNDS:**

- A. Dictum of the Apex Court in Anita Turab case has no nexus with the case of appellant, hence she could not be benefited therefrom.
- B. Misleading as laid, hence denied. Furthermore, there is no Notification dated: 08.02.2010, of the Provincial Government, rather a circular was issued by the Establishment Department on 08.02.2010, in pursuance of Judgment dated: 18.11.2009, of the august Peshawar High Court Peshawar, vide which the Secretary Higher education department of KP was directed that policy regarding teaching/management cadres must be implemented, it is worth to mention that due to non-availability of management cadre staff, the Provincial Government posting teaching cadre staff against the management cadre positions, in E&SE department, for smooth functioning of administration, evident from Notification dated: 05.01.2018, needless to add, that appellant was posted against Management Cadre post, vide impugned Corrigendum dated: 05.03.2019.

**(Copy of Notification dated: 05.01.2018 is attached as Annexure R/9)**

- C. Detail reply has already been given in the preceding para i.e ground B.
- D. Misleading as laid hence denied, Moreover husband of the appellant is posted in Nowshera district while appellant demanding her posting in Mardan district rather than Nowshera district, which attract the doctrine of a probate and reprobate.
- E. Incorrect, as laid hence denied, Moreover, the Corrigendum dated: 05.03.2019 has been issued by the competent authority in accordance with law/rules governing the subject, hence, deserves to be upheld.

F. Incorrect, as laid hence denied, Moreover appellant is bound to obey direction of the competent authority and can't be benefited of her foul play besides concealment of material facts from the Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of instant parawise reply, the titled appeal may be dismissed with heavy costs throughout, so as to secure the ends of justice.

*Rame Ali*

Respondent No. 3

Through

*[Handwritten signature]*

Amin ur Rehman Yusufzai

*[Handwritten signature]*

Sajjad Mehsud

&

*[Handwritten signature]*

Khalid Khan

Advocates, Peshawar  
3-A, Park Avenue, Bhattani Plaza,  
University town, Peshawar  
Cell No.0321-9022964, 0333-9981464

Dated: 17.04.2019

**Verification**

Stated on oath that contents of instant para wise reply are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

*Rame Ali*

Deponent

*[Handwritten signature]*  
17-4-19  
Khalid Mehmood  
Attested  
Oath  
Commissioner  
Peshawar High Court



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

In Re:  
Service Appeal No. 399/2019

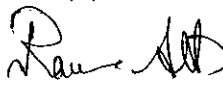
Mst. Malik Taja ..... Applicant/ Appellant  
Versus  
Chief secretary & 2 others ..... Respondents

**REPLICATION FOR AND ON BEHALF OF RESPONDENT NO. 3 TO THE**  
**APPLICATION OF APPELLANT FOR SUSPENSION OF THE IMPUGNED**  
**ORDER DATED: 05.03.2019**

**Respectfully Sheweth:**

1. Need no reply.
2. Incorrect, as laid, hence denied, Moreover appellant has neither got cause of action nor locus standi to file the titled appeal.
3. Incorrect, as laid, hence denied, Moreover, essential ingredient for grant of temporary injunction are all to gather missing in case of the appellant rather her main appeal is not maintainable due to legal infirmities.
4. Incorrect, as laid, hence denied, moreover, appellant can't claim shelter of irreparable loss, because she has deliberately surpassed material fact from this Hon'ble Tribunal hence not entitled of the relief prayed for.

It is therefore most humbly prayed that on acceptance of instant replication, application of appellant may be rejected with cast through out

  
Respondent No. 3

Through

Amin ur Rehman Yusufzai

  
Sajjad Mehsud

&

  
Khalid Khan  
Advocates, Peshawar

Dated: 17.04.2019

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

In Re:  
Service Appeal No. 399/2019

Mst. Malik Taja ..... Appellant

Versus

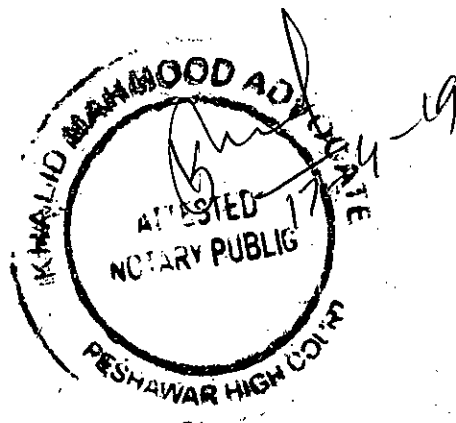
Chief Secretary & 2 others ..... Respondents

**AFFIDAVIT**

I, Mst Rana Attaullah daughter of Attaullah khan, resident of Jalala Tehsil Takht Bhai, District Mardan, do hereby solemnly affirm and declare on oath that contents of the accompanying replication are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

*Rana Att*

DEPONENT



UNIVERSITY OF PESHAWAR  
(Pakistan)

Session ANNUAL 2001

PANA ATTAULLAH

DAUGHTER of ATTAULLAH KHAN

and a student

of INSTITUTE OF EDUCATION & RESEARCH UNIVERSITY OF PESHAWAR having passed the prescribed examination held in JULY 2001 is this day admitted by

the University of Peshawar to the Degree of

**Master of Education**

in the FIRST Division

Serial No. 000933

Registration No. 85-X-1708

Roll No. 57

Declared on 9TH JANUARY 2002



*M. Jamil Khan*  
Registrar

Countersigned

*Z. Khan*  
Vice-Chancellor

ATTESTED

Annex R/L  
7

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دانشگاه پشاور

# University of Peshawar

(Pakistan)

Session ANNUAL 1991

RAMA ATTULLAH DAUGHTER of ATTULLAH KHAN and a Student

of DISTRICT BARDER having passed the prescribed Examination held in APRIL, 1992, is this day admitted by the University of Peshawar, to the Degree of

## Master of Arts

in the SECOND Division

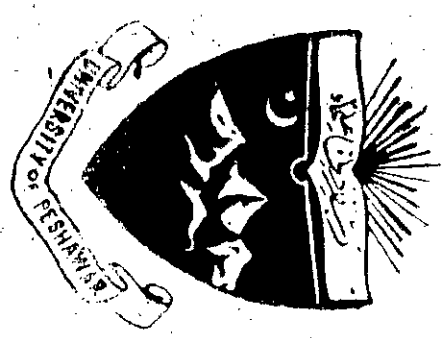
The Subject of Examination being POLITICAL SCIENCE The Examination was taken as a whole / in parts

Serial No: 012248

Registered No. 85-16-1708

Roll No. 19053

Result Declared on OCTOBER 10, 1992



*Muskiel Ahmad*  
Registrar

Countersigned  
*M. Aslam*  
Vice-Chancellor

ATTESTED

6

دانشگاه پشاور  
University of Peshawar

# University of Peshawar

(Pakistan)

Session ANNUAL 1994

PRANA ATTAULLAH DAUGHTER OF ATTAULLAH KHAN

of PESHAWAR DISTRICT having passed the prescribed Examination

in DECEMBER 1994, is this day admitted by the University of Peshawar to the Degree of

## Bachelor of Education

In the FIRST Division in Theory

In the SECOND Division in Teaching Practice

In the FIRST Division in Aggregate

Passed also in GENERAL SCIENCE as an Additional / Optional Subject

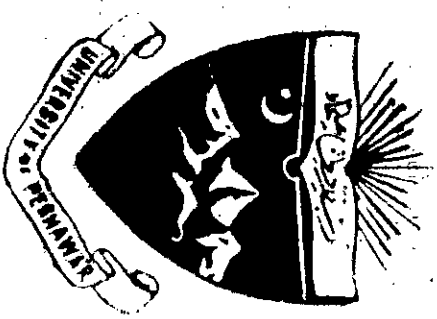
examination was taken as a whole / in parts

Serial No: 005342

Registered No. 85-UG-1708

Roll No. 429

Result Declared on Mar 21, 19 95



Registrar

Countersigned

Vice-Chancellor

10



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

# University of Peshawar

(Pakistan)

Session ANNUAL 1987

RANA ATTAULLAH DAUGHTER OF ATTAULLAH KHAN and a student of JINNAH COLLEGE FOR WOMEN PESH. UNIV having passed the prescribed examination held in FEBRUARY 1988, is this day admitted by the University of Peshawar to the Degree of

## Bachelor of Arts

in the SECOND Division

The examination was taken as a whole/in parts.

Serial No. 006793

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

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

\_\_\_\_\_ 19 \_\_\_\_



Registrar

Countersigned

Vice-Chancellor

**ATTESTED**

OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP, PESH:

Notification.

Consequent upon the selection made by SSSC, Public Service Commission for the Director Secondary Education NWFP, Pesh: is pleased to appoint the following candidates against the SET post HPS-16 (Rs. 2555-107-5435) plus usual allowances as admissible under the Rules) with immediate effect subject to the terms and conditions given below:-

TERMS AND CONDITIONS:

- 1/ They will be governed by such Rules & Regulations as may be prescribed by the Govt. for the category of the Govt. Servants to which they belong from time to time.
- 2/ Their services will be liable to be terminated on one month's notice from either side. In case of resignation without notice on month's pay will be forfeited in lieu thereof.
- 3/ They should join the posts within one month of the issue of this notification.
- 4/ Their seniority will be determined in accordance with the merit of SSSC, Public Service Commission.
- 5/ Charge report should be submitted to all concerned.
- 6/ No R/DA is allowed.
- 7/ Their appointments are subject to the production of prescribed medical certificate from the standing Medical Board and verification of their character/Antecedents by the Police Dept. They may not be handed over charge till the completion of the said requirements.
- 8/ They shall be on probation for period of two years.
- 9/ Their original certificates/Degrees should be checked and verified from the concerned University before handing over Charge.

S.No.	Name & Address	Posted	Remarks
1.	Mst. Usma Karim MA BEd D/o M.A. Karim Laghori Gate D.I. Khan.	G.G.H.S Gomal Bazar DIK.	Against vacant SET post.
2.	Mst. Saman Begum MSc BEd d/o M. Ibrahim C/O Madir Khan House No. 591 Sector D-2 Ph-1 Hayat Abad.	CGMS Kahi (NSR)	--do--
3.	Mst. Saqiba Bibi MSc BEd d/o Mishbahud Din Badliqie Moh: Sheikhabad GTRoad Akroa Khattak.	G.G.H.S.S Nowshera.	--do--
4.	Mst. Falak Naz MA BEd d/o Shahjee Muhammad c/o Dr. M. Ayaz Distt: Headquarter Hospital Karak	G.G.H.S Rehmat Abad Karak	--do--
5.	Shaista Jehan MSc BEd d/p M. Askar Moh: Musakhel Mardan	Placed at the disposal of D.M. (PATA)	
6.	Mst. Batool Fatima MSc BEd d/o Fakher Hussain c/o M. Irshad Qayyum 120-2 Moh: Qadocm Baripur	CGMS Bari Saleh Baripur.	Against vac SET Post.

**ATTESTED**

		Against Vacant post.
7.	Mst. Farhat Jabbar MSc BEd d/o S. Jabbar Shah Vill: Kohar PO Bahksho Pul Pesh:	A.S.D.E.O (F/P) Nowshera
8.	Mst. Kousar Bibi MSc BEd d/o S. Kabeer Shah Vill: Kohar PO Bahksho Pul Pesh:	A.S.D.E.O (F/P) Nowshera
9.	Mst. Shaista Noor BA BEd d/o Noor Muhammad Khan Vill: G PO Heroshah Moh: Muslim Abad Malakand Agency.	G.G.H.S. Paledi Mkd. AGY.
10.	Mst. Masreen Bibi BSc BEd d/o Ghulam Nader c/o Noor Khan Steno Commissioner D.I. Khan.	G.G.H.S. Warban Killan D.I.K
11.	Mst. Parsana Wazir BSc BEd d/o Wazir Muhammad H.No. 331 Street 10 Sect: E Hayat Abad Peshawar	G.G.H.S Nahaqi Peshawar
12.	Mst. Phul Bibi BA BEd d/o Abdur Rehman c/o New S.S Gen: Store Kashmir Road Mansehra	C.G.H.S Behali Mansehra
13.	Fahmide Ghani MA BEd d/o Fazal Ghani GGB Kochian Gulbilla Pesh:	G.G.H.S Nowshera Kallan
14.	Mst. Tanzilla Sabah BA BEd d/o Hamidullah Sadozai Moh: Garhi Sadozai D.I. Khan.	G.G.H.S Titter Khel Lakki
15.	Mst. Tehsin Begum BSc BEd d/o Farid Khan Vill: & PO Thana Moh: Maider Khan Cology Thana Malakand.	C.G.H.S Chakdara, Dir
16.	Mst. Zeena Amir Begum d/o Farid Khan Moh: Garhi Sadozai D.I. Khan.	G.G.H.S Titter Khel Lakki
17.	Mst. Masim Akhtar BA BEd d/o Abdul Aziz Vill: Kalias PO MT. Haripur	G.G.H.S Base Waira Haripur
18.	Mst. Samina Malik MA BEd d/o Malik Majid Malik H. Mashid Town Gulbaha No. 3 Pesh:	G.G.H.S Hallowai NER
19.	Mst. Ghazala Yasmin MSc BEd d/o & Komar Zaman PO Akkora Khattak Moh: Rical Gash Nowshera	G.G.H.S Akkorpura
20.	Mst. Hagiba Bibi BA BEd d/o Faris Muhammad Amir Zaman Vill: Jang Bazar Chitral	G.G.H.S Barawal Dir
21.	Mst. Zainab Shah BSc BEd d/o Late Fazali Hussain Shah Kocha Bazar Saddiq Moh: Khattak D.I.KH	G.G.H.S Shahbaz Azmat Khel Zannu
22.	Mst. Rana Attullah BA BEd c/o Attullah 19 Islamiya College Pesh: University	GGHS NOWSHERA Cant Nowshera
23.	Mst. Mukhtiar Begum BSc BEd d/o H. Ziaul Haq c/o Dil Aram Khan Shopkeeper Opp: National Bank of Pakistan Matta Swat.	G.G.H.S. Khawza Khela Swat

(SYED ABU CAJED BACHA)  
DIRECTOR SECYD: EDU. NWFP, Pesh:

ATTESTED



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MEMO: NO. 7359-93 /A-9/Requisition SET (F) Dated Fesh: 26/7/97.

Copy forwarded for information & necessary action to the :-

1. Accountant General N/EC, Feshawar.
2. Director Prg: Edu: H/EP, Feshawar.
3. Director of Edu: (DATA) N/EP, Fesh:
4. ~~Dir: Director of Edu: (DATA) N/EP, Fesh:~~
5. Public Service Commission N/EP, Feshawar.
6. Distt: Education Officers (F) Secdy: Prg: Concerned.
7. Distt: Accounts Officer Concerned.
8. Sub Divi: Edu: Office (F) Feshawar.
9. Prg: / H/Mistr: Concerned.
10. LB to Secretary Gen: Govt of Sindh, Fesh:
11. TL to Director Secondary Edu: N/EP
12. Mistress concern d.


*[Signature]*  
 MEMBER OFFICE SECY: EDU:  
 N/EP, FESH:

*[Signature]*  
**ATTESTED**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Dated Peshawar the 14-11-2017

ANNEX R/13   
14

**NOTIFICATION**

No. SO(PE)/2-6/DPC Meeting (03-10-2017). On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following One Hundred and Eighty Five (185) Female SSTs (BS-16) to the post of Head Mistresses (BS-17) on regular basis with immediate effect :-

S#	Senty: list No.	Name of Officer and School Address	Proposed place of Posting	Remarks
1.	3	Imtiaz Begum D/O Ikramul Haq MA/B.Ed GGCMS Tauheed Abad Charsadda	H/M BS-17 GGHS Boobak Charsadda	Against the vacant post
2.	52	Jamila Azam SST D/O Said Azam BA BEd GGHS Khar Bajaur	Service placed at the disposal of FATA	Against the vacant post
3.	58	Nafeed Aslam SST BA BEd GGMS Jaboori Mansehra	HM BS-17, GGHS Jaboori Mansehra	Against the vacant post
4.	67	Hidayat SST, MA, BEd D/O Ali Haider GGHS Badam Baghicha Mkd	HM BS-17, GGHS Inzargai Malakand	Against the vacant post
5.	71	Tahira Bibi, SST, MA, BEd GGHS Borki Parachinar Kurram Agency	Service placed at the disposal of FATA	Against the vacant post
6.	75	Tahira Bibi, SST, BA, BEd GGHS Parachinar	Service placed at the disposal of FATA	Against the vacant post
7.	102	Dishad Begum, SST, MA BEd GGMS Shok Dara Swat	H/M BS-17 GGHS Kalam Swat	Against the vacant post
8.	103	Bibi Jamila D/O Abdul Hamid, SST, MA, BEd GGMS Drosh Chitral	H/M BS-17 GGHS Drosh Chitral	Against the vacant post
9.	104	Bibi Zaib-un-Nisa D/O Abdur Rabi SST -GGCMS Jinjirat Chitral	H/M BS-17 GGHS Murdan Chitral	Against the vacant post
10.	105	Bibi Khairun Nisa SST BA BEd GGHS Warjun Chitral	H/M BS-17 GGHS Panakot Dir Upper	Against the vacant post
11.	106	Khalida Parveen SST BA BEd GGHS Chail Shagai Swat	H/M BS-17 GGHS Ghalegay Swat	Against the vacant post
12.	107	Nighat Shaheen SST MSc MEDGGHS Dagai Swabi	H/M BS-17 GGHS Mathra Dagai Swabi	Against the vacant post
13.	108	Tabassum SST, MA B Ed D/o Ihsanullah GGHS Kharki Mkd	Inst. RITE (F) Dargai	Against the vacant post
14.	111	Shahida SST, BA, BEd GGCMS Syed Abad D. Alladand MKD	HM BS-17, GGHS Totai Malakand	Against the vacant post
15.	112	Malika Bibi SST GGMS Kandaro Mkd	HM BS-17, GGHS Dag Gosam Dir Lower	Against the vacant post
16.	113	Shahida Nabila, SST, MA, BEd GGMS, Shakarpura Peshawar	HM BS-17, GGHS Inzargay Nowshera	Against the vacant post
17.	114	Rubina Bibi D/O Umed Khan SST MA BEd GGHS Muldeh Chitral	H/M BS-17 GGHS Khot Chitral	Against the vacant post
18.	115	Zahida Nageen SST BSc, BEd GGCMS Swabi	H/M BS-17 GGHS Yaqoobi Swabi	Against the vacant post
19.	117	Saniya Farid SST BSc, BEd GGHS No.1 Mansehra	HM BS-17, GGHS Rerth Mansehra	Against the vacant post
20.	118	Yasmeen Begum SST BSc BEd GGHS Baghdada Mardan	H/M BS-17 GGHS Gul Bagh Sawal Dher Mardan	Against the vacant post
21.	119	Riffat Khanam SST BA, BEd GGCMS Mansehra	HM BS-17, GGHS Shamdakra Mansehra	Against the vacant post
22.	120	Hasina Jamal SST MA BEd GGMS Landi Akhon Ahmad Peshawar	H/M BS-17 GGHS Kooper Mardan	Against the vacant post
23.	121	Abida Inayat SST BA BEd GGHS Spelano Kas Jamrod	Service placed at the disposal of FATA	Against the vacant post

  
**ATTESTED**

24.	122	Waheeda SST BSc. BEd GGHS Bam Khel Swabi	H/M BS-17 GGHS Sard China Swabi	Against the vacant post
25.	123	Qamar Begum D/O Muhammad Ali, SST ,MA, BEd GGMS, Shoghore Chitral	H/M BS-17 GGHS Warkup Chitral	Against the vacant post
26.	124	Samia Shameen, SST, BSc:BEEd GGHS, Sheikh Abad Peshawar	H/M BS-17 GGHS Mulla Killy Nowshera	Against the vacant post
27.	125	Mumtaz Jamal D/O Abdul Hamid ,SST,BA BEd GGMS, Chumrukone Chitral	H/M BS-17 GGHS Berep Chitral	Against the vacant post
28.	128	Bibi Nafees Fatima, SST, BSc; BEd GGHS Bandi Maira A.Abad	H/M BS-17 GGHS Churlaki Kohat	Against the vacant post
29.	131	Bibi Ayesha D/O Abdul Khaliq B.Ed/M.Ed GGHS No.1 Mingora Swat	H/M BS-17 GGHS Panjgram Swat	Against the vacant post
30.	134	Bibi Romina, SST,MA, BEd GGHS,Shakah No.6 Charsadda	H/M BS-17 GGHS Shakh No.6 Miana Charsadda	Against the vacant post
31.	136	Shabnam Roohi D/O Syed Bakhtiar Hussain B.Ed/M.Ed GGHS No.1 Kohat	H/M BS-17 GGHS No.2 Kohat	Against the vacant post
32.	137	Mst. Nusrat Jamal SST (Sc) GGHS Garhi Daulat zai Mardan	H/M BS-17 GGHS Garhi Daulatzai Mardan	Against the vacant post
33.	139	Salma Farid,SST,BA, BEd GGHS Mathra Peshawar	H/M BS-17 GGHS Dagai Gadon Swabi	Against the vacant post
34.	140	Ghazala Shaheen SST, BA, BEd GGHS, Dabgari Banate pesh:	H/M BS-17 GGHS Amir Kot Bakhshali Mardan	Against the vacant post
35.	152	Muqadisa Jabeen, SST, BA, BEd GGMS, Roda DIKhan	H/M BS-17 GGHS Bahader Mughul Khel Bannu	Against the vacant post
36.	153	Farhat Jabeen, SST, BA, BEd GGHS, Salhad A/Abad	HM BS-17, GGHS Pluck Anderseri Abbotabad	Against the vacant post
37.	159	Bibi Tajamul Naz, SST, BA, BEd D/o Fazal Mehmood GGMS, Dri Seri Malakand.	HM BS-17, GGHS Badin Dir Lower	Against the vacant post
38.	160	Nargis Shaheen, SST, BA BEd GGMS Swabi	H/M BS-17 GGHS Bam Khel Swabi	Against the vacant post
39.	161	Rifat Shasheen, SST MA M.Ed GGHS, Prang Charsadda	H/M BS-17 GGHS Haji Jamrooz Khan Killi Charsadda	Against the vacant post
40.	162	Sarat Bibi, SST BA BEd GGHS Shakardara Kohat	H/M BS-17 GGHS Dhand Baktawara Kohat	Against the vacant post
41.	163	Jehan Ara, SST BA BEd GGMS, Meherdi Mkd	HM BS-17, GGHS Dagai Buner	Against the vacant post
42.	164	Noor Jehan, SST BA BEd GGHS, Meherdi Mkd	H/M BS-17 GGHS Salim Khan Swabi	Against the vacant post
43.	165	Shakeela Raina SST BA BEd GGHS Rana Kulachi Di Khan	HM BS-17, GGHS Attaullah Nurur Bannu	Against the vacant post
44.	166	Hussan Ara, SST BA BEd GGHS, Maneri Swabi	H/M BS-17 GGHS Maneri Bala Swabi	Against the vacant post
45.	167	Najma Rashid, SST BA BEd GGHS Islamia Collegiate Pesh:	H/M BS-17 GGHS Jabbi Payan Nowshera	Against the vacant post
46.	168	Huran Bibi, SST BA BEd GGMS Wajjin Chitral	H/M BS-17 GGHS Shagran Chitral	Against the vacant post
47.	170	Huma shad, SST BA BEd GGHS, Kohati Gate Peshawar.	H/M BS-17 GGHS Dheri Katlang Mardan	Against the vacant post
48.	171	Rehana Begum SST GGHS, Haji Abad Dir	HM BS-17, GGHS Bagh Dushkhan Dir Lower	Against the vacant post
49.	173	Siraj Begum, SST BA BEd GGHS, Khazana Dir L	H/M BS-17 GGHS Akhgram Dir Upper	Against the vacant post
50.	174	Mehrun Nisa SST BA BEd GGHS College Abadi Kohat	H/M BS-17 GGHS Keri Sheikhan Kohat	Against the vacant post
51.	176	Phul Bibi, SST BA BEd GGMS Rehar Manshra	H/M BS-17 GGHS Nokot Manshra	Against the vacant post
52.	178	Samina Malik, SST BA BEd GGMS Zaryat Colony Pesh:	H/M BS-17 GGHS Shah Alan	Against the vacant post
53.	179	Rana Attaullah D/O Attaullah Khan, SST BA BEd GGMS, Muhammad Ali Killi Mardan	H/M BS-17 GGHS Ali Rustam Mardan	Against the vacant post
54.	181	Tahseen Begum D/O Farid Khan B.Ed M.Ed GGHS,	H/M BS-17 GGHS Bazdara Bala Mkd	Against the vacant post

ATTESTED

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179.	422	Irabia Yousaf, SST BA BEd GGHS, Sajikot A/Abad	H/M BS-17 GGHS Sudher Swabi	Against the vacant post
180.	424	Asmat Iqbal SST BA BEd GGHS Gwalerai Swat	Instructure BS-17 RITE (F) Barikot Swat	Against the vacant post
181.	425	Khadija Begum, SST BA BEd GGHSS Khaanpur Haripur	H/M BS-17 GGHS Sanga Ahmad Gul Killi Mardaa	Against the vacant post
182.	432	Nadeema Begum B.Ed/M.Ed GGHS Moranai Dir Lower	H/M BS-17 GGHS Khad Dir Lower	Against the vacant post
183.	433	Tafzeela Iqbal, SST BA BEd GGHS Moranai Dir Lower	H/M BS-17 GGHS Moranai Dir Lower	Against the vacant post
184.	439	Zubaida Khatoon, SST BA BEd GGMS Shah Dau DIKhan	H/M BS-17 GGHS Dali Mela Karak	Against the vacant post
185.	444	Noreen Naheed, SST BA BEd GGHS, Kala killi Swat	H/M BS-17 GGHS Kala Killi Swat	Against the vacant post

**Consequential Posting/Transfer**

S#	Name of Officer and School Address	Proposed place of Posting	Remarks
186.	Ambreen Alam HM GGHS Jehangira, Nowshera	HM BS-17, GGHS Palosi Payan Nowshera	Against the Vacant Post
187.	Shahmaz Parveen HM, GGHS Jalozai Nowshera	SS BS-18, Islamiyat GGCHSS Peshawar	Against Vacant Post in her won pay and scale
188.	Naheed Akhtar SS Working against the HM post at GGHS No: 3 Lakki Marwat	SS-BS-17, GGHS Ghazni Khel Lakki Marwat	Against the Vacant Post

2. On their promotion, the Head Mistresses concerned will be on probation for a period of one year in terms of Section 6(2) of NWFP Civil Servant Act, 1973 read with Rule 15(1) of the NWFP Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.

3. No TA / DA allowed.

**SECRETARY**

Endst. No. & date as above.

Copy to:

1. The Additional Chief Secretary (FATA), FATA Secretariat Warsak Road Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. PSO to Chief Secretary to Govt. of Khyber Pakhtunkhwa.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education FATA, Warsak Road, Peshawar.
8. The Director Curriculum & Teachers Education, Abbottabad.
9. The Director ESRU, Khyber Pakhtunkhwa.
10. The Deputy Director (EMIS), E&SE Department, with the request to upload the notification of E&SE Department website ([www.kpesc.gov.pk](http://www.kpesc.gov.pk)).
11. The District Education Officers, Elementary & Secondary Education concerned.
12. The District Accounts Officers concerned.
13. PS to Secretary E&SE Department.
14. Headmistress concerned.
15. Office File.

  
(NAIK MUHAMMAD)  
SECTION OFFICER (PRIMARY)

  
**ATTESTED**





# GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block "A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

Dated Peshawar the February 21, 2019

## NOTIFICATION

NO.SO(SME&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17): Consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa is pleased to promote the following Seventy Eight (78) Assistant Sub-Divisional Education Officers/ Assistant District Education Officers (BS-16) to the post of Sub-Divisional Education Officers/ Assistant Directors (BS-17) (Management Cadre) in the Elementary & Secondary Education Department on regular basis.

2. On their promotion they are posted against the post as mentioned against each, with immediate effect:

S#	Name of Officer	Father Name	Posted as	Remarks
<b>FEMALE</b>				
1)	Mst. Nizakat Tabassum	Attaullah	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
2)	Mst. Meher Sani	Sikandar Khan	SDEO (F) BS-17 Khanpur Haripur	V.S#77
3)	Mst. Faheem Afshan	Mir Dad Khan	SDEO (F) BS-17 Judba Torghar	A.V.P
4)	Mst. Farhat Yasmeen	Ghulam Yaseen	SDEO (F) BS-17 Tank	A.V.P
5)	Mst. Kalsoom Begum	Shahnawaz Khan	SDEO (F) BS-17 Barikot Swat	A.V.P
6)	Mst. Samina Iftikhar	Iftikhar Ahmad	SDEO (F) BS-17 Puran Shangla	V.S#88
7)	Mst. Zahida Khanum	Haqnawaz Chauhan	SDEO (F) BS-17 Lakki Marwat	V.S#76
8)	Mst. Naila Naz	Ali Gohar	SDEO (F) BS-17 Topi Swabi	A.V.P
9)	Mst. Bibi Haleema Sadia	Muhammad Nasim	SDEO (F) BS-17 Domel Bannu	A.V.P
10)	Mst. Safia Bano	Shamshad Ali	SDEO (F) BS-17 Lahore Swabi	A.V.P
11)	Mst. Gul Farzana	Nawaz Khan	SDEO (F) BS-17 Torkhow Molkhow Chitral	A.V.P
12)	Mst. Shagufta Jabeen	Mufti Dad Khan	SDEO (F) BS-17 Ghazi Haripur	V.S#78
13)	Mst. Samia Ahmad	Bashir Ahmad Paracha	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
14)	Mst. Tahira Jabeen	Master Ghulam Rasool	SDEO (F) BS-17 Ogi Mansehra	A.V.P
15)	Mst. Nadia Begum	Inayatullah	SDEO (F) BS-17 Bakka Khel Bannu	A.V.P

ATTESTED



18

# GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

16)	Mst. Saima Bashir	Muhammad Bashir	SDEO (F) Hassanzal Torghar	V.S#100
17)	Mst. Nasira Jabeen	Syed Israr Hussain	SDEO (F) BS-17 Lower Tannawal Abbottabad	A.V.P
18)	Mst. Fozia Parveen	Shaukatullah	SDEO (F) Khwazakhela Swat	A.V.P
19)	Mst. Bibi Ayesha Naz	Qazi Muhammad Nawaz	SDEO (F) BS-17 Alai Battagram	V.S#86
20)	Mst. Sabira Ambreen	Ghulam Zikriya	SDEO (F) BS-17 Lal Qila Dir Lower	V.S#89
21)	Mst. Syeda Nasra Azam	Syef Ghulam Habib Shah	SDEO (F) BS-17 Jehangira Nowshera	A.V.P
22)	Mst. Noor Rahat Yaseen	Adam Khan	SDEO (F) BS-17 Lachi Kohat	V.S#101
23)	Mst. Asfia Ameen	Amin ul Haq	SDEO (Female) BS-17 Kohat	V.S#98
24)	Mst. Nancy Begum	Sher Bahadar	SDEO (F) BS-17 Swabi	A.V.P
25)	Mst. Nasim Bukhari	Maqbool Shah Bukhari	SDEO (F) BS-17 Nowshera	Already occupied
26)	Mst. Gul Raj	Feroz Khan	SDEO (F) BS-17 Town-II Peshawar	V.S#73
27)	Mst. Shahida Parveen	Mir Azam Khan	SDEO (F) BS-17 Town-IV Peshawar	V.S#1
28)	Mst. Iffat Jabeen	Wali Aman Khan	SDEO (F) BS-17 Baffa Mansehra	V.S#79
29)	Mst. Nageena Bibi	Fazal Ahmad	SDEO (F) BS-17 Havelian Abbottabad	V.S#82
30)	Mst. Surriya Taj	Muhammad Taj Khan	SDEO (F) BS-17 Battagram	V.S#81
31)	Mst. Sajida Sakhi	Sakhi Muhammad	SDEO (F) BS-17 Daraband Mansehra	A.V.P
32)	Mst. Saeeda Bano	Kala Khan	SDEO (F) BS-17 Daggarr Buner	A.V.P
33)	Mst. Shabana Bibi	Saifullah Khan	SDEO (F) BS-17 Tall Hangu	A.V.P
34)	Mst. Shamshad Bibi	Gul Dar Ali Khan	SDEO (F) BS-17 Munda Dir Lower	V.S#90
35)	Mst. Musarat Jamal	Sultan Nadir Khan	SDEO (F) BS-17 Booni Chitral	A.V.P
36)	Mst. Farhat Yasmeen	Gul Abbas Khan	SDEO (F) BS-17 Karak	A.V.P
37)	Mst. Malak Taja	Muhammad Usman	SDEO (F) BS-17 Mardan	V.S#74
38)	Mst. Arifa Bibi	Afsar Ali	SDEO (F) BS-17 Sheringal Dir Upper	A.V.P
39)	Mst. Mehrun Nisa	Payo Dar Khan	SDEO (F) BS-17 Hangu	A.V.P
40)	Mst. Adeela Rani	Muhammad Nawaz Khan	SDEO (F) BS-17 Balakot Mansehra	A.V.P

ATTESTED



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
 ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
 Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
 Phone: 091-9210480, Fax # 091-9211419

MALE				
63)	Mr. Qaiser Khan	Muhammad Nawaz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
64)	Mr. Sharafuddin	Gul Nadar Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
65)	Mr. Imtiaz Khan	Gul Zaman Khan	SDEO (Male) Dir Upper	A.V.P
66)	Muhammad Khitab	Gulab	SDEO (Male) Wari Dir Upper	A.V.P
67)	Mr. Bakhtzada	Mahan Gul	SDEO (Male) Larjam Dir Upper	A.V.P
68)	Mr. Zia ur Rehman	Said Rehman	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
69)	Mr. Ihtisham ul Haq	Fazal Haq	SDEO (Male) Kalkot Dir Upper	A.V.P
70)	Muhammad Saleem	Ghulam Sarwar	SDEO (Male) BS-17 Kohistan	A.V.P
71)	Mr. Sikandar Irfan	Faiz Ullah Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
72)	Mr. Abdul Hafiz	Abdur Rashid	SDEO (Male) Chukisar Shangla	A.V.P

**CONSEQUENTIAL TRANSFER**

S#	Name of officer	Present place	Adjusted as	Remarks
73)	Mst. Firasat Mumtaz HM (BS-17)	working as SDEO (F) Town-II Peshawar	HM BS-17 GGHS Sinezo Shah Charsadda	A.V.P
74)	Mst. Rana Attaullah HM (BS-17)	working as SDEO (F) Mardan	HM BS-17 GGHS Katta Khat Mardan	A.V.P
75)	Mst. Shaheen Alam SS English (BS-17)	working as SDEO (F) Swabi	SS English BS-17 GGHS Pabini Swabi	A.V.P
76)	Mst. Tujza Abasi SS Pak Study (BS-17)	working as SDEO (F) Lakki Marwat	SS Pak Study (BS-17) S.K Bala Bannu	A.V.P
77)	Mst. Ifat Younis SS H/Civics (BS-17)	working as SDEO (F) Khanpur Haripur	SS H/Civics BS-17 GGHS Kalabat Township Haripur	A.V.P
78)	Noreen Ayaz SS Biology BS-17	working as SDEO (F) Ghazi Haripur	SS Biology BS-17 GGHS Ogi Mansehra	A.V.P
79)	Mst. Shazia Bibi SS Biology (BS-17)	working as SDEO (F) Baffa Mansehra	SS Biology BS-17 GGHS Tarangri Bala Mansehra	A.V.P
80)	Mst. Tahira Gohar SST BS-16	working as SDEO (F) Oghi Mansehra	Services placed at the disposal of DEO (F) Mansehra for further posting	---
81)	Mst. Asma Shaheen HM (BS-17)	working as SDEO (F) Battagram	HM BS-17 GGHS Batto Bandi Mansehra	A.V.P

AP

20/10/20



ANNEX R/5 (20)

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

Dated Peshawar the March 05, 2019

**CORRIGENDUM**

**NO.SO(SM)E&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17):** In partial modification of this Department notification of even number dated 21.02.2019, the Competent Authority is pleased to order revise posting/adjustment in r/o of the following officers of E&SE Department on the posts/stations as mentioned against each, in the interest of public service, w.e.f. date of issuance:

S#	Name & designation	Under adjustment as	Revised posting	Remarks
1.	Mst. Surriya Taj, SDEO (BS-17)	SDEO (F) Battagram	SDEO (F) Haripur	A.V.P
2.	Mst. Saeeda Bano, SDEO (BS-17)	SDEO (F) Daggar Buner	SDEO (F) Ghazi Haripur	V.S#3
3.	Mst. Shagufta Jabeen, SDEO (BS-17)	SDEO (F) Ghazi Haripur	SDEO (F) Daggar Buner	V.S#2
4.	Mst. Nazima Shaheen, SDEO (BS-17)	SDEO (F) Gagra Buner	SDEO (F) Khanpur Haripur	V.S#5
5.	Mst. Mehr Sani, SDEO (BS-17)	SDEO (F) Khanpur Haripur	SDEO (F) Gagra Buner	V.S#4
6.	Mst. Bibi Haleema Sadia, SDEO (BS-17)	SDEO (F) Domel Bannu	SDEO (F) Bannu	A.V.P
7.	Mst. Saima Bashir, SDEO (BS-17)	SDEO (F) Hassanzai Torghar	SDEO (F) Domel Bannu	V.S#6
8.	Mst. Maryam Aman, SDEO (BS-17)	SDEO (F) Babuzai Swat	Services placed at the disposal of Directorate of E&SE for posting as AD.	---
9.	Mst. Perveen Akhtar, HM (BS-17)	Principal (BS-18) GGHSS Fateh Pur Swat	Retained as SDEO (F) Babozai Swat as per government policy being on the verge of retirement.	V.S#8
10.	Mst. Maryam Rasheed, SDEO (BS-17)	SDEO (F) Pabbi Nowshera	SDEO (F) Town-IV Peshawar	V.S#11
11.	Mst. Shahida Parveen, SDEO (BS-17)	SDEO (F) Town-IV Peshawar	SDEO (F) Pabbi Nowshera	V.S#10
12.	Mst. Hasrat Zuhra, SDEO (BS-17)	SDEO (F) Dasu Kohistan	Services placed at the disposal of Directorate of E&SE for posting as AD.	---

**ATTESTED**





21

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

13.	Mst. Shabana Bibi, SDEO (BS-17)	SDEO (F) Tall Hangu	SDEO (F) Hangu	V.S#14
14.	Mst. Mehrun Nisa, SDEO (BS-17)	SDEO (F) Hangu	SDEO (F) Tall Hangu	V.S#13
15.	Mst. Shamim Akhtar, SDEO (BS-17)	SDEO (F) Khall Dir Lower	SDEO (F) Samarbagh Dir Lower	A.V.P
16.	Mst. Yasmin Akhtar, ASDEO (BS-16)	Khall Dir Lower	SDEO (F) Khall Dir Lower OPS	V.S#15
17.	Mst. Rana Attaullah, HM BS-17	HM BS-17 GGHS Katta Khat Mardan	SDEO (F) Mardan	V.S#18
18.	Mst. Malak Taja, SDEO (BS-17)	SDEO (F) Mardan	SDEO (F) Batkhela Malakand	A.V.P
19.	Mr. Ihtisham Ul Haq, SDEO (BS-17)	SDEO (M) Kalkot Dir Upper	SDEO (M) Wari Dir Upper	V.S#20
20.	Mr. Muhammad Khitab, SDEO (BS-17)	SDEO (M) Wari Dir Upper	SDEO (M) Kalkot Dir Upper	V.S#19
21.	Mr. Khush Khawas, SS Maths (BS-17)	SS Maths (BS-17) GHSS Ghurghshto Buner	SS Maths (BS-17) GHSS Nogram Buner	A.V.P

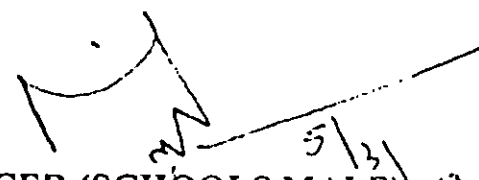
2. No TA/DA is allowed.


**SECRETARY to  
Govt. of Khyber Pakhtunkhwa  
E&SE Department**

Endst: of even No. & Date

Copy forwarded to the:

1. Director, E&SE Khyber Pakhtunkhwa, Peshawar
2. District Education Officers (Male & Female), Concerned.
3. District Accounts Officers, Concerned.
4. PS to Advisor to CM for E&SE Department.
5. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
6. PA to Deputy Secretary (Admn) E&SE Department.
7. Director, EMIS E&SE Department.
8. Officers Concerned.
9. Master File

  
SECTION OFFICER (SCHOOLS MALE) 5/13/04

  
**ATTESTED**

ANNEXURE R/16  
92

To

The Chief Secretary,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: REPRESENTATION AGAINST THE IMPUGNED ORDER  
DATED 05.03.2019 OF SECRETARY TO GOVT. OF  
KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY  
EDUCATION, DEPARTMENT, WHEREBY THE APPELLANT  
WAS TRANSFERRED FROM THE POST OF SDEO  
(FEMALE) MARDAN TO SDEO (FEMALE) BATKHELA.

Respected Sir,

1. That the appellant was performing her duties as ASDEO in BPS-16 at Mardan.
2. That as her case was mature for promotion from BPS-16 to BPS-17, therefore, on the recommendations of Departmental Promotion Committee, she was promoted from ASDEO (Female) BPS-16 to SDEO (Female) BPS-17 and was posted as SDEO (Female) at Mardan vide order dated 21.02.2019. (COPY OF THE ORDER IS ATTACHED AS ANNEXURE "A").
3. That the appellant in compliance of aforesaid order dated 21.02.2019, submitted her arrival report on the very next date i.e. 22.02.2019 and simultaneously the

ATTESTED



incumbent SDEO (Female) namely Mst. Rana Atta Ullah relieved her charge. (COPIES OF THE CHARGE ASSUMING REPORT OF APPELLANT AND CHARGE RELIEVING REPORT OF MST. RANA ATTA ULLAH ARE ATTACHED AS ANNEXURE "B" & "C" RESPECTIVELY).

4. That just after two weeks, the aforesaid order dated 21.02.2019 was modified as a corrigendum dated 05.03.2019 was issued whereby partial modification was made in the aforesaid order and the appellant was transferred from the post of SDEO (Female) Mardan to SDEO (Female Batkhela, Malakand. (COPY OF THE ORDER IS ATTACHED AS ANNEXURE "D").
5. That the aforesaid order of Hon'ble Secretary E&SE is illegal and unlawful for the following amongst other reasons:-
  - a. That the impugned order dated 05.03.2019 is premature as the appellant was promoted and posted just two weeks ago and thus she was not allowed to serve out her normal tenure and thus the principal laid down by the Supreme Court of Pakistan in judgment reported as PLD 2013 SC 195 has totally been violated.

  
**ATTESTED**



- b. That admittedly Mst. Rana Atta Ullah belongs to the Teaching Cadre whereas the appellant belongs to the Administrative Cadre, therefore, as per the policy of the Provincial Government, an employee of Teaching Cadre could not be posted as against the post of Administrative Cadre. The aforesaid policy has also been violated through the impugned order as the appellant being belong to Administrative Cadre has been made a shuttlecock as Mst. Rana Atta Ullah (Teaching Cadre) has been blessed with Administrative Cadre post.
- c. That the Hon'ble Peshawar High Court, Peshawar in W.P.No.2937/2009 has categorically directed the Provincial Government to adhere to the policy of the Government, whereby teachers belonging to the Teacher Cadre should not be posted against Administrative Cadre posts as the two cadres are distinct from each other in the nature of its duty and its qualifications and the aforesaid order/ judgment of this Honourable Court was circulated by the Establishment Department vide circulation dated 08.02.2019. (COPY OF THE CIRCULATION IS ATTACHED AS ANNEXURE "E").

  
**ATTESTED**



- d. That the impugned order of Hon'ble Secretary is violation of spouse policy as the husband of appellant namely Nisar-ul-Mulk is performing his duty as Auditor in Military Accounts at Risalpur Cantt, which is close to Mardan, therefore, propriety demands that the appellant being his wife should be posted at Mardan.
- e. That in view of the above facts and circumstances, the impugned order of Hon'ble Secretary is illegal, unlawful, against the policy of the Government and is thus liable to be set aside.

It is, therefore, prayed that on acceptance of instant representation, the impugned order dated 05.03.2019, whereby the appellant was transferred from the post of SDEO (Female) Mardan to SDEO (Female) Batkhela may please be set-aside and consequently she may be allowed to perform her duty as SDEO (Female) at Mardan.

Dated: 11.03.2019

Appellant

MST. MALAK TAJA  
Sub-Divisional Education  
Officer (Female), Mardan

**ATTESTED**



ANNEX R/17  
96  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

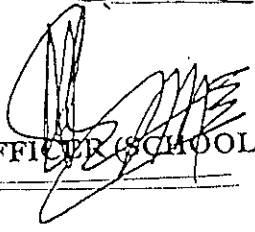
No.SO(SM)E&SED/7-1/2019/SDEOs/MC  
Dated Peshawar the March 25, 2019

To

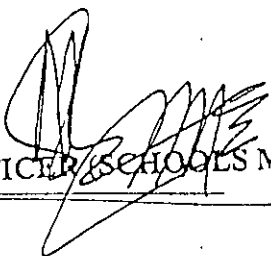
Mst. Malak Tuja,  
SDEO (BS-17) Batkhela Malakand.

Subject:- APPEAL FOR CANCELLATION OF TRANSFER ORDER.

I am directed to refer to your appeal dated 07.03.2019 on the subject cited above and to state that your appeal has been examined and rejected by the Competent Authority.

 25-03-19  
for SECTION OFFICER (SCHOOLS MALE)

Copy of the above is forwarded to the:  
1. PS to Secretary E&SE Department.

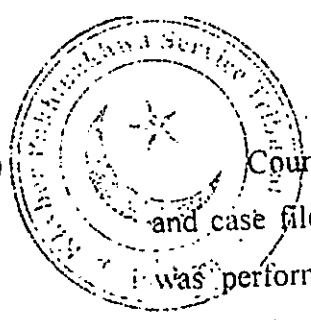
 25-03-19  
for SECTION OFFICER (SCHOOLS MALE)

  
ATTESTED

ANNEX R/8

27

01.04.2019



Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that she was performing duty as ASDEO (BPS-16) in Mardan. That she was promoted to the post of SDEO(F)(BPS-17) and posted as SDEO (F), Mardan vide order dated 21.02.2019. She submitted arrival report on 22.02.2019, while the incumbent SDEO(F) Mst. Rana Attaullah relinquished the charge of her post. That after two weeks through a corrigendum dated 05.03.2019, she was transferred from Mardan and posted as SDEO (F) Batkhela, District Malakand. Feeling aggrieved, she filed departmental appeal on 11.03.2019 which was rejected on 25.03.2019. hence, the present service appeal. Moreover, private respondent no.3 (Mst. Rana Attaullah) belongs to the teaching cadre; whereas the appellant is from Management cadre. Therefore, as per policy of the Provincial government dated 08.02.2019 an employee of teaching cadre cannot be posted against a management cadre post. Impugned order is also violative of spouse policy, as her husband is working as Auditor Military Accounts. A separate application for suspension of operation of impugned order dated 05.03.2019 has also been submitted.

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days. thereafter. notices be issued to the respondents for written reply/comments for 17.04.2019 before S.B. Till then the operation of impugned order dated 05.03.2019 is suspended.

(AHMAD HASSAN)  
MEMBER

Certified true copy  
2019  
2019

ATTESTED

03-04-19  
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03-04-19  
03-04-19



ANNEX R/19

D.A. Jan. Peshawar  
8/1/18

28

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

Dated Peshawar the January 5<sup>th</sup>, 2018

**NOTIFICATION**

**NO. SO(S/F)E&SED/4-16/2018/Placement Committee:** Consequent upon the recommendations of Placement Committee, posting/ transfer in respect of following female officers from management/ teaching cadre in the Elementary & Secondary Education Department are hereby ordered against the posts noted against each in the interest of public service with immediate effect:

S#	Name & Address	To be Posted as	Remarks
1	Mst. Sofia Tabassum (BS-18) Dy: DEO (F) Charsadda (Management Cadre)	DDEO (F) BS-18 Peshawar with additional charge of DEO (F) Peshawar	Vice Sr. No. 3
2	Mst. Naghmana Sardar (BS-18) Dy: DEO (F) Swabi (Management Cadre)	DDEO (F) BS-18 Charsadda with additional charge of DEO (F) Charsadda	Vice Sr. No. 1
3	Mst. Ulfat Begum (BS-18) Dy: DEO (F) Peshawar (Management Cadre)	DDEO (F) BS-18 Swabi with additional charge of DEO (F) Swabi	Vice Sr. No. 2
4	Mst. Saadia Ilyas, Dy: DEO (F) Bunner (Teaching Cadre)	DDEO (F) Malakand with additional charge of DEO (F) Malakand	Vice Sr. No. 10 The charge of DEO (F) Bunner assigned to DEO (M) Bunner
5	Mst. Nusrat Begum (BS-18) DEO (F) Dir Lower (Teaching Cadre)	Services placed at the disposal of Directorate of E&SE	The charge of DEO (F) Dir Lower assigned to DEO (M) Dir Lower
6	Mr. Shabir Hussain Shah (BS-18) DEO (F) Kohistan (Teaching Cadre)	Services placed at the disposal of Directorate of E&SE	The charge of DEO (F) Kohistan assigned to DEO (M) Kohistan

**ATTESTED**



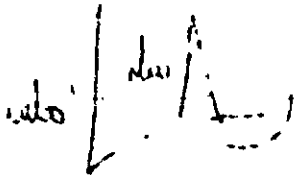
E&SE Director to the effect that they will not claim benefits of graded pay and seniority of the higher pay scale.

SECRETARY

Index of even No. & date:

Copy forwarded to the:

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



(ANJEELA FATIMA)

SECTION OFFICER (SCHOOLS FEMALE)

ATTESTED

S#	Name & Address	To be Posted as	Remarks
7	Mst. Rehana Yasmin (BS-18) DDEO (F) Mansehra (Management Cadre)	DDEO (F) BS-18 Battagram with additional charge of DEO (F) Battagram	Vice Sr. No. 8
8	Mst. Zubaida Haneef (BS-18) DDEO (F) Battagram (Management Cadre)	DDEO (F) BS-18 Mansehra with additional charge of DEO (F) Mansehra	Vice Sr. No. 7
9	Mst. Zulira Begum (BS-18) Dy. Directress Directorate of E&SE (Management Cadre)	Principal (BS-19) GGHSS Kalu Khan Swabi	A.V.P (in her own pay & scale)
10	Mst. Dilshad Begum (BS-18) DDEO (Female) Malakand (Management Cadre)	Dy. Directress (BS-18) Directorate of E&SE	Vice Sr. No. 9
11	Mst. Tahira Jabeen (BS-18) Principal GGHSS Kholian Bala (Teaching Cadre) ✓	DDEO (F) BS-18 Abbottabad	A.V.P
12	Mst. Rafia Naz Jadoon, SS (BS-17) GGHSS Richbin Abbottabad (Teaching Cadre) ✓	DDEO (F) BS-18 Haripur	A.V.P (in her own pay & scale)
13	Mst. Sabana Yusrat, SS (H/Civics) BS-18 GGHSS Begum Shahabuddin Peshawar (Teaching Cadre) ✓	DDEO (F) BS-18 Peshawar	A.V.P
14	Mr. Abdur Rehman, HM (BS-17) GHS Para Gari Kohistan (Teaching Cadre) ✓	DDEO (Female) BS-18 Kohistan	A.V.P (in his own pay & scale)
15	Mst. Rana Atta Ullah, HM (BS-17) GGHSS Ali Rustam Mardan (Teaching Cadre)	SDEO (Female) BS-17 Mardan	A.V.P
16	Mst. Nusrat Jabeen, SS (BS-17) GGHSS Azakhel Nowshera (Teaching Cadre) ✓	SDEO (Female) BS-17 Takhtbhai Mardan	A.V.P
17	Mst. Ruqia (BS-16) ASDEO (F) Khwazakhela working as SDEO (F) Khwazakhela (Teaching Cadre) ✓	SDEO (F) BS-17 Behrin	A.V.P (in her own pay & scale)

ATTESTED

S#	Name & Address	To be Posted as	Remarks
18	Mst. Zakia Bibi (BS-16) ASDEO (F) Charbagh <b>(Management Cadre)</b>	SDEO (F) BS-17 Khwazakhela	Vice Sr. No. 17 (in her own pay & scale)
19	Mst. Bibi Aisha (BS-16) ASDEO (F) Shahpur <b>(Management Cadre)</b>	SDEO (F) BS-17 Alpuri Shangla	A.V.P (in her own pay & scale)
20	Mst. Fozia Sultana, HM (BS-17) working as SDEO (F) Jehangira Nowshera <b>(Teaching Cadre)</b> ✓	HM (BS-17) GGHS Hisar Tang Nowshera	A.V.P
21	Syeda Nasra Azam (BS-16) ASDEO (F) Khairabad <b>(Management Cadre)</b>	SDEO (F) BS-17 Jehangira Nowshera	Vice Sr. No. 20 (in her own pay & scale)
22	Mr. Sher Bahader, SS (BS-17) GHSS Sherpur Mansehra <b>(Teaching Cadre)</b> ✓	SDEO (F) BS-17 Toorgher	A.V.P
23	Mst. Farhat Sultana, HM (BS-17) GGHS Reerh Mansehra <b>(Teaching Cadre)</b> ✓	SDEO (F) BS-17 Balakot Mansehra	A.V.P
24	Mst. Nilofer Sakhawat (BS-16) ASDEO (F) Butial Circle Shangla <b>(Teaching Cadre)</b> ✓	SDEO (F) BS-17 Besham	A.V.P (in her own pay & scale)
25	Mst. Waheeda Khan, SS (English) BS-17 services placed at the disposal of Directorate of E&SE <b>(Teaching Cadre)</b> ✓	SDEO (F) BS-17 Pabbi Nowshera	A.V.P
26	Mst. Faheem Afshan (BS-16) ASDEO working as SDEO (F) Pabbi	ASDEO (F) BS-16 Jehangira Nowshera	A.V.P
27	Mst. Ifat Younas, SDEO (F) Ghazi Haripur	SDEO (F) Khanpur Haripur	A.V.P

2. No TA/DA allowed.

3. 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

*[Handwritten Signature]*  
ATTACHED

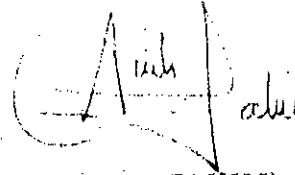
E&SED/ Directorate of E&SE Peshawar to the effect that they will not claim benefits of graded pay and seniority of the higher pay scale.

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

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



(ANEELA FAHIM)  
SECTION OFFICER (SCHOOLS FEMALE)

ATTESTED



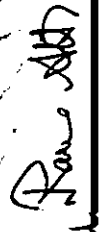
قیمت 50 روپے	2132	  
ایڈویکٹ:	بار کونسل ایسوسی ایشن نمبر	
107569	رابطہ نمبر:	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
03339126883		


بعدالت جناب: جسٹس گلزار احمد سروس ٹریڈ مارک کے لیے درخواست

مخاطب: سر سید محمد علی	دعویٰ: سروس ٹریڈ مارک
عنوان: مسما ملک تاج	علت نمبر: /
بنام: چیف سیکریٹری و سکرٹری	مورخہ: /
	جرم: /
	تھانہ: /

**بابت تحریر آئکہ**

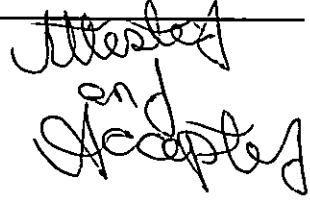
مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی فرم جواب دہی کارروائی متعلقہ مقام آن کیلئے کینڈیٹین ارمین جان کو سسٹمز کی رول آؤٹ کے خلاف درخواست مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

الموقع: 

الموقع: 

مقام کے لیے منظور ہے۔

bc-18-1145  
1559851





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

**TO BE SUBSTITUTED BEARING SAME NUMBER AND DATE**

No.SO(SM)E&SED/7-1/2019/SDEOs/MC  
Dated Peshawar the March 25, 2019

To

Mst. Malak Taja,  
SDEO (BS-17) Batkhela Malakand.

Subject:- **APPEAL FOR CANCELLATION OF TRANSFER ORDER.**

I am directed to refer to your appeal dated 11.03.2019, addressed to Secretary, Elementary and Secondary Education Department, on the subject cited above and to state that your appeal has been examined and rejected by the Competent Authority.

  
SECTION OFFICER (SCHOOLS MALE)  
25/03/2019

Copy of the above is forwarded to the:  
1. PS to Secretary E&SE Department.

  
SECTION OFFICER (SCHOOLS MALE)  
25/03/2019

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

No. 10/10 /ST

Dated 23-5- 2019

To


Mr. Shakeel Ahmad Superintendent, Office of the Secretary E&SE Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: -

ORDER IN APPEAL NO. 399/2019, MST. MALAK TAJA.

I am directed to forward herewith a certified copy of order dated 20.05.2019  
passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.

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

S.A.#399/2019.

Mstj: Malak Taja.....Appellant.

**VERSUS**

The Chief Secretary, Govt: of Khyber Pakhtunkhwa & others..... Respondents.

**JOINT PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS NO 1 & 2.**

Respectfully Sheweth,

The Respondents submit as under:-

**Preliminary Objections**

1. That the appellant has got no cause of action/locus standi.
2. That the instant appeal is badly time barred.
3. That the appellant has concealed the material facts from this Hon'able Tribunal, hence is liable to be dismissed on this score.
4. That the appellant has not come to this Hon'albe Tribunal with clean hands.
5. That the present appeal is liable to be dismissed for mis-joinder & non joinder of necessary parties.
6. That the appellant is stopped by his own conduct to file the instant appeal.
7. That the instant appeal is not maintainable in its present form and also in the present circumstances of the issue.
8. That the impugned Notification dated 25-03-2019 of the Respondent is legally competent and is liable to be maintained.
9. That the appellant has been promoted from B-16 to B-17 and after that a partial modification was made in order dated 21.02.2019 and was adjusted against Management Cadre post.
10. That the appellant claims double benefits, on one hand the appellant wanted promotion to B-17 while on other hand she wanted to stick to the post/station of her own choice.

**FACTS.**

1. That para-1 pertains to service record of the appellant.
2. That Para-2 is correct to the extent that vide Notification dated 21-02-2019 the Appellant was promoted as SDEO(f) and the same Notification was modified with even number dated 05.03.2019 and was adjusted as SDEO(F) Batkhela (Management Cadre Post).
3. On reply to Para-3, it is submitted that private respondent No.4 Mst: Rana Attaullah, has already been working against the DEO (F) Mardan and she was running the said post upto the entire satisfaction of the high-ups and she was allowed to continue her duty.
4. That Para-4 is incorrect and denied on the grounds that the impugned notification is not a transfer order, infact it is a modification in the promotion/adjustment order. It is pertinent to mention here that each and every civil servant falling under the ambit section-2 (b) of



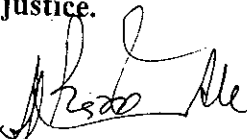
KPK, Civil Servant Act 1973 is legally bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National exchequer.

5. That Para-05 is correct to the extent that the Appellant has filed a Departmental Appeal against the modification Notification dated 05-03-2019 but the said departmental appeal was rejected that the said notification is partial modification in the promotion/adjustment order and the appellant has already been adjusted against Management Cadre post.
6. Para-6 is incorrect and not admitted. The appellant has been treated as per law, rules and discretionary power conferred upon respondent being the competent authority under Section 10 Civil Servant Act-1973, hence present appeal is liable to be dismissed under alia on the following grounds.

### Grounds

- a. Incorrect and denied, the impugned Modification Notification dated 05-03-2019 of the Respondent is within legal sphere and is liable to be maintained in favour of the Respondent Department in the interest of justice and is liable to be posted against the said post anywhere in the Province under the mandatory provisions of Section 10 of KPK, Civil Servant Act, 1973.
- b. Incorrect and denied. The statement of the appellant is against the facts and circumstances of the case as stated in the above mentioned paras of the instant reply as the Appellant has been treated as per Law, Rules and the appellant has the option to forgo her promotion.
- c. That this para pertain to judicial record hence no comments.
- d. Incorrect and not admitted. The appellant has been adjusted vide notification 05-03-2019 on promotion to B-17 with further submission that the post of SDEO is of Provincial Cadre Post and on promotion the appellant can be posted anywhere in the Province.
- e. Incorrect and denied, the impugned Modification Notification dated 05-03-2019 of the Respondent is within legal sphere and is liable to be maintained.
- f. Incorrect and denied that taking shelter under the umbrella of spouse policy and just to stick to the post of SDEO (F) of her own choice, even after her promotion to B-17, and the appellant can exercise the option to forgo her promotion to B-17 and will be remained at her home station.

**In view of the above made submissions, it is, therefore, most humbly prayed that this Honourable Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the Respondents in the interest of justice.**

Secretary   
E&SE Department.  
(Respondents No. 1 & 2)

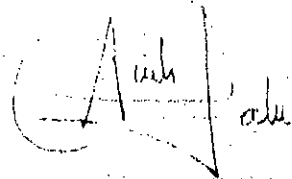
E&SED/ Directorate of E&SE Peshawar to the effect that they will not claim benefits of graded pay and seniority of the higher pay scale.

SECRETARY

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(ANEELA FAHIM)  
SECTION OFFICER (SCHOOLS FEMALE)



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

**TO BE SUBSTITUTED BEARING SAME NUMBER AND DATE**

Dated Peshawar the April 19, 2019

**NOTIFICATION**

**NO.SO(SM)E&SED/7-1/2019/Posting/Transfer/General/MC:** In Compliance of Service Tribunal Judgment dated 01.04.2019 in service appeal No.399/2019, the Competent Authority is pleased to cancel the posting/adjustment order in r/o Mst. Malak Taja, SDEO (BS-17) Female Batkhela Malakand, dated 05.03.2019 and shall continue her duty as SDEO (BS-17) Female Mardan.

Consequent upon the above, Mst. Rana Attaullah, HM (BS-17) working as SDEO (BS-17) Female Mardan is hereby adjusted as HM (BS-17) GGHS Khata Khat Mardan.

2. No TA/DA is allowed.

**SECRETARY**

Endst: 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), Mardan, Malakand.
4. District Accounts Officers, Mardan, Malakand.
5. PS to Secretary E&SE Department, Khyber Pakhtunkhwa.
6. PS to Advisor to CM for E&SED, Khyber Pakhtunkhwa.
7. Director EMIS E&SE Department.
8. Officers concerned.
9. Master file.

*verified*  
*[Signature]*  
Section Officer (Schools)  
Education Department  
Civil Sectt: Khyber Pakhtunkhwa

*[Signature]*  
SECTION OFFICER (SCHOOLS MALE)