

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT SWAT

Service Appeal No. 696/2016

Date of Institution... 21.06.2016

Date of decision... 09.08.2017

Mst. Samina Akhtar D/O Sardar Abdul Hakim Tajik, SST Government Girls High School, Paito Dara, Timergara, District Dir Lower. ... (Appellant)

Versus

1. District Education Officer (Female) Dir Lower and 2 others. (Respondents)

MR. REHMANULLAH SHAH,
Advocate

... For appellant.

MR. MUHAMMAD ZUBAIR,
District Attorney

... For official respondents.

MR. AZIZUR RAHMAN,
Advocate

... For private respondent-3.

MR. NIAZ MUHAMMAD KHAN,
MR. GUL ZEB KHAN,

... CHAIRMAN
... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The appellant being Senior School Teacher has challenged a transfer order of private respondent No. 4 to GGCMS Karzina from GGHS Paito Dara dated 22.03.2016. Against this order the appellant preferred a departmental appeal on 24.03.2016 which was not decided rather the same was sent back by the appellate

authority on 13.05.2016 to the D.E.O concerned for disposal which was not responded to. Thereafter the appellant filed the present appeal on 21.06.2016.

ARGUMENTS

3. The main argument of the learned counsel for the appellant is that the appellant exerted political pressure on the District Education Officer (Female) Dir Lower for her transfer and in this respect he referred to a letter from Minister signed by him bearing dated 19.03.2016. He further argued that the appellant had made many applications for her transfer on the ground of her illness but that were not adhered to by the D.E.O concerned, who under political pressure transferred private respondent No. 3 to GGCMS, Karzina. The learned counsel for the appellant relied upon a judgment reported as 2007-SCMR-599 regarding political pressure by a civil servant. The learned counsel for the appellant also relied upon another judgment reported as 2005-SCMR-17 in order to highlight that any order made malafidely could be interfered with by this Tribunal.

4. On the other hand the learned counsel for private respondent No. 3 argued that no cause of action at all accrued to the appellant because in the impugned transfer order she was not transferred. That the respondent No. 3 was posted against a vacant post alongwith 2 others in the public interest. That the appellant is not aggrieved within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. That the private respondent No. 3 after serving seven years in G.G.H.S Paito Dara, was entitled for transfer under the posting/transfer policy of the Provincial Government. That the transfer of respondent No. 3 was not the result of political pressure as on merit she was entitled for the transfer.

5. The learned District Attorney also adopted arguments of the learned counsel for private respondent No. 3 by adding that there is no authenticity of the


letter referred to above by the learned counsel for the appellant nor there is any proof that the said letter was ever received by the officer concerned.

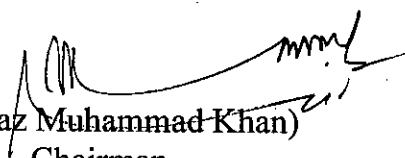
CONCLUSION

6. This Tribunal can, of course, upset any illegal order of any authority provided that the appellant has the cause of action or can be classed an "aggrieved person". Admittedly the transfer of respondent No. 3 was made against the vacant post and the appellant has not been transferred by the impugned order. The convenience of appellant in comparison to that of respondent No. 3 cannot be considered to have conferred cause of action on the appellant nor the appellant can be classed as aggrieved person on the basis of her convenience. The transfer of the appellant was also matured and if any political interference was made (though not proved conclusively) it would expose the concerned civil servant to the disciplinary proceedings under the concerned disciplinary law. But such interference would not give a cause of action to a stranger to get transfer order cancelled. The learned counsel for the appellant referred to para-ii of postings/transfers policy of the Government of Khyber Pakhtunkhwa dated 15.2.2003 where under political interference is strictly prohibited in posting/transfer. Regardless of this policy there is a law in the name of Khyber Pakhtunkhwa Government Servants (Conduct) Rules, 1987 and Rule 22 is relevant which speaks that any government servant shall not directly or indirectly approach any member of Legislature or any other non-official person to intervene on his behalf in any matter. If any civil servant violates any rules/instructions duly issued, then he is culpable under the relevant law as discussed above. The judgment referred to by the learned counsel for the appellant reported as 2007-SCMR-599 does speak about the political interference but in that case the appellant was aggrieved person who was transferred by the department and the

Tribunal/Court had assumed the jurisdiction. Similarly, in the case reported as 2005-SCMR-17, the civil servant who approached the Tribunal was himself transferred. Had the appellant was transferred herself, certainly this Tribunal would have interfered on the basis of these two reported judgments.

7. As a sequel of what has been discussed above this appeal is dismissed for the reason that the appellant has got no cause of action being not an aggrieved person. Parties are left to bear their own costs. File be consigned to the record room.


(Gul Zeb Khan)
Member


(Niaz Muhammad Khan)
Chairman
Camp Court, Swat

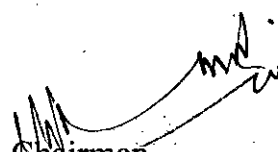
ANNOUNCED
09.08.2017

09.08.2017

Counsel for the appellant, Mr. Muhammad Zubair, District Attorney for the official respondents No. 1 & 2 and counsel for private respondent No. 3 present. Arguments heard and record perused.

Vide our detailed judgment of to-day, the present appeal ~~being time barred~~ is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman
Camp court, Swat

ANNOUNCED
09.08.2017

②

696/16


06.10.2016

Counsel for the appellant, Mian Amir Qadar GP for the official respondents and husband of private respondent No. 3 present. Requested for adjournment. To come up for written reply/comments on 08.12.2016 at camp court, Swat.


Chairman
Camp Court, Swat

08.12.2016


Counsel for the appellant and Mr. Muhammad Shoaib, ADO alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 04.04.2017 at camp court, Swat.


Chairman
Camp court, Swat

04.04.2017

Attorney for the appellant and Mr. Muhammad Zubair, Senior Government Pleader for official respondents No. 1 & 2 present. Counsel for private respondent No. 3 also present and submitted Wakalatnama. The same is placed on file. Appellant also submitted rejoinder. Placed on file. To come up for arguments on 09.08.2017 before D.B at Camp Court Swat.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

26.7.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as SST at GGHS Paito Dara Lower Dir and was entitled to be posted against the vacancy of SST at GGCMS Karzina as she was seriously ill. That the appellant was entitled to preferential treatment under the policy. That despite applications of the appellant private respondent No. 3, Mst. Zakira Bibi was accommodated on political intervention and appellant deprived of her right constraining her to prefer departmental appeal on 24.3.2016 which was not responded and hence the instant service appeal on 21.6.2016.

That the appellant is entitled to posting against the position of SST at GGCMS Karzina in preference to private respondent No. 3.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents. To come up for written reply/comments for 06.10.2016 before S.B at camp court Swat as it pertains to territorial limits of Malakand Division. Notice of stay application shall also be issued to the respondents for the date fixed.

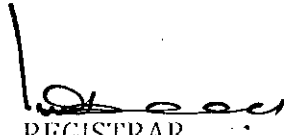


Appellant Deposited
Security & Process Fee

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 696/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/06/2016	<p>The appeal of Mst. Samina Akhtar resubmitted today by Mr. Rehmanullah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	29.06.2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>04.07.2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	04.07.2016	<p>Agent of counsel for the appellant present and requested for adjournment as counsel for the appellant is not available today before the court. Adjourned for preliminary hearing to 26.07.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

This is an appeal filed by Mst. Samina Akhtar today on 21/06/2016 against the order dated 22.03.2016 against which she preferred/made departmental appeal/ representation on 24.03.2016 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies:

- 1- Copy of first appointment order mentioned in para-1 of the memo of appeal (Annexure-A) is not attached with the appeal which may be placed on it.

No. L063 /ST,

Dt. 22-6 /2016

Smsheh
REGISTRAR 22-6-16
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Rehman ullah Shah Adv. Pesh.

Sir,

Re sumtee of this file.

M. U.

27-06-2016

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

S. Appeal No. 696/2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER & OTHERS

RESPONDENTS

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Through.

Samina
Appellant
M Ullah
Rehman Ullah Shah & Ibrahim Shah
MA, LL.M

Advocates

Ibn e Abdullah Law Associates
11 Azam Tower University Road, Peshawar
Phone & Fax # 091- 570 2021

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 696 /2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik
SST, Govt Girls High School, Paito Dara, Timergara, Dir Lower

APPELLANT

VERSUS

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 656

Dated 21-6-2016

1. District Education Officer (Female) Dir Lower
2. Director (E & S EDUCATION) Khyber Pakhtunkhwa, Peshawar
3. Zakira Bibi, SST, Govt Girls High School, Karzina, Distt Lower Dir

RESPONDENTS

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 directing the Respondents to adjust Appellant at nearest duty station as envisaged in policy for Female school teachers by the Government of Khyber Pakhtunkhawa from time to time in the best interest of public

Respectfully submitted as under.

Brief facts of the case are as follows:

1. That the appellant is presently posted as "Secondary School Teacher" at Government Girls High School, Paito Dara, Tehsil Timergara, District Dir Lower. Initially, she was appointed as Primary School Teacher in the year 2002. It is worth to mention that initially her duty station was some 35 kilometers from her home. But she whole heartedly accepted the same and, is serving the department with zeal and zest and is a dedicated teacher having almost serving the department since long. During this period, no complaint or whatsoever has been preferred against the appellant.

{Copy of the appointment order is annexed as "A"}

2. That being a competent young, and energetic lady, she qualified for the post of Secondary School Teacher through KP Public Service Commission and resultantly through Notification dated 13 June 2012, she was appointed against the said post. She was placed against the vacant post at Govt Girls High School, Paito Dara, Dir Lower since Notification.

{Copies of the orders are annexed as "B & C" respectively}

Re-submitted to-day
and filed.

Registrar
21/6/16

Filed by
Smshes
22-6-16
Registrar

3. That since the date of posting at the above school, the appellant at later stage, and on completion of 3 years period, moved various applications to Respondent No. 1 for adjusting her at her local school, where the same post remained vacant at various occasion. But, Respondent No. 1 ignoring the requests of the appellant.
4. The Appellant submitted applications for her posting at GGHS Karzina, Distt Lower Dir along with medical prescriptions and treatment receipts, but Respondent on the one pretext or the other, ignored the stance of the appellant. Respondent No. 1 is always bent upon to accommodate people with blue eyes having strong political affiliations. Resultantly, the ignorance lead to gross discriminatory treatment on the part of Respondent No. 1 which is still continued, and innocent and devoted people are suffered in the hands of public functionaries which are under the mandate to act in accordance with Law, Rules and Policies of the Govt.
{Copies of the Medical Certificates are annexed as "D"}
5. That on March 19, 2016, Respondent No. 3 approached Respondent No. 1 for her posting through the Minister for Finance, Govt of Khyber Pakhtunkhwa, whereby Respondent No. 1 accommodated Respondent No. 3 at Govt Girls High School Karzina, Distt Dir Lower.
{Copy of letter with impugned transfer order are annexed as "E & F"}
6. That feeling aggrieved from the Order of Respondent No. 1 which is purely based on political affiliations, Appellant filed Departmental Appeal before Respondent No. 2, whereby, Respondent No. 2 deciding the appeal, sent back the case to Respondent No.1 with the direction to decide the issue under the Rules/ policy.
{Copy or Dept; Representation with decision are annexed as "G&H"}
7. That the appellant time and again approached Respondent No. 1 for consideration of the direction of the appellate authority, but the same has not been decided/ considered within the statutory period but till date no positive response is offered by the respondents.
8. That the appellant approaches this Hon'ble Tribunal for redress, inter-alia on the following:

GROUND.

- A. That the appellant is entitled to be considered for transfer to the nearest station as per policy of the Khyber Pakhtun Khwa {Elementary and Secondary Education} applicable to the Appellant.
- B. That numerous teachers in the respondents- department similarly placed Teachers have been allowed and adjusted/ transferred to the nearest and local duty station, but the request/ representation of the appellant has not been considered. Hence, the appellant is also entitled to a similar treatment without being discriminated under the law.
- C. That negligence lies on the part of Respondents and not on the part of the appellant. Hence appellant may not be panelized and victimized through hands of Respondents being influenced through political interventions.
- D. That the appellant's case for the subject matter has been pending with the department since long and the respondents do strive to protract the same for no valid reason but to vex the appellant, hence, the indulgence of this Tribunal is need of the situation to curtail the agony of the appellant.
- E. That the appellant reserves his right to urge further grounds with leave of the tribunal at the time of arguments or when the stance of the Respondents comes in black in white.

It is, therefore, humbly prayed that on acceptance of this appeal, this Honourable Tribunal may be pleased to make appropriate orders/directives to the respondents for considering appellant's case for transfer in the nearest area/ locality in the best interest of justice. And the order dated 22/003/ 2016 may graciously be declared as void.

Any other remedy to which the appellant is found fit in law, justice and equity may also be awarded.

Saminul
Appellant

Through:

M Ullah *Ibrahim Shah*
Rehman Ullah Shah & Ibrahim Shah
MA, LL.M
Advocates

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. _____/2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik
SST, Govt Girls High School, Paito Dara, Timergara, Dir Lower

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER & others

RESPONDENTS

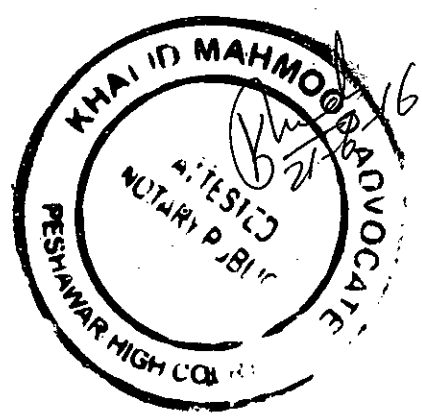
AFFIDAVIT

I, Advocate Ibrahim Shah, on behalf of my client and as per information received from client, do hereby solemnly affirm and declare on oath that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

Samina
Deponent

Ibrahim Shah

Advocate



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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. _____/2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik
SST, Govt Girls High School, Paito Dara, Timergara, Dir Lower

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER & OTHERS

RESPONDENTS

APPLICATION FOR SUSPENSION OF THE ORDER DATED 22/03/2016

Respectfully submitted as under:

1. This application may graciously be considered as integral part of the main appeal.
2. That the appellant has a very good prima facie case and is a success of its decision in favour of the appellant.
3. That the balance of convenience also lies on the part of the appellant.
4. That in case the above dated order is not suspended the appellant would suffer irreparable loss.

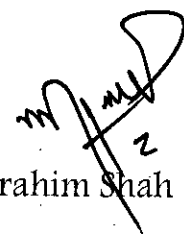
It is, therefore, humbly prayed that on acceptance of this instant application, the order date March 22, 2016 may graciously be suspended.

Any other remedy to which the appellant is found fit in law, justice and equity may also be awarded.

Samina
Appellant

Through:





Rehman Ullah Shah & Ibrahim Shah

MA, LLM

Advocates

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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

S. Appeal No. ____/2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik

_____ APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER & OTHERS

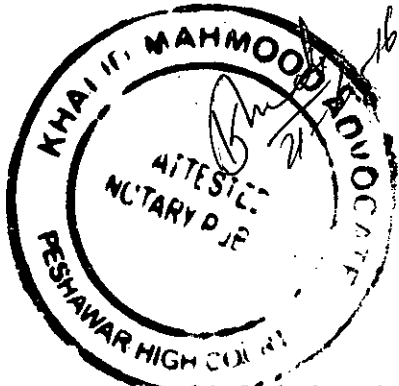
_____ RESPONDENTS

APPLICATION FOR CONDONATION OF DELAY

Respectfully submitted as under:

1. That this application may kindly be considered as integral part of the appeal.
2. The appellant preferred/ filed appeal against the impugned order dated March 22, 2016. Where the same has been decided on May 15, 2016 with no result.
3. The appellant's appeal was neither rejected nor accepted, but directives were issued which clearly shows malafide on the part of Respondents.
4. That from the date of last order, the appeal is within time. Furthermore, the instant application is moved even if the impugned order dated May 15, 2016 is considered as final order, alternatively, the appellant submits for Condonation of delay

It is therefore most humbly prayed that on acceptance of the instant application, the delay may kindly be condoned in the best interest of justice.



Samina
Applicant/ Appellant

Through:

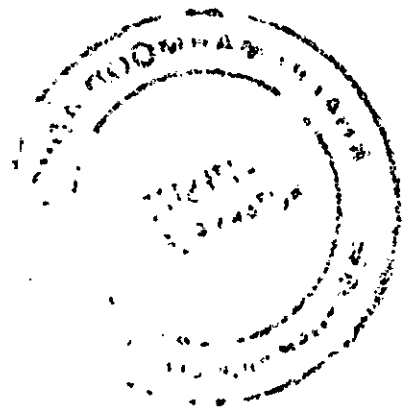
Advocate

AFFIDAVIT

I, Ibrahim Shah Advocate, as per instruction from appellant, do hereby solemnly affirm and declare on oath that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

Ibrahim Shah
Deponent

Ibrahim Shah (Advocate)



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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. _____/2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik
SST, Govt Girls High School, Paito Dara, Timergara, Dir Lower

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER & OTHERS

RESPONDENTS

MEMO OF ADDRESSES

APPELLANT:

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik
SST, Govt Girls High School, Paito Dara, Timergara, Dir Lower

RESPONDENTS:

1. DISTRICT EDUCATION OFFICER (FEMALE) AT TIMERGARA, DIR LOWER
2. DIRECTOR (E&S) KPK AT DABGARI GARDEN, PESHAWAR
3. Zakira Bibi, SST, Govt Girls High School, Karzina, Distt Lower Dir

Through.

Samina
Appellant

[Signature]
Advocates

8

Annex

A

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOL LETTERACY) DIR LOWER

OFFICE ORDER

Consequent upon the approval accorded by the District recruitment/ selection committee after trashing and observing usual formalities under the newly promulgated policy, the competent authorities is pleased to order the following candidates against PTC posts on contract basis in new time pay scale No.09 plus usual allowances in the schools noted against their names subject to the following terms and conditions.

S.No Merit No.	Name & Father's Name With residence	Qualifi- cation	Acad. Score	School Where Assigned	Remarks
01/01	Nagina Tubasum D/O Mohd. Salim R/O Timergara	M.A PTC	61.93	GGPS Mem Shah	Against V. Post.
02/02	Rehana Asma D/O Abdullah R/O Timergara	B.A PTC	56.92	" Dawigara	Against V Post
03/03	Nargos Begum D/O Culab R/O MBrangola	F.A PTC	53.91	" Degau	Against V.Post
04/04	Eibi Safia D/O Mohd. Hassan R/O Kandaro (B)	F.A PTC	53.35	Molo Maidan	-do-
05/05	Rohi Feyza D/O Murad Khan R/O Yarkhan, Banda	F.A PTC	52.25	" Husari	Against N.C Post
06/06	Seema Gul D/O Habibur Rahman R/O Warsak	F.A PTC	51.64	" Shah	Against V.Post
07/07	Jamila Kausar D/O Habibun Nabi R/O Kityari	F.A PTC	51.57	" Inzar Khawas	-do-
08/08	Mehnaz D/O Mohd. Gul R/O Badwan	F.A PTC	51.47	" Qila Tawda China	Against N.C Post
09/09	Parl Pass D/O Waliul Ghafar R/O Churgorui	F.A PTC	51.27	" Arif Kalay	Against V. Post
10/10	Nahid Akhter D/O Ghani Rehman R/O Dheri Talash	F.A PTC	51.03	" Agheralay	-do-
11/11	Salma Eibi D/O Iftuneer Khan R/O Badwan Balo	F.A PTC	50.62	" Tangi Brangola	Against N.C Post
12/12	Shehla Islam D/O Mohd Islam R/O Khadagza	F.A PTC	50.45	" Qila Tawda China	Against V Post

Continue on Page No.2

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AK steel
T/c
7/15

8/A

45/45	Tajul Haram D/O Mohd. Rafiq R/O Bajawro Talash	F.A PTC	41.17	GGPS: Shahai S. Bagh	Against V. Post.
46/46	Taslim Begum D/O Khan Zada R/O Dheri Talash	F.A PTC	41.16	" Pashatai	-do-
47/47	Shabnam Bibi D/O Bunir Gul R/O Darbar	F.A PTC	41.16	" Baramkay	-do-
48/48	Salima D/O Sahib Zada R/O Sarai Bala	F.A PTC	41.14	" Shnai Talash	-do-
49/49	Farzana Begum D/O Niaz Mohd. R/O Tarnaw Asban	F.A PTC	41.14	" Utala Asban	-do-
50/50	Bakht Afsar Bibi D/O S. Faqir Pacha R/O Khadagzai Bala	F.A PTC	41.09	" Teroona Tangi	-do-
51/51	Heemayat Begum D/O Yar Mohd. R/O Lal Qila	F.A PTC	41.02	" Inzargay Maidan	-do-
52/52	Samina Akhter D/O S. Abdul Hakim R/O Karzina	F.A PTC	41.01	" Manogay Munda	-do-
53/53	Shakila D/O Anwar Khan R/O Mayar	F.A PTC	40.99	" Hakimabad	Against N.C Post.
54/54	Kaloom D/O Mohd. Salik R/O Kotkay	F.A PTC	40.95	" Fazalabad(B)	-do-
55/55	Shabana D/O Fazal Mabood R/O Shukrata Dir	F.A PTC	40.77	" Hakimabad	Against N.C Post.
56/56	Nabila Anwer D/O Fazal Alim Khan R/O Diaroen	F.A PTC	40.71	" Barjam Makhai	Against V. Post.
57/57	Tahira Naz D/O Said Usman R/O Badwan Payeen	F.A PTC	40.41	" Shorshing	-do-
58/58	Shabina Nishad D/O M. Nishad R/O Ziarat Talash	F.A PTC	40.33	CMS Bazarak	Against N.C Post.
59/59	Yasmeen D/O Mohd. Iqbal R/O Beshigram	F.A PTC	39.95	GGPS: Bagh Maidan	Against V. Post.
60/60	Farida Akhter D/O Akhter Biland R/O Kotigram	F.A PTC	39.89	" Kaso	-do-

Alk Steel
T. E.
7/11/11

8/B

Page No. 9

123/123 Haseeba D/O Mubhoob Alunud	F.A	30.96	GGPS. Tajok Abad	Against V Post
R/O Munda	PTC			
124/124 Mina Ferviz D/O Mohd.Rashid	F.A	30.69	Safaray Maidan	Against V Post
R/O Safaray (M)	PTC			

Terms & Conditions:-

1. Their appointment is purely on contract basis for two years during the stipulated period no change / transfer / deputation / detailment has to be claimed and are applied for
2. Their age may not exceed 35 Years or below 18 years.
3. They are required to produce their Health & Age Certificate from the Civil Surgeon Dir Lower at Timergara.
4. The appointment of the candidates mentioned above are subject to the condition that they are having Domicile of District Dir Lower.
5. Their service will be liable to termination at any time with-out notice in case if a candidate having the service, they are required to submit one month notice in advance or deposited one month pay in lieu thereof.
6. The Dy. Distt. Officer Female Timergara & Samar Bagh are directed to not draw their pay till the verification of their documents, from the concerned institutions / boards. Otherwise they will be held responsible for the consequences if detected later on.
7. The appointees will get salaries against the sanctioned posts provided in the budget.
8. The candidates shall join the post with in 10 days of the issue of this order, failing which their appointment treated as cancelled.
9. The Dy. Distt. Officer (Female) Timergara & Samar Bagh is directed to check their original certificates / degrees etc before handing over the charges.
10. The candidates are required to sign the "Agreement Form" in the office of the undersigned before handing over the charge.
11. They will governed by such rules & regulation as may be prescribed by the Govt. from time to time for the category on Govt. servants to which they belong.
12. The initial period of appointment shall be of two years after which the contract will be renewed by the competent authority, keeping in view the performance of the official concerned.
13. No T&DA is allowed. Charge reports should be submitted to all concerned.
14. The appointment of candidates at S.No. 1, 3, 4, 5, 6, 8, 9, 10, 11, 24, 26, 27, 28, 30, 32, 36, 37, 38, 44, 49, 51, 55, 56, 82, 86, 87, 91, 95, 99, 109, 107, 112, 113, 118, 120, & 122 is subject to the production of documents noted in the merit list with in a week failing which their appointment shall be treated as cancelled.

(GUL NAWAZ KHAN)
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY DIR LOWER

Enclt: No 6451-581 Dated Timergara The 21-10-2002

Copy of the above is forwarded to the:-

1. District Nazim Dir Lower at Timergara.
2. District Coordinator Officer Dir Lower.
3. Distt. Officer (F) Schools & Literacy Dir Lower.
4. District Accounts Officer Dir Lower
- 5-6. Dy. Distt. Officer (F) Timergara & Samar Bagh.
7. Head Mistress Concerned / Candidates concerned.

Executive Distt. Officer
Schools & Literacy Dir Lower.

A.H. Street
T.C
27/10

Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar

PH No. 091-9210389, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936

E-mail desekpk@yahoo.com



Notification.

Consequent upon the recommendation of the Khyber Pakhtunkhwa Service Commission, appointment of the following candidates is hereby ordered against post of Secondary School Teacher Female (SST General) in BPS-16 (Rs.10000-800-34000, usual allowances as admissible under the rules on regular basis under the existing policy of Provincial Government, in Teaching Cadre on the terms and conditions given below immediate effect and their Services are placed at the disposal of EDO(E&SE) concerned further posting against vacant SST General posts:-

S.#	Name	Father's Name	Domicile	Zone	Permanent Address	Place of post
1	Asia Nasira	Faiz ul Hassan	Charsadda	2	Distt: & Tehsil Charsadda VPO Utmanzai Moh; Shamozai C/O Maulana Roohullah	Services placed at disposal of (E&SE) Chars for further po against vacant General post.
2	Bibi Ayesha	Hamesh Gul	Charsadda	2	Vill; Prang Kooz Mian Killi Distt: & Tehsil Charsadda	.....Do.....
3	Naveeda Begum	Banat Gul	Charsadda	2	VPO Ziam Qilla Tehsil Tangi Distt: Charsadda	.....Do.....
4	Samina Begum	Banat Gul	Charsadda	2	VPO Ziam Qilla Tehsil Tangi Distt: Charsadda	.....Do.....
5	Samina Pervez	Shah Pervez	Charsadda	2	Moh: Barokhel Sardheri near Petrol Pump C/O Asfandyar Tehsil & Distt: Charsadda	.....Do.....
6	Saeeda Bibi	Muhammad Sajjad	Mohmand Agency	1	H.# 116, Alfalah Bazar Peshawar Cantt near Bilal Stationary	.....Do.....
7	Azra Amir	Amir Bashir Khan	Mohmand Agency	1	H.# 90, St. No.4 Sector K-6, Phase 3, Hayatabad Peshawar	.....Do.....
8	Azra Jabeen	Muhammad Sharif	Mardan	2	VPO Lundkhawar Tehsil T- Bhai, Distt: Mardan	Services placed at disposal of (E&SE) Mardan further po against vacant General post.
9	Gul Naz	Sher Nawab	Mardan	2	Moh: Noorani VPO Palo Dheri Mardan	.....Do.....
10	Wahida Bibi	Hamish Gul	Malakand Agency	3	Mohsin Aslaha Dealer, Shop No.5, Gul Market Sakhakot Bazar Malakand	.....Do.....
11	Gul Rukh	Muhammad Tariq	Peshawar	2	Moh: Qadah Khel VPO Chamkani Tehsil & Distt: Peshawar	Services placed at disposal of (E&SE) Nowsl for further po against vacant General post.

ATTESTED

Appointment Order No 8 SST (G) Advt No 1/2009

12	Sabina Yasmin	Fazl-e-Wahab	Malakand Agency	3	Moh: Fazal Abad Vill: Ghari Usmani Khel Tehsil & PO Dargai Malakand	Services placed disposal of (E&SE) Abbo for further p against vacan General post.
13	Shahana Bashir	Bashir Muhammad	Swabi	2	Moh Shagai Chum VPO Kunda Tehsil Lahor Swabi	Services placed disposal of (E&SE) Swabi further p against vacan General post.
14	Sajela Naz	Sherin Zada	Dir Lower	3	VPO Dheri Chakdara Tehsil Adinzai Dir Lower	Services placed disposal of (E&SE)-Dir: Lou further p against vacan General post.
15	Samina Akhtar	Sardar Abdul Hakeem	Dir Lower	3	Vill: Karzina (Pajto Dara) Tehsil & PO Timergara Dir Lower	.....Do.....
16	Shamima Khatoon	Haji Fazal Naeem	Dir Lower	3	Village & PO Khall tehsil Khall, Mohallah Zoormandai District Dir Lower	.....Do.....
17	Nadia Ghani Khan	Abdul Ghani Khan	Dir Lower	3	Vill; shekowi, PO Saddo Tehsil Timergara Dir Lower	.....Do.....
18	Aneesa Chand	Muhammad Iqbal	Malakand Agency	3	Moh: hazeera Khel VPO Thana Malakand	Services placed disposal of (E&SE) Bunne further p against vacan General post.
19	Nafees Begum	Ameer Noshad	Malakand Agency	3	Moh: Yaqub Khail Vill; Khar Tehsil Batkhela Malakand	.....Do.....
20	Ishrat Jamshid	Jamshid Ali	Swat	3	H.# D-57, College Colony Saidu Sharif Swat	.....Do.....
21	Nazia	Zafar Ali Khan	Swat	3	C/O Ihsanullah Assistant Secretary © BISE Saidu Sharif Swat	.....Do.....
22	Shahida	Muhammad Aleem	Swat	3	VPO Rahimabad Moh: Islamabad Swat	.....Do.....
23	Shaista Rehman	Habib ur Rehman	Swat	3	Haider Medicose Opp: Saidu Hospital Saidu Sharif Swat	.....Do.....
24	Aasfa Aslam	Muhammad Aslam	Bannu	4	H.# 277/A, Moh: Hukum Chand Bannu City	Services placed disposal of (E&SE) Bunnu further p against vacan General post.
25	Azra Khan	Nasr Ullah Jan	Bannu	4	Anar Gali Kakki Tehsil & Distt: Bannu	.....Do.....
26	Benazira	Rafi Ullah Khan	Bannu	4	Ghulam nawaz Hair Cutting Ghalla Mandi Bannu City	.....Do.....
27	Khyrun Nesa	Amir Ali Shah	Bannu	4	Tehsil & Distt: Bannu, VPO Ghoriwala	.....Do.....
28	Tazreen Yousaf	Qazi Muhammad Yousaf	Bannu	4	VPO Bazar Ahmad Khan Chowk Durab Bannu	.....Do.....
29	Fariha Inayat	Inayat Ullah Khan	DI Khan	4	Moh: Shakhi, Tehsil Kulachi Distt: D.I.Khan	.....Do.....
30	Iffat Hashmi	Akhtar Saleem Shah	DI Khan	4	H.# 1031, Moh: Shipshah near Butan Wali Mari D.I.Khan	.....Do.....

01/10/09
 01/10/09
 01/10/09
 01/10/09

TESTED



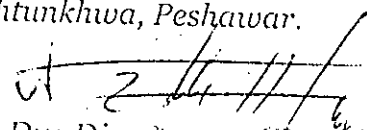
1. Pakhtunkhwa Public Service Commission through proper channel and selected by the Commission, is appointed and allowed choice of option either to retain benefit of pension gratuity as allowed to her under her previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to her under new appointment.
2. Her service is liable to termination on one month's notice from either side. In case of resignation without notice her one-month pay/allowances shall be forfeited to the Government.
3. She should join her post within 30 days of the issuance of this notification. In case of failure to join her post within one month of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
4. She should be on probation for a period of one year extendable for another one year.
5. She shall be governed by such rules and regulations as may be issued from time to time by the Govt.
6. Her service can be terminated at any time, in case her performance is found unsatisfactory during probationary period. In case of misconduct, she shall be proceeded under the rules framed from time to time.
7. Charge report should be submitted to all concerned.
8. The EDOs concerned would furnish a certificate to the effect that the candidate has joined the post or otherwise after one month of the issue of her posting order.
9. The EDOs concerned will verify her documents before release of pay.
10. Her seniority shall be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
11. No TA/DA will be allowed to the appointee for joining her duty.


(Muhammad Rafiq Khattak)
 Director
 Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar.

1739-91

Endst: No. / File No.2/A-17/SST(F) Genral /PSC/ Apptt: Dated Peshawar the 13/06/201

- Copy forwarded for information and necessary action to the: -
1. Accountant General Khyber Pakhtunkhwa Peshawar.
 2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
 3. Executive District Officer (E&SE) Concerned
 4. District Accounts Officer Concerned
 5. Official Concerned.
 6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 8. M/File


 Dy: Directoress (Estab)
 Elementary and Secondary Education
 Khyber Pakhtunkhwa Peshawar


ATTESTED

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&SE) DISTRICT DIR LOWER.

12

OFFICE ORDER.

Reference Director Elementary and Secondary Education Khyber Pakhtunkhawa Peshawar Notification No.1739-91 dated 13/06/2012 the following SSTs (G) are hereby adjusted in the schools noted against each in the interest of public service with effect from the date of their taking over charge.

S#	No. in Apptt: Order	Name and Father Name	Station Adjusted	Where	Remarks
1	14	Sajila Naz D/O Sherin Zada	GGHSS Chakdara		Against vacant post..
2	15	Samina Akhtar D/O Sardar Abdul Hakim	GGHS Paito Dara		Against vacant post.
3	16	Shamima Khatoon D/O Haji Fazal Naeem	GGMS Khall (P)		Against vacant post.
4	17	Nadia Ghani D/O Abdul Ghani Khan	GGHS Sado		Against vacant post.

- Note: - 1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned.
3. The remaining terms & conditions will remain the same as in orders referred above.

(MOHAMMAD IBRAHIM)
EXECUTIVE DISTT: OFFICER
(E&SE)DIR LOWER.

Endst;No, 10499-10503

Dated Timergara the 14/06/2012

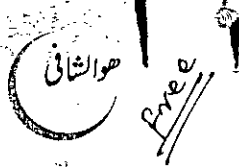
Copy of the above is forwarded to:-

1. The P/S to Secretary Elementary and Secondary Edu: Khyber Pakhtunkhawa Peshawar.
2. The Director Elementary and Secondary Edu: Khyber Pakhtunkhawa.
3. The Distt: Account Officer Dir Lower at Timergara.
4. The Principal/Head Mistress of GGHSS/GGHS&GGMS Dir Lower.
5. The Candidate concerned.


EXECUTIVE DISTT: OFFICER
(E&SE)DIR LOWER


ATTACHED

Dr. Wahab Said
MBBS, DTCD



ڈاکٹر وہاب سید

(13)

ایم بی بی ایس، ڈی ٹی سی ڈی

سپیشلسٹ

SPECIALIST

Chest, T.B & General Physician
District Head Quarter Hospital Timergara

Not Valid For Court



چسٹ، ٹی بی و جنرل فزیشن
ڈسٹرکٹ ہیڈ کوارٹر ہسپتال تیمرگرا

Name محمد اسحاق Age 25 Wt _____ Date 17/11/2016

Clinical Record

Dr

emcon frosted
for Asthma
constipation

- mspirol inhaler
دو بار دو بار روز

- tab. mactacin
دو بار دو بار روز 500 mg

- tab. eniflylin

- tab. DeSora
دو بار دو بار روز

- Hevate nasal spray
دو بار دو بار روز

- cap. Reeling
دو بار دو بار روز

- tab. Deltacortil
دو بار دو بار روز 5mg

- tab. m.T.D

- Fibo Sachets
دو بار دو بار روز

دوبارہ معائنہ کی تاریخ

0346-8000625, 0300-5863530 رابطہ نمبر

120
85

Adv
CBC.

ATTESTED

Frontier Clinical Laboratory



Hassan Medical and Surgical Hospital, Opp. DHQ Hospital Timergara K.P.K Contact No 03441980988

Muhammad Atif
BSC Hons ML
Rawalpindi Medical College
DMLT PIMS
Lab Technologist

Reg.No. HRA/500/F/DRL/LAB/3

Sardar Sajid
D MLT
Peshawar
Lab Tech.

Name:	Sis/o Sajid	Age:	25 Years	Sex:	Female
Consultant:	Dr Wahab Said Sb,	Date:	17-Apr-16	ID:	477

Blood Complete Examination

Tests	Results	N.Values
Haemoglobin (Hb%)	13.8	F: 11 -- 16 , M: 14 -- 18 gm/dl
RBC Count :-	5.17	4.5 -- 6.5 M/Cmm
WBC Count :-	10,100	4'000 -- 10'000 /Cmm

Differential Leucocytes Count

Neutrophils	65	40 -- 70 %
Lymphocytes	30	20 -- 40 %
Monocytes	03	02 -- 06 %
Eosinophils	02	01 -- 04 %
Basophils	00	0.1 %
Immature Cells:	00	00 %

Absolute Values

MCV: Mean Corpuscular Volume	78.8	75 -- 95 FL
HCT/PCV Haematocrit	40.7	M : 40 -- 55, F: 35 -- 45 %
MCH: Mean Corpuscular Haemoglobin	26.7	27 -- 32 pg /Cell
MCHC: Mean Corpuscular Haemoglobin Concentration	33.9	30 -- 35 gm/ dl
RDW: Red Cells Distribution Width	13.2	10.0 -- 16.0 %

Thrombocytic Profile

Platelete Count:-	275,000	1'60'000 -- 4'50'000 /Cmm
MPV: Mean Platelete Volume	7.2	7 -- 11 M^3
Smear for Malarial Parasite :-	*****	*****

ATTESTED

Dr. Arshad Javaid

MBBS. (Pesh) MCPS (Pak) MRCP (Ire) MRCP (UK) FRCP (London)
Professor Department of Pulmonology
Post Graduate Medical Institute
Lady Reading Hospital Peshawar.

(15)

CLINIC:
Habib Medical Complex,
Opposite Mission Hospital,
Dabgari Gardens, Peshawar.
PHONE: 2219409 - 2569046

Name: Sumaira

Age/Sex: 33/F Date: 17/11/14

1st visit

No Hx of A/TB/HTN/DM

etc

Sneezing

N/Acrophobia Many Nose

Itchy Throat

Exercitonal Dyspnea

Productive Cough

O/E

Chest R/L wheezes

Card = A/F

ADU

CRP/ANA

PFTs/ABG

Rx

Salmicort 25/250 Inhaler

باری ← 2 + 2

Sputum

Montelukast Evohaler

باری ← 2+2+2+2

اور پھر 2 حسب ضرورت جب سانس میں آئیے

Tab. DeltaCortel 5mg

دن پھر 3 + 3

7cl fco hal.

7cl 12

7cl 12

7cl 12

7cl Emflor 400

7cl 12

Avamys Nasal Spray

2 گھنٹوں کے بعد ہر طرف سے باری

AW

ماہ بعد معائنہ کیلئے تشریف لائیں۔

(2)

نوٹ: ہفتہ اتوار کلینک بند رہیگا۔

86

ATTESTED

20/3/14

(16)

12

11

Dr. Wahab Said

MBBS, DTCD



ڈاکٹر وہاب سید

(17)

ایم بی بی ایس ڈی ٹی سی ڈی

سپیشلسٹ

SPECIALIST

Chest, T.B & General Physician

District Head Quarter Hospital Timorjati

Not Valid For Court

پست ای بی و جنرل فزیشن
ڈسٹرکٹ ہیڈ کوارٹرز ہسپتال تیمر جا

Name _____ Ago 25y. Wt _____ Date 16/11/2024.

Clinical Record

Rx

uncontrolled
br. Asthma
Fever

- inj. Provas infusio 11v in 20 rubus.
- inj. Hydrocortisone 200mg/16 shot
- inj. Bexus infusio 500mg/16 shot.

120
80

Adv
CXR. PA
CBC
Typhidot.

- tab. A. fantrone 80/80
- tab. parvilo x 500mg
- cap. Zoltec msta
- cap. Seipride 25f

- tab. Deltacortil Ec
- Hivafe nasal spray
- tab. Synsmg
- tab. montika 10f
- Combivair 400mg
with Rota haaler

ATTESTED

[Signature]

Frontier Clinical Laboratory



Hassan Medical and Surgical Hospital, Opp. DHQ Hospital Timergara K.P.K

Reg.No. HRA/500/F/DRL/LAB/34

Masihun Amin
BSC Hons MLT
Rawalpindi Medical College
Lab Technologist

Muhammad Atif
BSC Hons MLT
Rawalpindi Medical College
DMLT PIMS
Lab Technologist

Name:	Sis/O S.Sajid sb	Age:		Sex:	Female
Consultant:	Dr Wahab Said Sb. Physician	Date:	16-Jan-14	ID:	251

Blood Complete Examination

Tests	Results	N.Values
Haemoglobin (Hb%)	12.2	F: 11 -- 16 , M: 14 -- 18 gm/dl
RBC Count :-	4.6	4.5 -- 6.5 M/Cmm
WBC Count :-	9,300	4'000 -- 10'000 /Cmm

Differential Leucocytes Count

Neutrophils	82	40 -- 70 %
Lymphocytes	16	20 -- 40 %
Monocytes	01	02 -- 06 %
Eosinophils	01	01 -- 04 %
Basophils	00	0.1 %
Immature Cells:	00	00 %

Absolute Values

MCV: Mean Corpuscular Volume	68.6	75 -- 95 FL
HCT/PCV Haematocrit	31.6	M : 40 -- 55, F: 35 -- 45 %
MCH: Mean Corpuscular Haemoglobin	26.6	27 -- 32 pg /Cell
MCHC: Mean Corpuscular Haemoglobin Concentration	38.7	30 -- 35 gm/ dl
RDW: Red Cells Distribution Width	12.1	10.0 -- 16.0 %

Thrombocytic Profile

Platelete Count:-	255,000	1'60'000 -- 4'50'000 /Cmm
MPV: Mean Platelete Volume	6.2	7 -- 11 M^3

Smear for Malarial Parasite :-

Jan
ATTESTED

DRM

Frontier Clinical Laboratory



Hassan Medical and Surgical Hospital, Opp. DHQ Hospital Timergara K.P.K
Reg.No. HRA/500/F/DRL/LAB/34

Nasihun Amin
BSC Hons MLT
Rawalpindi Medical College
Lab Technologist

Muhammad Atif
BSC Hons MLT
Rawalpindi Medical College
DMLT PIMS
Lab Technologist

Name:	sis/O S. Sardar sb	Age:		Sex:	Female
Consultant:	Dr. Wahab said sb	Date:	1/16/2014	ID:	251

Typhedot IgG,IgM

Typhedot (IgM) :-	Non-Reactive
Typhedot (IgG) :-	Non-Reactive

Jan
ATTESTED

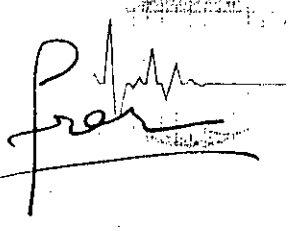
DR/MLL

Dr. Asad Ullah

M.B.B.S, R.M.P
MD Cardiology

Cardiologist

X-Registrar Cardiology Department
Pakistan Institute of Medical Sciences
Islamabad.



ڈاکٹر اسد اللہ

ایم بی بی ایس، آر ایم پی، ایم ڈی کارڈیالوجی
کارڈیالوجسٹ
ایس زجسٹرار کارڈیالوجی ڈیپارٹمنٹ
پاکستان انسٹیٹیوٹ آف میڈیکل سائنسز اسلام آباد
بیماریوں کا علاج

Name: S/o Sajid Age: Sex: F Date: 29/4/14

Clinical Record

Rx

Aspirin

0/0

BP = 120/70

HR = 70

ECG = Normal

End

① - Sp ale 40/50

1/2 + 0 + 0

② - Digifl 400

1 + 0 + 1

HP

Handwritten signature and stamp

Hassan Medical & Surgical Hospital

21

Opp. DHQ Hospital Timergara K.P.K

Contact No: 0945-823060, 03441980988

ECHO CARDIOGRAPHY

Patient Name	Ss/o Sajid	Sex	Female
Date	November 29, 2014	Age	31Yrs

	Pt, Value	Normal		Pt, Value	Normal
LVDD	40	35-56 mm	RV	23	07-25 mm
LVES	25	25-40 mm	LA	34	19-40 mm
IVS	10	07-11 mm	AO ROOT	24	20-37 mm
PW	10	07-11 mm	ACS	19	15-26 mm
FS	38.3	24-42%	RA		
EF	70%	55-75%	IVRT		
E/A Ratio	Normal		DCT		

VALUES/ DOPPLER

Mitral Valve:	Normal
Aortic Valve:	Normal
Tricuspid Valve:	Normal
Pulmonic Valve:	Normal

CHAMBERS:

LV:	Normal Size LV with Good Contractility.
RV:	Normal
LA:	Normal
RA:	Normal
Pericardium:	No Percardial Effusion seen.
Thrombus:	No Thrombus Seen

Conclusion:

Normal study.

Dr ASAD ULLAH
Cardiologist.

ASAD
ATTESTED

RECEIVED
GENERAL MANAGER
MAY 10 2013
10:40 AM
MUMBAI

Vol 2

Rs. 5

No.

OUT-PATIENTS DEPARTMENT

NAME

YEARLY NO.

DATE

No.

Rs. 5

OUT-PATIENTS DEPARTMENT

NAME..... Sammima

YEARLY NO..... 5748-20

DATE..... 04/05/2013

DISEASE.....

Uncontrolled
Br. Asthma

- 2 inhalations
- Nebulize with Ventolin
Soluten
- inj. Hydrocortisone
200 mg IV stat
- Nebulize with Acom
Soluten
- inj. Oxidol 1g IV stat

PTO

ATTESTED

PAGE VALUE RUPEES 5- FACE VALUE RUPEES 5-

23

QA

Phone (Lab):
S. Zada
Patient Name:
Test Advised:
Advised By:

TEST

- Foster Inhaler
- Aeroliner Inhaler
- tab - Peplomilast
- tab - Navefen
- cap - Risen
- tab - Deltacortel EC

Advised
Rust

14)

24/A

Better Copy

محترم ایب النساء صاحبہ (F) DEO دیر پاشین

السلام علیکم

عزراں ہے کہ ڈاکٹر بی پی GGHS, SST

پستودرہ سے گورنمنٹ گنرلز کیمپوٹی فاڈرل سکول کا درجہ
پستودرہ دیر پاشین کو موجود خالی جگہ پر تبادلہ کریں

شکر ہے

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER AT TIMERGARA.

25

OFFICE ORDER

The following Mistresses are hereby transferred to the school noted against each on their own pay and grade in the interest of public service with immediate effect.

S#	Name & Designation	From	To	Remarks
1	Musarat Nazir SST (G)	GGMS Atoo (M)	GGMS Tiknai Bala	Vice Kalsoom Niaz promoted to SS
2	Nasreen Iqbal SST (G)	GGMS Hanafia	GGHS Tharai	Vice Saryaz Begum promoted to SS
3	Zakira Bibi SST (G)	GGHS Paito Dara	GGCMS Karzina	Vice Razia promoted to SS

Note:

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

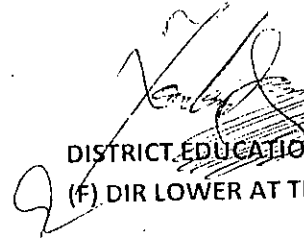
(ZAIBUN NISA)
DISTRICT EDUCATION OFFICER
(F) DIR LOWER AT TIMERGARA

Endst. No. 1101-03

Dated Timergara the 22/3/2016

Copy of the above is forward to:

1. The District Accounts Officer Dir Lower.
2. The Principal/Headmistress concerned.
3. The Teachers concerned.


DISTRICT EDUCATION OFFICER
(F) DIR LOWER AT TIMERGARA

ATTESTED

محضور جناب ڈائریکٹر صاحب ایلمینٹری اینڈ سیکنڈری ایجوکیشن صوبہ خیبر پختونخوا بمقام پشاور

ڈیپارٹمنٹل اپیل بنا رانگی آفس آرڈر 3-1101 مورخہ 22-03-2016

جناب عالی! حسب ذیل عرض ہے

مختصر واقعات:

یہ کہ من ساکنہ مسماۃ شمینہ اختر دختر سردار عبدالحکیم تاجک سکنہ کارزینہ تاجک آباد پیٹورہ سال 2002/3ء میں بحیثیت پی ایس ٹی تعینات ہو کر ضلع دیر پائین کے دور دراز علاقے / تحصیل منڈہ میں اپنے خدمات باوجود شدید بیماری سرانجام دیتی رہی اور سال 2012ء میں پبلک سروس کمیشن کے زیر انتظام داہتمام منعقدہ امتحانات میں کامیاب ہو کر بحیثیت ایس ایس ٹی بمقام گورنمنٹ گرلز ہائی سکول پیٹورہ میں تعیناتی ہو کر تاحال اسی مقام / ادارہ میں اپنے فرائض منصبی سرانجام دے رہی ہوں۔

سال 2014ء کے اواخر میں صوبہ خیبر پختونخوا میں مختلف کیڈرز کے اساتذہ کرام کے پروموشنز کے حوالے سے اخبارات میں شائع بیانات کے روشنی میں من ساکنہ نے تحریری درخواست بعرض تبادلہ از مقام / گورنمنٹ گرلز ہائی سکول پیٹورہ (پیٹورہ) تا گورنمنٹ گرلز سٹینینل ماڈل سکول کارزینہ تاجک آباد متعلقہ دفتر جمع کیا تھا کیونکہ اسی سکول سے ایک استانی مسماۃ رضیہ بی بی کی ترقی متوقع تھی سال 2015ء میں بھی من ساکنہ کی طویل بیماری (دمہ) میں شدت ہو کر بدیں وجہ تحریری درخواست برائے تبادلہ جمع کیا تھا جس کی آخری مرتبہ من ساکنہ نے متعلقہ دفتر سے رجوع بذریعہ تحریری درخواست تبادلہ کیا اور بالا آخر مورخہ 22-03-2016 کو آفس آرڈر نمبری 03-1101 دفتر ای ڈی او (زنانہ) ضلع دیر پائین بمقام تیرگرہ سے معلوم ہوا کہ من ساکنہ کے مطلوبہ خالی آسامی بمقام گورنمنٹ گرلز سٹینینل ماڈل سکول کارزینہ تاجک آباد پر ایک دیگر استانی کا تبادلہ تعیناتی بہ سیریل نمبر 03 کی گئی ہے جس سے ناراض ہو کر اپیل ہذا بہ وجوہات ذیل دائر کی جاتی ہے۔

ATTESTED

وجوہات اپیل: وجوہات اپیل ذیل عرض ہیں۔

- (۱) یہ کہ حکم فاضل آفیسر صاحبہ ضلع دیر پائین بلا جواز بلا استحقاق غیر قانونی بہ وجوہ نہ رکھنے اختیار تبادلہ ہے اور ہرگز قابل بحالی نہ ہے
- (۲) یہ کہ من ساکنہ کا ٹوٹل معیار سروس از سال 2002ء تا 2016ء تقریباً چودہ سال بنتی ہے جبکہ سیریل نمبر 03 مندرجہ آفس آرڈر مذکورہ بالا 2008 میں عارضی طور پر تعینات ہو کر بعدہ سال 2011/12 میں ریگولر ہو کر جی جی ایچ ایس پیٹورہ میں تعینات رہی یعنی من ساکنہ بوجوہ مذکور سینئر ہو کر اولین حقدارہ تبادلہ ہے۔

(۳) یہ کہ من ساکنہ کی طرف سے دائرہ جملہ درخواست ہائے میں اپنے شدید بیماری (دمہ) کا ذکر واضح طور پر موجود ہے اور اسی بنا من ساکنہ کے میڈیکل چیٹس / افائل لف درخواست رہے ہیں من ساکنہ سال 2001ء سے سانس کی تکلیف (دمہ) میں مبتلا ہو کر انتہائی کمزور اور لاغر ہو کر انتہائی تکلیف سے اپنے فرائض منصبی سرانجام دیتے رہی ہوں ادارہ جی جی ایچ ایس پیٹورہ علاقہ پیٹورہ کے ایک ایسے حصے میں

(27)

واقع ہے جہاں دور جدید میں سڑک نام کی کوئی چیز موجود ہی نہیں بلکہ من سائلہ اپنے رہائشی مکان سے سکول مذکورہ تک تقریباً 40
یکطرفہ پیدل مسافت طے کرتے ہوئے اپنے ڈیوٹی کو یقینی بناتی رہی اور جملہ حالات بالا سے مجاز آفیسران صاحبان کو معلوم ہو کر ہر
چند واضح کیا گیا ہے تب بھی مذکورین بالا نے عذر بیماری مندرجہ یہ درخواست من سائلہ کو یکسر نظر انداز کیا ہے۔

(۴) یہ کہ علاقہ ہذا میں سیاسی سرگرمیاں عروج پر ہو کر بسریل نمبر 03 مندرجہ افس ارڈر مورخہ 22-03-2016 نے اپنے سیاسی اثر
رسوخ استعمال کرتے ہوئے متعلقہ حکام کو مجبور کر کے حکم زیر نزاع ازیر اپیل جاری کیا ہے جو کہ غیر قانونی ہو کر غیر مؤثر و کالعدم بحق من
سائلہ ہے۔

(۵) یہ کہ من سائلہ اپنے جملہ اکیڈمک اور پرو فیشنل تعلیم و تجربہ سے آسامی بمقام گورنمنٹ گرلز سٹینڈل ماڈل سکول پرتھیناتی کی اولین
حقدارہ ہے۔

بحالات بالا اسدعا ہے کہ بوجوہات بالا اپیل ہذا کو منظور کیا جا کر بسریل نمبر 03 مندرجہ افس ارڈر
نمبر 1101-03 مورخہ 22-03-2016 کو کالعدم اور منسوخ کیا جا کر من سائلہ کا درخواست
بعض تبادلہ از جی جی ایچ ایس پیو تاجی جی سی ایم ایس کارزینہ تاجک آباد کے احکامات صادر فرمائیں۔

مورخہ 24/3/2016

آپ کی تابع فرمان
Samina Akhter
24/3/2016

شمینہ اختر ایس ایس ٹی

دختر سردار عبدالحکیم تاجک

جی جی ایچ ایس پیو تحصیل تیمرگرہ

پتہ: بمعرفت سردار عارف ایڈوکیٹ ڈسٹرکٹ بار ایسوسی ایشن ضلع دیرپائین بمقام بلامبٹ

رابطہ نمبر: 0344-9697644

ATTESTED

برائے اطلاع!

Samina Akhter
24/3/2016

(۱) سیکرٹری وزارت تعلیم حکومت خیبر پختونخوا بمقام پشاور

(۲) ڈپٹی کمشنر ضلع دیرپائین بمقام بلامبٹ تیمرگرہ

(۳) ڈی اوصاحبہ سکول اینڈ لیٹریسی (زنانه) ضلع دیرپائین بمقام تیمرگرہ



DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION

KHYBER PAKHTUNKHWA PESHAWAR

NO. 3516 /A-17/SST/F/Transfer/Posting

Dated Peshawar the 13/5 /2016

28

To

The District Education Officer
(Female) Dir Lower

SUBJECT:- DEPARTMENTAL APPEAL

Memo:-

I am directed to refer to your letter No.1936 dated 22-04-2016, on the subject noted above and to ask you to decide the issue at your own level under the rules/policy being competent authority for within District cases please.

13/5/16.
Deputy Director Establishment(F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

/Noor/16

ATTESTED

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PART I.- POSTINGS AND TRANSFERS

Sl. No. 1

General conditions regarding Postings, Transfers and Deputation

F.R. 15. (a) The Governor-General may transfer a Government servant from one post to another; provided that, except-

- (1) on account of inefficiency or misbehaviour, or
- (2) on his written request,

a Government servant shall not be transferred substantively to, or, except in a case covered by rule 49, appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended under rule 14.

(b) Nothing contained in clause (a) of this Rule or in clause (13) of Rule 9 shall operate to prevent the retransfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of rule 14.

Government decision.- Permanent transfers from a higher to a lower scale in anticipation of the abolition of a post are not transfers within the meaning of F.R. 15.

[Authority.- Government of India, Finance Division letter No.F-452-R.I/27, dated 1-2-1928].

Sl. No. 2

Policy guidelines for postings/transfers of officers

It has now been decided by the President that postings/transfers of officers of Grade-17 and above in all Occupational Groups/ Services/Ex-cadre posts, etc., will henceforth be made according to the Rules of Business by the respective Ministries/Departments who are responsible for their administrative control.

2. The following guidelines may, however, be observed by the Ministries/Departments regarding policy concerning transfers:-

- (1) Transfer between Pakistan and foreign countries should normally be made only after 3 years. If an officer is required to be transferred earlier than 3 years, the orders of Establishment Division are required to be obtained.
- (2) Officers should not be transferred as a result of their taking leave for short periods for rest and recreation for which only acting arrangements should be made. (3) Ordinarily 3 months notice should be given to Government servants who are transferred from one station to another to enable them to plan their affairs.

3. The above instructions may be passed on to Departments under the administrative control of the Division/Ministry.

[Authority.-Estt. Secretary's D.O. letter No.1/24/78, C.P., dated 30-9-1978].

ATTACHED

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It has been observed that Government instructions with regard to normal tenure for an officer on the same job/post issued from time to time are not being followed with the result that in some Ministries/Divisions/Departments officers have continued to work on the same desk for unduly long periods. The position has been reviewed and the competent authority has laid down the following criteria for posting/transfer of the officers working in Ministries/ Divisions and the Attached Departments/Subordinate Offices, Autonomous and Semi-Autonomous Organizations, under their administrative control:

I. POSTINGS/TRANSFERS WITHIN PAKISTAN

- (i) The normal tenure of an officer on the same post should be three years. Posting of an officer on the same post beyond the normal tenure will require concurrence of the competent authority, in each case.
- (ii) Shifting of the officer may be phased in a manner that no dislocation in the official work takes place due to large scale transfers.
- (iii) Ordinarily, three months notice should be given to the officer who is to be transferred. Exception may, however, be made in case the officer is required to be shifted immediately in the public interest with the approval of the competent authority.
- (iv) Orders for premature transfers in the Ministries/ Divisions/Departments of the Federal Government should be referred to the Establishment Division; and in the Autonomous/Semi-Autonomous Organizations to the administrative Ministry concerned. v) These instructions will not strictly apply to technical and professional officers/experts recruited for particular posts. However, posting/transfer of such officers may also be rotated in their parent departments/cadres as far as possible in accordance with the rules of the post.

II. POSTINGS/TRANSFERS TO PAKISTAN MISSIONS ABROAD (OTHER THAN POSTS ADMINISTERED BY MINISTRY OF FOREIGN AFFAIRS)

- (i) Posts in foreign missions abroad should be filled on the basis of detailed job descriptions to be prepared by the controlling Ministry;
- (ii) The controlling Ministry should prepare a panel of suitable officers for the post;
- (iii) The panel of suitable officers should be considered by a committee of the controlling Ministry including a representative of the Establishment Division.
- (iv) The recommendations of the Committee should be considered by the Special Selection Board; and v) The recommendations of the Special Selection Board should be submitted to the competent authority for approval.

2. Ministries/Divisions are requested to proceed further in the matter of postings/transfers as above and bring these instructions to the notice of all Departments; Offices, Autonomous/Semi-Autonomous Bodies and Corporations under their control for strict compliance.

[Authority.-Estt. Division O.M. No.10/10/94-R.2, dated 22-3-1994].

The Government has taken note of the socio-economic problems and hardship faced by husbands and wives in Government service due to posting at different stations of duty, and it has been decided to prescribe the following guidelines to facilitate posting of husband and wife at the same station:

- (i) Where a request is made for posting at a different station in the same department/service/cadre in which an employee is already serving, the request may be accepted subject to availability of a post in the same BPS.
- (ii) If a request involves temporary deputation to another department, it may be processed in consultation with the concerned department, and may be accepted on the prescribed terms of deputation subject to availability of a post in the same BPS.
- (iii) When a request is made for permanent transfer to/absorption in another department/agency, the request may be processed in consultation with the department concerned, subject to the condition that in the event of permanent transfer, seniority shall be determined in accordance with the Civil Servants (Seniority) Rules, 1993.
- (iv) If there is a tie between two or more Government servants for posting at the same station in the same department/unit of an organization, the Government servant with greater length of service may be preferred.
- (v) Request for posting by a spouse facing serious medical problems may be accorded highest priority.
- (vi) Spouses already posted at one station, including those posted on deputation beyond the prescribed maximum period, may normally not be disturbed without compelling reasons of public interest. Requests for extension of deputation period beyond the permissible limit may be considered with compassion if interests of public service would permit.

2. The above guidelines are subject to the following conditions:-

- (i) Posting of husband and wife at the same station should not be made by dislocation of any Government servant already serving at a particular station unless his transfer is necessitated by compelling reasons of public interest or within the framework of general policy of postings and transfers.
- (ii) The prescribed selection authority should be consulted in each case.

3. All Government servants whose spouses are in Government service may be asked to furnish at the end of every calendar year the particulars of their spouses to their controlling Ministries/Divisions so as to facilitate maintenance of ICP Charts and up-to-date monitoring of the situation.

4. The above guidelines may be circulated to the autonomous bodies under the charge of Ministries/Divisions for adoption, with such modifications, as may be considered necessary.

[Authority.-Estt. Division O.M.No. 10/30/97-R.II, dated 13-5-1998].

Sl. No. 5

Posting of unmarried female Government Servants at the place of residence of Parents/Family

It has been brought to the notice of Government that unmarried female Government servants face socio-economic and security problems when they are posted at stations other than the place of residence of their parents/family. The Government has taken note of this difficulty and it has been decided to prescribe the following guidelines for dealing with requests of unmarried female Government servants for posting at the place of residence of their parents/family:-

- (i) Where request is made for posting at a different station in the same department/service/cadre in which an employee is already serving, the request may be accepted subject to availability of a post in the same BPS.
 - (ii) If a request involves temporary deputation to another department, it may be processed in consultation with the concerned department, and may be accepted on the prescribed terms of deputation subject to availability of a post in the same BPS.
 - (iii) When a request is made for permanent transfer to absorption in another department/agency, the request may be processed in consultation with the department concerned, subject to the condition that in the event of permanent transfer, seniority shall be determined in accordance with Rule 4 of the Civil Servants (Seniority) Rules, 1993.
 - (iv) If there is a tie between two or more Government servants for posting at the same station in the same department/unit of an organization, the Government servant with greater length of service may be preferred.
 - (v) Request for posting by an unmarried female Government servant facing serious medical problems may be accorded highest priority.
 - (vi) Unmarried female Government servants already posted at a station, including those posted on deputation beyond the prescribed maximum period, may normally not be disturbed without compelling reasons of public interest. Requests for extension of deputation period beyond the permissible limit may be considered with compassion if interests of public service would permit.
2. The above guidelines are subject to the following conditions:-
- (i) Posting of unmarried female Government servants at the station of residence of their parents/family should not be made by dislocation of any Government servant already serving at a particular station unless his transfer is necessitated by compelling reasons of public interest or within the framework of general policy of postings and transfer.
 - (ii) The prescribed selection authority should be consulted in each case. 3. It has also been decided that the above guidelines shall also be followed by Autonomous/Semi-Autonomous Bodies/Corporations etc. under the control of the Federal Government.

[Authority:- Estt. Division O.M. No.10/30/97-R-2, dated 17-12-1999].

Sl. No. 5-A

Posting of Married Female Government Servants at the Place of Residence/Posting of Their Husbands Who are Not in Government Employment

Keeping in view the socio-economic problems of government service due to posting at different stations of duty, the Establishment Division issued instructions/guidelines vide its OM No. 10/39/97-R-2, dated 13.5.1998 (Sl. No. 4) and 17.12.1999 (Sl.No. 5) to facilitate posting of husbands and wives at the same station and the posting of the unmarried female civil servants at the place of residence of their parents/families. With a view to facilitating those female government servants whose spouses are not in government service or employed in the private sector or unemployed, it has been decided to extend the facility to this class of government servants also to the above to serve at the place of residence of their spouses irrespective of whether such spouses are employed with the government, private sector, or even unemployed.

[Authority:- Estt. Div.'s OM No. 10/30/97-R-2, dated 21-4-2006].

Sl. No. 6

Normal tenure for an officer on the same job/post

It has been observed that a number of officers remain at the same desk for considerable period of time. This arrangement is not administratively desirable as the officers holding the same post for a long time tend to develop rigidity in the outlook and ideas and do not view the problems with the same objectivity as they normally should. It is therefore essential that officers should not be allowed to remain on the same job for any length of time. Normal tenure for an officer on the same post should be three years and should not exceed five years in any case.

2. The above orders apply not only to the Ministries and Divisions but also to all kinds of organizations, including the Attached Departments and Subordinate Offices as well as autonomous bodies and corporations under the administrative control of the various Federal Ministries/Divisions.

3. As regards the technical officers/experts, if they have been recruited for the same post in which they are working, the orders referred to above will not apply. However, if it is possible to rotate such officers, this may be done.

[Authority:- Estt. Secretary's d.o. letter Nos.27/370-F.1, dated 4-11-1970 and 30-6-1971].

Sl. No. 7

Guidelines for Selection of the Officers for Posting Abroad in Pakistan Missions.

The President has been pleased to approve the following guidelines for selection of officers for posting abroad in Pakistan Missions:-

1. Posts will be filled on the basis of detailed job descriptions to be prepared by the controlling Ministry.
2. The controlling Ministry will:
 - (a) prepare a panel of suitable officers for the post on the basis of job description from amongst the officers working in or controlled by the Ministry;
 - (b) ask the Establishment Division for a panel of suitable names of officers working in other Ministries/Divisions and Provincial Governments.
3. This panel will be considered by a Committee in the Ministry/Division which exercises administrative control of the posts to be filled. The Committee shall include a representative of the Establishment Division.
4. The Committee will select after due scrutiny, a panel of three officers against each post, taking into consideration the following factors:-

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(32)

- (a) The selectee fulfills the requirements of the post as detailed in the job description.
- (b) The selectee is in the same grade as the post to be filled. Officers from higher or lower grades will not be considered.
- (c) The selectee has an overall good record of service particularly during the last five years of service.
- (d) The selectee is at least a graduate or possesses the technical qualification required for the job.
- (e) Persons within promotion zone within the next 2 years should not be considered.
- (f) Those likely to retire during the next 4 years should not be considered.
- (g) An officer should not be posted abroad more than once.
5. The panel of three officers selected by the Committee on the above criteria will be submitted to the Special Selection Board for final selection including interview.
6. The recommendations of Special Selection Board shall be submitted to the President for approval.
7. The Ministries/Divisions are requested to strictly follow this procedure in future while recommending officers for posting abroad in Pakistan Missions.

[Authority.-Estt. Division O.M.No.4/7/81-TIV, dated 28-12-1981].

Sl. No. 8**Appointment in Pakistan's Missions abroad - procedure**

Reference Establishment Division's O.M. of even number dated 28th December, 1981 (Sl.No.6), it is stated that in order to ensure uniformity in selection of candidates for appointment in Pakistan's Missions abroad, the following procedure be adopted by the Selection Committee to draw up the panel for submission to the Special Selection Board:-

1. The Selection Committee will allocate marks to be distributed as under:-

(i) Officer's record.	50
(ii) Assessment by the Committee	50
(a) Interview	30
(b) Experience	20

Total 100

2. The evaluation of record shall be computed against the scale of 50 marks in accordance with the formula for overall assessment enunciated in the Promotion Policy circulated vide Establishment Division's letter No. 10(3)/81-CP-I(Pt), dated 31st December, 1982.

3. The Committee will interview the candidates to assess their fitness for the job.

1. Note:-For "Functions and Procedure of the Special Selection Board please see Pt. II of this Chapter."

4. Marks for experience should take into account the experience and additional qualifications relevant to the job. No marks need be allocated for the basic qualifications required for the post.

[Authority.-Estt. Division O.M. No.4/7/81-T.IV, dated 18-1-1983].

Sl. No. 9**Seeking reversion to lower post for posting abroad**

Instances have come to the notice of Establishment Division where the Ministries/Divisions have been found indulging in the practice of permitting the employees serving under them, especially those belonging to the ministerial cadre holding posts of Private Secretary, Superintendent, Assistant, Stenographer etc. to revert to the lower post with a view to facilitate their posting in Pakistan Missions abroad. In the recent past a few Ministries/Divisions approached this Division also supporting requests of their employees for reversion to lower posts for the purpose of posting abroad.

2. The above matter has been given careful consideration keeping in view the provisions of section 10 of the Civil Servants Act, 1973 and F.R. 15. It has been held that these provisions do not lend any support to voluntary requests of officials for reversion to lower posts with a view to winning posting in Pakistan Missions/offices in foreign countries.

3. In view of above, it is advised that the requirements of Pakistan Missions/offices abroad may be met by restricting selection to holders of corresponding posts in Ministries/Divisions. The selection for posting abroad may be made on the basis of seniority-cum-fitness by an ad hoc committee to be constituted specifically for the purpose.

[Authority.-Estt. Division O.M.No.4/8/85-R.6 dated 3-12-1985].

Sl. No. 10**Authorities empowered to make postings and transfers of officers and staff.***Officers in Grade 17 and above.*

1. Apart from first-appointments and disciplinary measures, other administrative powers will be exercised by the Heads of Departments who should deal with all matters of postings, transfers, increments and leave, etc. except in the case of their deputies about whom references will be made to Government.

Officers in Grade 16

2. Subject to the observance of general rules regulating the strength of the service, the method of recruitment (including consultation with the F.P.S.C. wherever required) and the conditions of service, the Heads of Departments will be the appointing authority in respect of all services/posts under his jurisdiction and exercise full powers in respect of their posting, transfer and discipline.

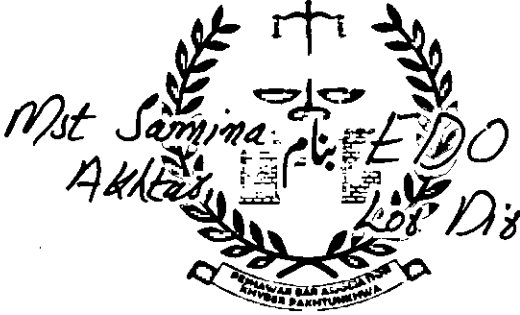

Officials in Grade 1-15

3. The Head of the Department will be the final authority in all matters.

[Authority.-Estt. Division O.M.No.7/ 59-S.O., dated 15-1-1960 read with Sl. No. 6/A of Appendix 4 of the compilation of Fundamental and Supplementary Rules].

	
ایڈووکیٹ/دستخط: بار کونسل ابار ایسوسی ایشن رابطہ نمبر: 0346 9393322	56945 پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: *Before the KPK Service Tribunal Peshawar*

Appellant مہاجب:	Service Appeal دعوی:
	
Mst Samina Akhtar بنام EDO Koh Dik	مورخہ: 21-08-2016 جرم: تھانہ:

بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 ان مقام *Peshawar* کے *Rehman-ullah Shah* کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقریر جالت و فیصلہ برطنت دینے جواب دعوی اقبال دعوی اور درخواست ازہر قسم کی تصدیق
 زریں بد دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اہیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اہیل نگرانی و نظر جانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہو گا اور صاحب
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ ہر داختم منظور قبول ہوگا دوران مقدمہ
 میں جو خرچہ ہر جہانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وکیل کرنے کا حقدار 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 مندر ہے۔
 المرقوم: 21-08-2016
 العبد العبد
 مقام *Peshawar* کے لئے منظور ہے۔

Samina Akhtar






BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, BENCH MINGORA SWAT

Service Appeal No.696/20/2016


Miss Samina Akhtar.....(Appellants)

VERSUS

Director Elementry & Secondry Education Khyber Pakhtunkhwa, Peshawar
and other(Respondents)

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3.	<i>Seniority list</i>		<i>04</i>
4.			
5.			


DEO Female

District Dir Lower

Mst: Samina Akhtar D/O Sardar Abdul Hakim Tajak R/O Paito Dara Tehsil Timergara District Dir Lower.

.....Appellant

VERSUS

1. District Education Officer female Dir lower at Timergara
2. Director (Elementary & Secondary Education), Khyber Pakhtunkhwa at its Directorate Dabgari Gardens, Peshawar.
3. Mst: Zakira Bibi SST GGHS Karzina District Dir lower.

.....Respondents

PARA WISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENTS NO 1, 2 & 3.

Respectfully Sheweth:-

Preliminary Objections:-

1. The appellant has got no locus standi or cause of action to file the instant appeal.
2. The instant appeal is badly time barred.
3. The instant service appeal is based on malafied intention for gaining illegal and unauthorized service benefits from the respondents.
4. The appellant has concealed the material fact from this Hon! Able Tribunal, hence liable to be dismissed.
5. The appellant has not approached this Honorable Tribunal with clean hands.
6. The present appeal is liable to be dismissed for mis-joinder of unnecessary and non-joinder of necessary parties.
7. The appellant has filed the instant appeal on malafide motives.
8. The instant appeal is against the prevailing laws & rules.
9. The appellant has rightly been treated by respondents.

ON FACTS.

Respectfully Sheweth.

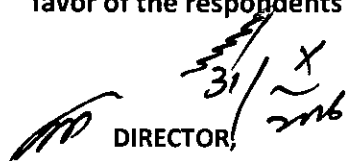
1. Correct: Up to the extent of her appointment placement, As the appellant has been posted as SST in GGHS-Paito Dara but in her appeal she requested that she may be transferred and be posted at GGHS Karzina Dir lower but in both school i.e. GGHS Paito Dara and GGHS Karzina distance is about 1 KM.
2. Correct: Up-to the extent of her appointment. She was placed at GGHS Pito Dara situated at a Distance of only 1KM.
3. Incorrect: As the Govt: employee is bound to perform his/her duty anywhere according to the nature of her job. No request of the appellant as well as no proper recommendation received from the higher authorities to post the appellant at GGHS Karzina Dir lower.
4. Incorrect: It is fact that some medical certificates are produced by the appellant due to her illness but as explained in para-I above the distance between both schools is at about 1KM, so at this stage the request for transfer of the appellant to GGHS Karzina Dir lower can't be considered.

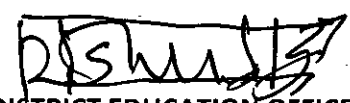
5. Incorrect: as the transfer of the respondent No. 3 has been made to GGHS Karzina Dir lower on departmental level. (02)
6. Correct: As the departmental appeal submitted by the appellant was rejected.
7. Incorrect: No, directions has been made to the respondent No. 1 by the higher authorities. The transfer^{of} the appellant has been made in light of Govt: policy.
8. That the appellant^h as got no cause of ~~certain~~^{action} to file ~~was court~~^{instant} appeal.

ON GROUNDS:-

- (A) Incorrect. The appellant has been transferred to her nearest station not ~~too far~~ flung area. As explained in para-I. The distance between both schools i.e. GGHS Paito Dara, and GGHS Karzina is at about one KM. So at this stage the appeal of the appellant for transfer from GGHS Paito Dara to GGHS Karzina is not acceptable.
- (B) Incorrect: As explained above.
- (C) Incorrect: As replied in above paras
- (D) As explained above.
- (E) The respondent also seek leave of this Honorable tribunal to raise iddeturiel grounds at the time of arguments.

In view of the above made submission, it is humbly requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant appeal with cost in favor of the respondents Department.


DIRECTOR,
ELEMENTARY AND SECONDARY EDUCATION
HYBER PAKHTUNKHWA, PESHAWAR
(Respondent No.2)


DISTRICT EDUCATION OFFICER (F)
DIR LOWER AT TIMERGARA
(Respondent No.1)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, BENCH MINGORA SWAT

Service Appeal No.696/20/2016

Miss Samina Akhtar.....(Appellants)

VERSUS

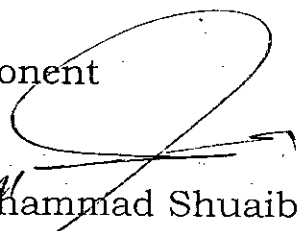
Director Elementry & Secondry Education Khyber Pakhtunkhwa,

Peshawar and other(Respondents)

AFFIDAVIT

I Muhammad Shuaib (ADEO) District Dir Lower as per information that the contents of this revision petition are true and correct to the best of my knowledge and belief and nothing had been kept secret from this august court.

Deponent



Muhammad Shuaib

(ADEO) District Dir Lower



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F)
DISTRICT DIR LOWER

Tel: 0945-9250083

49

No. 1936 / 1

Dated 22/4/2016

To

The Director E&SE
Khyber Pakhtunkhwa Peshawar.

Subject:- DEPARTMENTAL APPEAL.

Memo:-

Please refer to your office letter No.1689/A-17/SST/F/Transfer cases dated 08/04/2016 on the above cited subject.

It is stated for your kind information that two applications received for transfer to the school noted against each from the same station.

S#	Name & Desig:	From	To	Tenure
1.	Zakira Bibi SST (G)	GGHS Paito Dara	GGMS Karzina	01/01/2009 (07 years 2 months in the present station)
2	Samina Akhtar SST (G)	GGHS Paito Dara	GGMS Karzina	13/06/2012 (3 years 9 monts)

In light of above detail transfer order issued by this office in r/o SNo. 1 On tenure base.

Hence the case may please be filled


District Education Officer (Female)
Dir Lower at Timergara.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In the matter of:-

Mst. Samina Akhter

Appellant

VERSUS

The Director ESE and Others

Respondent,

KNOWN ALL to whom these present shall come that I/we, the undersigned appoint

AZIZ-UR-RAHMAN and IMDAD ULLAH

Advocates High Court

To be the advocate for the Dependent No 3 in the above mentioned case to do all the following acts, deeds and things or any one of them, that is to say:-

- ❖ To acts, appear and plead in the above mentioned case in this court or any other Court in which the same may be tried or heard in the first instance or in appeal or review or revision or execution or at any other stage of its progress until its final decision.
- ❖ To present pleadings, appeals, cross objections or petitions for execution review, revision, withdrawal, compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
- ❖ To withdraw or compromise the said or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said case.
- ❖ To receive money and grant receipts therefore, and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
- ❖ To employ any other Legal Practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate wherever he may think fit to do so.
- ❖ I understand that the services of aforesaid lawyer are hired irrespective of the outcome of the case.

And I/We hereby agreed to ratify whatever the advocate or his substitute shall to do in the said premises.

And I/We hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequences of his absence from the Court when the said case is called up for hearing.

And I/We hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the Advocate remaining unpaid, the Advocate shall be entitled to withdraw from the prosecution of the case until the same is paid.

IN THE WITNESS WHEREOF I/WE hereunto set my/our hand(s) to these present the contents of which have been explained to and understood by me/us, this 4 day of 4 2017.

(Signature or thumb impression)

(Signature or thumb impression)

(Signature or thumb impression)

Accepted subject to terms regarding fees

AZIZ-UR-RAHMAN

Advocate High Court

Office: Khan Plaza, Gulshone Chowk
G.T. Road Mingora, District Swat.
Cell No. 0300 907 0671

Zakira Bibi (SST)

M. Nazeem
(م. نازیم)

IMDAD ULLAH

Advocate High Court

Office: Khan Plaza, Gulshone Chowk,
G.T. Road, Mingora, District Swat
Cell No. 0333 929 7746

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In Re: _____ /2017

Service Appeal No. 696 /2016

Mst. Samina Akhtar D/O Sardar Abdul Hakim Tajik (Advocate)

APPELLANT

VERSUS

District Education Officer (F) Dir Lower & Others

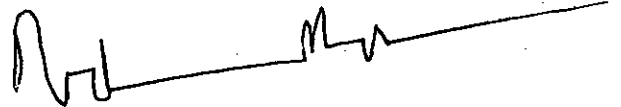
RESPONDENTS

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03	Copy of Aerial Map	A	05
04	Copy of the C & W Certificate	B	06
05	Copy of Medical prescription	C	07
06	Copy of Office Order	D	08

Appellant

Through



Rehman Ullah Shah & Attiq Ur Rehman

MA, LL.M

Advocates

Ibn e Abdullah Law Associates

11, Azam Tower, University Road, Peshawar

E-Mail Infoila56@gmail.com,

Ph. 091-570 2021

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In Re: _____ /2017

Service Appeal No. 696 /2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik (Advocate)

APPELLANT

VERSUS

District Education Officer (F) Dir Lower & Others

RESPONDENTS

ENTS

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth,

Preliminary Objections.

The objections raised by Respondents are false, unfounded, hence are not tenable. Appellant has a legal grievance and as such, a legal footing to file the instant appeal. No question of estoppel is pin-pointed nor is there any to stop appellant from instituting the present lies. Similarly, the explanation and clarification given by the respondents are based on is a matter of records, hence no comments.

Para wise.

1. Para No. 01 is admitted correct to the extent of appointment and placement remaining Para is incorrect hence denied. The departmental appeal filed by the appellant was only for the purpose that the appellant may kindly be adjusted on the vacant post at her local station i.e GGCMS Karzina Dir Lower. Whereas she had served at GGHS Paito Dara for long time which was far away from her home. It is worth to mention here that the appellant served in same department from 2002 in far flung area at Tehsil Munda, Some 25 kilometers away from the home. Appellant ailment /illness hardly allowed her to serve at GGHS Paito Dara anymore.

[Copy of Aerial Map is annexure A]

2. Para No. 02 of comments is correct to the extent of her appointment remaining Para is incorrect hence denied. The distance from the appellant residence / home to Kandow stop is 2.4 Km and then from Kandow stop to Dobb Stop it's 1.2 Km after which GGHS Paito Dara is 0.75 Km on walking distance. So, GGHS Paito Dara is approximately 4.6

Km away from the appellant home which causes great inconvenience.

[Copy of the C & W Certificate is annexure B]

3. Para No. 03 is incorrect hence denied. The appellant made several request and even personally visited the office of Respondent No. 01 for adjusting her at local station but all her requests were buried under carpet for the reasons that Respondent No. 01 always accommodated people with blue eyes.

4. Para No. 04 of the comments is incorrect hence denied. The medical certificates produced by the appellant are evident of the fact that appellant has poor health and is unable to travel to faraway places.
[Copy of resent Medical prescription is annexure C]

5. Para No. 05 is incorrect, hence denied. Respondent No. 03 adjusted herself at GGCMS Karzina on Political basis. As the order of Respondent No. 01 in favour of Respondent No 03 is based on political influence therefore is illegal, void and in effective upon the rights of the appellant. This approach has always been discouraged by the superior courts.

6. Para No. 6 admitted as appellant's departmental appeal was turned down with gross malice.
[Copy of order is annexure D]

7. Para No. 07 is incorrect, hence denied. Respondent No. 02 has directed the Respondent No. 01 to decide the issue under the rules /policy but Respondent No 01 is reluctant to do so. Whereof, the matter was again refused by the respondent # 02 due to the political Pressure.

8. Incorrect hence denied.

GROUND.

(A)Incorrect and wrong, hence denied. The appellant is entitled to be adjusted at nearest station because of deteriorating health and policy/rules also in her favour. The distance from the appellant residence / home to Kandow stop is 2.4 Km and then from Kandow stop to Dobb Stop it's 1.2 Km after which GGHS Paito Dara is 01 Km on walking distance. So, GGHS Paito Dara is approximately 4.6 Km away from the appellant home which causes great inconvenience.

(a) Incorrect and wrong, hence denied.

3


- b. Incorrect and wrong, hence denied.
- c. Incorrect and wrong, hence denied.
- d. Incorrect and wrong, hence denied.
- e. Incorrect and wrong, hence denied

Therefore, the august Tribunal may be pleased to accept the appeal preferred by the appellant, whereby she may kindly be adjusted in the nearest area / local station in the best interest of justice. And set aside the impugned order dated 04-07-2016 which is illegal and void.

Any other remedy which this Hon'ble court deems appropriate in law, equity and justice may also be granted.

Through.

Appellant



Rehman Ullah Shah, Attiq Ur Rehman

M.A, LLM

Advocates High Court

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 696 /2016

Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik (Advocate)

APPELLANT

VERSUS

District Education Officer (F) Dir Lower & Others

RESPONDENTS

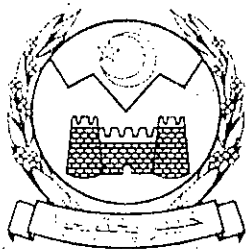
AFFIDAVIT

I, Mst. Samina Akhter D/O Sardar Abdul Hakim Tajik R/O Dir Lower do hereby solemnly affirm and declare on oath that the content of this Rejoinder are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

Deponent

Samina Akhter

(06)



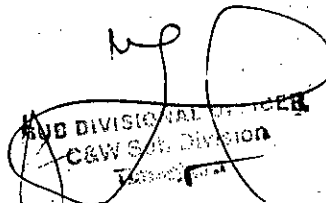
OFFICE OF THE
SUB DIVISIONAL OFFICER
C&W SUB DIVISION TIMERGARA.

NO: 271/2-Ed Dated Timergara The 24/03/2017.

TO WHOME IT MAY CONCERN.

It is Certified that, the measurement of the link road from GHS Khungi Bala to Kandaw stop is 1.3 Kilometer. The distance from Kandaw Stop to Dabb Stop (Paito Khas) is 1.2 Kilometers.

Similarly, the distance from Kandow stop to village Kazana Tajak Abad (Paito Dara) is 2.4 Kilometers as per Office record.


SUB DIVISIONAL OFFICER
C&W SUB DIVISION
TIMERGARA

SUB DIVISIONAL OFFICER.

(07)

Medical No. 2

Rs. 5

No.

OUT PATIENTS DEPARTMENT

NAME _____

YEARLY NO. _____

DATE _____

FACE VALUE RUPEES 5

No.

Rs. 5

OUT PATIENTS DEPARTMENT

NAME Suman Akhtar

YEARLY NO. 10837-40

DATE 29-3-17

DISEASE _____

FACE VALUE RUPEES 5

Episodic
attack of
wheezing

cough,
Difficulty in breathing
- night awakes

Δ. uncontrolled
Bronchial
Asthma

Rx
CXR PA
CBC
chest

Bilateral wheezing
Bilateral chest and
apnoea

Needs regular
medication and
should limit activities
+ rest



NO. 2807 / 2016
Dated Peshawar the 11/7/2016

(8)

To
Mst. Sameena Akhtar SST
GGHS Pato Tehsil Timergara
District Dir Upper

SUBJECT:- APPEAL.

Memo:-

I am directed to refer to your appeal No. Nil dated 24-05-2016 on the subject cited above and to inform you as per the DEO(F) reports, two applications namely Mst. Zakira SST(G) GGHS Paito Dara and Mst. Sameena Akhtar SST(G) GGHS Paito Dara were received for transfer to the said school i.e. GGCMS Karzina and the transfer order has been issued in respect of Mst. Zakira SST(G) on longest tenure basis.

Deputy Director Establishment(F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst: No. _____

Copy forwarded to the:-

- PA to Director E&SE Local Office.

Deputy Director Establishment(F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Nest/16

پاپیو سہیلہ (رمانہ) ادیپا میں لے آئے

417

05/1