

28.1.2016

Appellant in person, M/S Fazal-e-Khaliq, ADO and Khurshid Khan, SO alongwith Mr. Kabirullah Khan Khattak, Assistant AG for respondents present. Office order dated 2.7.2015 submitted according to which transfer order of the appellant has been cancelled.

In view of the afore-stated development, the appeal has become infructuous and is disposed of accordingly. File be consigned to the record room.

ANNOUNCED
28.1.2016


Chairman

28.01.16

3

14.07.2015

Appellant with counsel present. Learned counsel for the appellant argued that the appellant was serving as SST when vide impugned order dated 2.7.2015 he was transferred from GHS No. 1 Yar Hussain to GHS Kalabat regarding which appellant preferred departmental appeal on 6.7.2015 which was rejected on 8.7.2015 and hence the instant service appeal on 10.7.2015.

That according to term and condition No. 9 of promotion order of the appellant dated 30.10.2014 the services of the appellant are not transferable and that the impugned transfer order was politically motivated as evident from the copy of transfer order conveyed to PS to Minister.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 11.8.2015 before S.B. Notice of stay application be also issued for the date fixed. Status-quo be maintained.


Chairman

4

11.08.2015

Mr. Amjad Ali, appellant in the connected appeal, on behalf of the appellant, M/S Javed Ahmed, Supdt. and Khurshid Khan, SO alongwith Assistant A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 15.10.2015 before S.B.


Chairman

15.10.2015

Since 15.10.2015 has been declared as public holiday on account of 1st Muharram-ul-Haram, therefore, case is adjourned to 28-1-15 for the same.


Reader



Appellant Deposited
Security Process Fee



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 794/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10.07.2015	<p>The appeal of Mr. Muhammad Irshad presented today by Mr. Khushdil Khan Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	13-7-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>14-7-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No.794/15

Mr. Irshad Khan SST Swabi----- Appellant .

VERSUS

Secretary Education of Education Govt.of Khyber Pakhtunkhwa Peshawar and others.. Respondents.

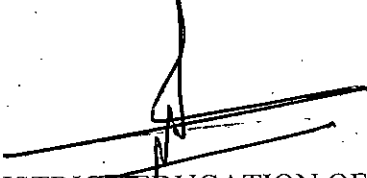
WRITTEN REPLY

Respectfully Sheweth,

ON FACTS.

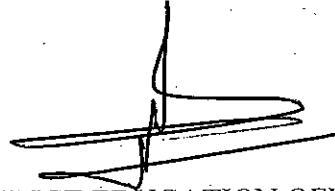
That the Elementary & Secondary Education Department has transferred the appellant vide Endst:No.10299-10306 dated 02.07.2015 which was cancelled from the date of its issue vide Endst:No.10674-78 dated 22.07.2015 (Annexure A & B attached).

It is therefore, most humbly prayed that keeping in view the above stated fact the appeal in hand may very kindly be dismissed as the appellant has no cause of action because his grievances have been removed accordingly.


DISTRICT EDUCATION OFFICER
(MALE) SWABI
Dist: Education Officer
(Male) Swabi

Affidavit

I do hereby solemnly affirm declare that the contents of the comments submitted by respondents is true and correct to the best of my knowledge and belief that nothing has been concealed from this Honourable Court.


DISTRICT EDUCATION OFFICER
(MALE) SWABI
Dist: Education Officer
(Male) Swabi

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 794 /2015

Muhammad Irshad,
Secondary School teacher (SST),
Government High School No.1,
Yar Hussain, Swabi.....Appellant

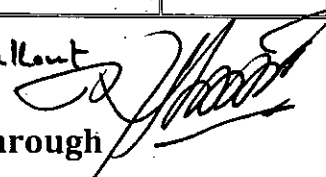
Versus

The Director,
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar
And othersRespondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Service Appeal with Application for suspension of impugned orders			1-5
2.	Copy of the order thereby appellant was promoted to the post of SST and posted G.H.S No.1 Yar Hussain	30-10-2014	A	16-18
3.	Copy of impugned order thereby appellant was transferred to G.H.S Kalabat	02-07-2015	B	0-19
4.	Departmental Appeal	06-07-2015	C	0-20
5.	Copy of order thereby departmental Appeal was rejected	08-07-2015	D	0-21
6.	Copy of the chit thereon recorded the Email Massage	07-07-2015	E	0-22
7.	Wakalat Nama			

Appellant

Appellant
Through 
Khush Dil Khan
Advocate,
Supreme Court of Pakistan
9-B, Haroon Mansion,
Khyber Bazar, Peshawar.
Cell # 091-2213445

Dated: 9 /07/2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 794/2015

G.W.F. Province
Service Tribunal

Diary No. 824

Dated 10-7-2015

Muhammad Irshad,
Secondary School teacher (SST General),
Government High School No.1 Yar Hussain,
District SwabiAppellant

Versus

1. The Director,
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar
2. District Education Officer (M),
Elementary & Secondary Education, Department,
District Swabi
3. Secretary,
Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department
Peshawar.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 02-07-2015 PASSED BY THE RESPONDENT NO.2 THEREBY APPELLANT WAS ILLEGALLY/ PREMATURELY TRANSFERD FROM G.H.S NO.1 YAR HUSSAIN TO G.H.S KALABAT AGAINST WHICH HE FILED DEPARTMENTAL APPEAL ON 06-07-2015 BEFORE THE RESPONDENT NO.1 BUT THE SAME WAS REJECTED ON 08-07-2015.

Respectfully Sheweth,

The facts giving rise to the present appeal are as under:-

1. That appellant initially joined the Education Department as P.S.T teacher than promoted to the post of SST (General) vide order dated 30-10-2014 (Annex A) and posted at G.H.S No.1 Yar hussain, Swabi .

Filed to-day

[Signature]

10/7/15

2. That all of sudden, the respondent No.2 issued a common order dated 02-07-2015(**Annex B**) thereby not only appellant was transferred from the present place of posting (G.H.S No.1 Yar Hussain) to G.H.S Kalabat being General Secretary of **Malgari Ustazan** District Swabi but Mr. Amjad Ali who is presently President of **Malgari Ustazan** Khyber Pakhtunkhwa was also transferred without any reason and complaint. The appellant filed departmental appeal on 06-07-2015 (**Annex C**) before the respondent No.1 which was rejected on 08-07-2015 (**Annex D**) without cogent reason.

Hence the present appeal is submitted on the following grounds.

Grounds:


- A. That the impugned order passed in violation of policy on subject that appellant has not yet completed nine months at present place of posting that he was transferred malafidly and without legal justification. Therefore the impugned order is illegal, without lawful authority and not sustainable under the policy so liable to be set aside.
- B. That the impugned order neither passed in the public interest nor in the exigency of Service rather the same was prompted by political interference for ulterior motives which is not warranted by law, rules and policy on subject and untenable.
- C. That the impugned order passed under the pressure and influence of Mr. Shahram Khan Tarakai, Health Minister Khyber Pakhtunkhwa who developed pressure on the respondent No.1 and on his telephonic message, the respondent No.2 passed the impugned order as evident from the Chit which was copied from E mail message from Respondent No.2 to Respondent No.1 (copy of the chit is attached as **(Annex E)**)
- D. That the appellant was politically victimized and only he and Mr. Amjad Ali were transferred by same impugned order and no one has yet been transferred against their posts it shows that the impugned order is not passed in the public interest rather based on malafide and political interference and victimization.

- E. That respondent No. 1 has not acted in accordance with law and rejected the departmental appeal of the appellant in slipshod manner. Moreover the impugned appellate order is not a speaking order which is without any reason passed in violation of section 24-A of the General Clauses Act 1897 which is liable to be set aside.

It is therefore humbly prayed that on acceptance of this Service Appeal, the impugned orders dated 02-07-2015 and 08-07-2015 may graciously be set aside and appellant be retained at present place of posting i.e G.H.S No.1 Yar Hussain.

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

Through


Appellant.
Khush Dil Khan,
Advocate,
Supreme Court of Pakistan

Dated: 09 / 07 / 2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**Misc. Application No._____/2015****In****Service Appeal No._____/2015**

Muhammad Irshad,
Secondary School teacher (SST),
Government High School No.1 Yar Hussain, SwabiAppellant

Versus

The Director,
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar
And othersRespondents

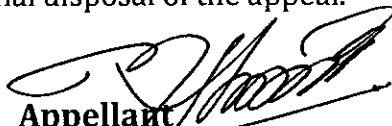
**APPLICATION FOR SUSPENDING THE OPERATION OF IMPUGNED
ORDERS DATED 02-07-2015 AND 08-07-2015 TILL THE FINAL
DISPOSAL OF THE INSTANT APPEAL.**

Respectfully Sheweth,


1. That the above titled service appeal is being filed today which is yet to be fixed for hearing.
2. That the facts alleged and grounds taken in the body of main appeal may kindly be taken as an integral part of this application, which make out an excellent prima facie case in favour of appellant/applicant
3. That all the ingredients as necessary for temporary injunction under the law and rules lie in favour of appellant.

4. That the appellant has not been relieved from the post at present place of posting as none of transfer has yet been made against that very post and he is still holding the post.

It is, therefore, humbly prayed that on acceptance of this application, the operation of the impugned orders dated 02.07.2015 and 08-07-2015 may graciously be suspended till the final disposal of the appeal.


Appellant

Through


Khush Dil Khan,
Advocate,
Supreme Court of Pakistan

Dated: 09 / 07 / 2015

Affidavit

I, Muhammad Irshad SST G.H.S No.1 Yar Hussain do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Tribunal.

Identified by:


Khush Dil Khan,

Advocate

Supreme Court of Pakistan




Muhammad Irshad

Deponent



Annex A - P. 16

District Education Officer (Male) Swabi
Khyber Pakhtunkhwa

ADJUSTMENT ORDER

Consequent upon the promotion order issued by the Director, E & SE Khyber Pakhtunkhwa Peshawar Endst No 3366-70/File No:2/Promotion SST BPS-16: dated Peshawar, the 28-10-2014, The following (Male) SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, Senior Qari/Qaris, PSHTs/SPSTs/PSTs promoted to the post of SST (Bio-Chem) SST (Physics-Maths), SST (General) and adjusted against the post of SST in the School noted against each on School based in BPS 16 (Rs 10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government on the terms and condition given at the end with immediate effect.

S/No	S/List No	Name of Teacher	Present place of posting	Name of School where adjusted	Remarks
1	199	Syed Shaheen Shah	SCT GHSS Ismaila	GHS Jehangira	Bio/Chem
2	232	Gohar Zaman	SCT GHS Kalu Khan	GHSS Ismaila	Bio/Chem
3	246	Kishwar Khan	SCT GHS Swabi	GHS Kalā	Bio/Chem
4	260	Fazli Davan	SCT GHS Shewa	GHS Shewa	Bio/Chem
5	388	Ayaz Jung	CT GHS Naranji	GHS Naranji	Bio/Chem
6	634	Fazli Amin	CT GMS Manki	GHS No 2 Yar Hussain	Bio/Chem
7	641	Ifikhar Ali	CT GHS Thand Koi	GHS Baja	Bio/Chem
8	637	Munawar Hayat	CT GHSS Tahnd Koi	GHS Kalabat	Bio/Chem
9	362	Altaf Hussain	GPS No 1 Kalu Khan	GHS Bazargi	Bio/Chem
10	1012	Abdul Haleem	PST GPS Permoli	GHS Sher Dara	Bio/Chem
11	1015	Akram Shah	PST GPS Miskeen Abad/Y: Hussain	GHS Dobian	Bio/Chem
12	1022	Ali Sher	PST GPS Arkh Bachai	GHS Jagan Nath	Bio/Chem
13	1027	Rashid Ahmad	PST GPS Mir Said korona	GHS No 2 Salim Khan	Bio/Chem
14	1218	Akber Khan	PST GPS Kula Dhand	GHSS Panjman	Bio/Chem
15	1243	Nadim Haidar	PST GPS No 3 Swabi	GHS Gulu Dheri	Bio/Chem
16	1268	Anwar Ul Haq	PST GPS No 1 Panj Pir	GHS Panj Pir	Bio/Chem
17	1272	Subhan Ullah	PST GPS No 6 Topi	GHS Bata Kara	Bio/Chem
18	1328	Faiz Muhammad	GPS No 1 Palosi	GHS Salim Khan No-1	Bio/Chem
19	91	Arif Zaman	DM GMS Jamal Abad	GHS Turhandi	Bio/Chem
20	96	Nizar Ali	AT GMS Beka	GHS Haryan	Bio/Chem
21	49	Husnul Wahab	S.Qari GHS Maneri Payan 2	GHS Shahmansoor	Bio/Chem
22	50	Hazrat Ali	S.Qari GHS No 2 Salim Khan	GHS Serai	Bio/Chem
23	184	Muhammad Afsar	SCT GHS Dagai	GHS Dagai	Phy/Maths
24	188	Bakhtiar Khan	SCT GHS Gohar Abad	GHS No 1 Yar Hussain	Phy/Maths
25	200	Muhammad Tariq	SCT GHS Shahmansoor	GHS Hund	Phy/Maths
26	201	Ishfaq Ali	SCT GHS Lahor	GHS No 1 Lahor	Phy/Maths
27	244	Safdar Ali	SCT GHS Shahmansoor	GHS Baja	Phy/Maths
28	245	Ravail Muhammad	SCT GHS Adina	GHS Kalu Khan	Phy/Maths
29	273	Shakir Ullah	CT GHSS Thand Koi	GHSS Thand Koi	Phy/Maths
30	281	Abdul Wahid	CT GHS Swabi	GCMHS Marghuz	Phy/Maths
31	282	Amiad Ali	CT GHS KSK	GHS Naranji	Phy/Maths
32	291	Ayaz Hussain	CT GHS Kunda	GHS Sudher	Phy/Maths
33	293	Sher Nabi Khan	CT GHSS Maneri Payan	GHS Manai	Phy/Maths
34	294	Zahid Hussain	CT GHS No 1 Y: Hussain	GHS Sikandari	Phy/Maths
35	318	Niaz Gul	CT GHS Kunda	GHS Kotha	Phy/Maths
36	323	Ayaz Ahmad	CT GHSS Maneri Payan	GHS Haryan	Phy/Maths
37	325	Muhammad Bilal	CT GHS No 2 Maneri Payan	GCMHS Marghuz	Phy/Maths
38	326	Haidar Ali	CT GHS Zaida	GHS No 2 Zaida	Phy/Maths
39	847	Tila Muhammad	PST GPS 2 Mehar Ali	GHS Sher Dara	Phy/Maths
40	1017	Fazli Hadi	PST GPS Seen Khel	GHS Bazargi	Phy/Maths

91	220	Ikram Ullah	GPS Manki	GMS Beka	Gene
92	265	Abdur Rashid	GPS 6 Topi	GMS Zaqbi	Gene
93	307	Azam Khan	GPS 1 Manai	GHS Manai	Gene
94	345	Rawayat Khan	GPS Walibaz Korona	GHS Gulu Dheri	Gene

12/17

S.No	S. List No	Name of Teacher	Present place of posting	Name of School where adjusted	Remarks
41	1032	Said Abdul Fatah	PST GPS No 1 Mian Dheri	GHS No.2 Marghuz	Phy./Maths
42	1111	Husnul Amin	PST GPS KSK	GHS Tano	Phy./Maths
43	1129	Nizar Ali	PST GPS Tarkha	GHS Manki	Phy./Maths
44	1135	Syed Ashfaq Ali	PST GPS Roshan Pura	GHS Zarabi	Phy./Maths
45	103	Nizam Ud Din	DM GHS Maneri Bala	GHS No.2 Dagai	Phy./Maths
46	117	Junaid	DM GMS Sard Chinar	GHS No.1 Y. Hussain	Phy./Maths
47	144	Farrukh Sear	AT GHS Alla Dher	GHS No.1 Dordher	Phy./Maths
48	63	Sajjad Hussain	S.Qari GHS Gajai	GHS Dagai	Phy./Maths
49	19	S.Ahmad Ali Shah	SCT GHS Swabi	GHS Kala	General
50	23	Wisal Muhammad	SCT GHS Haryan	GHS Sheikh Dheri	General
51	26	Muhammad Ali Shah	SCT GHS Utlā	GMS Lyan	General
52	30	Ali Hussain	SCT GHS Pabani	GHS Panjman	General
53	31	Muhammad Tariq	SCT GHS Zaida	GHS No.1 Zaida	General
54	34	Husnul Amin	SCT GHS KSK	GMS Ghulaman	General
55	36	Muhammad Shoaib	SCT GHS kotha	GHS Kotha	General
56	37	Gul Jehan	SCT GHS kalu Khan	GHS Kalu Khan	General
57	38	Mir Qadar	SCT GHS Pabani	GHS Manai	General
58	43	Kifayat Ullah	SCT GHS Sher Dara	GHS Sher Dara	General
59	44	Noor Muhammad	SCT GHSS Kabgani	GHS Batā Kara	General
60	47	Farid Ul Haq	SCT GHS Kunda	GHS Shahmansoor	General
61	49	Murad Ali	SCT GHS Shewa	GHSS Tarakai	General
62	51	Nisar hussain	SCT GHSS Ismaila	GHSS Ismaila	General
63	52	Fazli Rahim	SCT GHSS Salim Khan	GHS Golu Dheri	General
64	53	Manzoor Ali	SCT GHS Dobian	GHS Dobian	General
65	55	Umar Dad	SCT GHS Dagai	GHS Dagai	General
66	57	Jehan Zeb	SCT GHS Lahor	GHS Lahor	General
67	60	Jehan Zeb	SCT GHS No 1 Yar Hussain	GHS No.1 Yar Hussain	General
68	61	Allah Bakhsh	SCT GHS Hemlet	GHSS Bam Khel	General
69	64	Muhammad Tariq	SCT GHS Kalabat	GMS Gar-Aka Khel	General
70	65	Ashraf Ali	SCT GHS Dagai	GHS Dagai	General
71	66	Ajmal Khan	SCT GHS Adina	GHS Adina	General
72	68	Malik Aman	SCT GHS K.Sher Kali	GHS K. Sher Kali	General
73	69	Ahmad Ali	SCT GHS Managi	GHS Managi	General
74	73	Noor Zaman	SCT GHS Swabi	GMS Naik Nam	General
75	74	Muhammad Sheraz Khan	SCT GHSS Maneri Payan	GHSS Maneri Payan	General
76	75	Mukhtiar Ali	SCT GHS Jhanda	GHS Sherki Jana	General
77	76	Zafar Ali	SCT GHS Panj Pir	GHS Panj Pir	General
78	77	Wisal Muhammad	SCT GHS Dagai	GHS Dagai	General
79	79	Haidar Ali Shah	SCT GHS Gabasni	GHS Kot Gabai	General
80	80	Muhammad Zavaid	SCT GHS Ghani Chatra	GHS No.1 Zaida	General
81	83	Afsar Zaman	SCT GHS Kalabat	GHS Gar Munara	General
82	56	Aman Ullah	PST GPS No1 Dagai	GHS No.3 Yar Hussain	General
83	86	Muhammad Tariq	PST GPS 3 Chanai	GHS No.1 Zaida	General
84	87	Irfan Ullah	GPS Sakar	GMS Gulbahar Manai	General
85	117	Sarfraz Khan	PST GPS Ahad Khan	GHS Sheikh Jana	General
86	147	Nusrat Ali	PST GPS Kulalo Shewa	GHS Bazargi	General
87	148	Muhammad Irshad	GPS No 2 Sano	GHS No.1 Yar Hussain	General
88	197	Syed Mustafa Shah	GPS Nazar	GHS Adina	General
89	201	Riaz Muhammad	GPS Adda KSK	GHS No.2 Dagai	General
90	210	Rahman Ullah	GPS Jamra	GMS Bhatai	General
91	220	Ikram Ullah	GPS Manki	GMS Beka	General
92	265	Abdur Rashid	GPS 6 Topi	GMS Zarabi	General
93	307	Azam Khan	GPS 1 Manai	GHS Manai	General
94	345	Rawayat Khan	GPS Walibaz Korona	GHS Golu Dheri	General

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S/No	S/List No	Name of Teacher	Present place of posting	Name of School where adjusted	Remarks
95	358	Said Islam	GPS Pak Depo lahor	GMS Jehangira	Gener
96	364	Iflikhar	GPS Muslim Abad Permol	GHSS Ismatra	Gener
97	365	Muhammad Tahir	GPS 2 Sudher	GHS No 1 Yai Hussain	Gener
98	366	Tilawat Khan	GPS Zozo	GHS Yaqoobi	Gener
99	371	AbdulMukhtar	GPS No 2 Shewa	GHSS Mansabdar	Gener
100	3	Muhammad Jehan Zeb	S.DM GHS Utlar	GHS Gani Chatra	Gener
101	15	Shah Room	S.DM GHS Sikandar	GHS Dagai	Gener
102	21	Shoukat Ali Khan	S.DM GHS Permol	GHS Permol	Gener
103	24	Abdur Rauf Khan	S.DM GHS Ghani Chatra	GHS Kotha	Gener
104	3	Atta Ur Rahman	SAT GHS Bazar	GHS Bazar	Gener
105	7	Khalid Mammad	AT GMS Ambar	GHS Kunda	Gener
106	45	Ikr...	SAT GHS Kalu Khan	GHS No 2 Dagai	Gener
107	46	Shamsul Haq	SAT GHS Swabi	GHS Swabi	Gener
108	44	Shah Numan	STT GHS Kalabat	GHS Yousafi	Gener
109	48	Muhammad Sajid	STT GHS Panj Pir	GMS Gar Panj Pir	Gener
110	52	Abdul Haleem	STT GHS No 1 Tordher	GMS Chonrai	Gener
111	53	Sami Ur Rahman	STT GHS Asota	GMS Aman Kot	Gener
112	27	Fida Hussain	S.Qari GHS Shahmansoor	GHS Kunda	Gener
113	40	Abdul Jalal	S.Qari GHS Sher Ghund	GHSS Mansabdar	Gener
114	45	Ubaid Ullah	S.Qari GHSS Bam Khel	GHSS Bam Khel	Gener

TERMS AND CONDITIONS:-

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time in case of their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their Inter-Se-seniority on lower post will remain intact.
6. No TA/DA is allowed for joining his duty.
7. They will give an under taking to be recorded in their service book to the effect that if any over-payment is made to him in the light this order will be recovered and if he is wrongly promoted he will be reversed.
8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. Their posting will be made on School based. They will have to serve at the place of posting and their service is not transferable to any other station.
10. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

(NISAR MUHAMMAD)
DISTRICT EDUCATION OFFICER
MAE SWABI

Endst No 6160-6282 / Dated Swabi The 30 / 10 / 2014.

- 1 Director Elem; & Secy; Education Khyber Pukhtunkhwa Peshawar.
- 2 Deputy Commissioner Swabi.
- 3 District Monitoring Officer Swabi.
- 4 District Accounts Officer Swabi.
- 5 Principal/Head Master Concerned.
- 6 Supdt: Local Office.
- 7 Budget & Accounts Officer Local Office.
- 8 Teacher Concerned.

ATT: S. S. S. S.

DISTRICT EDUCATION OFFICER
MAE SWABI

30/10/2014



District Education Officer (male) Swabi
Khyber Pakhtunkhwa
PH No. 0938-280239

TRANSFER ORDER.

The following SSTs are hereby transferred on their own pay and BPS in the best interest of public service with immediate effect.

S/No	Name & Designation	From	To	Remarks
1	Muhammad Naeem (Phy/Maths)	GHS Karnal Sher Killi	GHSS Bam Khel	
2	Irshad Hussain (General)	GHS No 1 Yar Hussain	GHS Kalabat	
3	Anjad Ali (Maths/Phy)	GHS Serai	GHS Gar Munara	

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

(NISAR MUHAMMAD)
DISTRICT EDUCATION OFFICER
(M) SWABI

Endst No 10299-10306 dated 2-7 /2015

Copy of the above is forwarded to the:-

1. PS to Minister for E & SE Khyber Pakhtunkhwa Peshawar
2. Director E & SE Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Swabi.
4. District Monitoring Officer Swabi
5. Principal/Head Master Concerned.
6. ADEO (B & A) Local Office.
7. Supdt: Local Office.
8. Official concerned.

ATTESTED

DISTRICT EDUCATION OFFICER
(M) SWABI

حیثیہ و نحو

حکومت جناب ڈائری صاحب ایلمنٹری اینڈ سیکنڈری اسکو کپیش

(اپیل سرکار انصاف طلبیہ)

جناب عالی

گزارش ہے کہ سائل "30-10-2014" سے گورنمنٹ ہائی سکول یار حسین غیر 1 میں "S.E.T (Gen)" کے پوسٹ پر کام کر رہا تھا کہ "02-07-2015" کو سائل کے آرڈر مل گیا جس میں سائل کا تبادلہ گورنمنٹ ہائی سکول یار حسین غیر 1 سے گورنمنٹ ہائی سکول قلاہٹ، صوابی کو ہو چکا ہے۔ سائل نے خلاف نہ کوئی مچھلت شکایت ہے اور تہ سائل نے اپنی ڈیوٹی میں کوئی عفت کیا ہے۔ سائل کا ٹیور کئی کم ہے لیکن پھر بھی سائل کا تبادلہ بغیر کوئی وجہ بتائے ہوئے نہ دیا گیا ہے جو سائل کے ساتھ سراسر نا انصافی ہے۔

لہذا آپ صاحبان کی خدمت میں عرض ہے کہ سائل کا اپیل منظور کرتے ہوئے انصاف دلاری جائے۔ سائل تاحیات مشاور رہے گا۔

الغرض

آپکا تابع فرمان

محمد انشاہ S.E.T (Gen)

G.H.S Yar Hussain No: 1 (Swabi)

*Dear Sir,
I have submitted
please report
detail he has been
to his supervisor*

Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Annex: "D"
P-2A

Directorate of Elementary & Secy: Education
Khyber Pakhtunkhwa, Peshawar

No. 2631-32 / F.No.02/Appeal/SST (M) KP.

Dated Peshawar the 8/7 2014

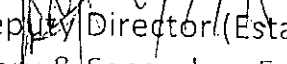
To

1. Mr. Amjad Ali SST,
Govt. High School Serai (Swabi).
2. Muhammad Irshad SST,
Govt. High School No.1 Yarhussain (Swabi).

Subject: - APPEAL FOR CANCELLATION OF TRANSFERS.
Memo:

I am directed to refer to your appeals No. nil dated 06-07-2015 on the subject cited above and to state that your transfer/adjustment has been issued by the DEO (M) Swabi being competent authority in the respective District. Moreover under rules-10, Civil Servant Act, the Government servant is liable to serve anywhere, where the competent authority desired your service.

Hence your appeals are hereby rejected.


Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa.

Endst: No. _____

Copy of the above is to:-

1. PA to Director (E&SE) Khyber Pakhtunkhwa.

ATTACHED

Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa.

Annex: E - P-22

Reference your comments on the body
of original application, of Mr. Anjad Ali SST.
The transfer order has been issued ^{on} ~~by~~ telephonic
message by 30th June.

Dated 7/7/2015
At 11:11 am

ATTACHED

WAKALAT NAMA

IN THE COURT OF Before the Khyber Pakhtunkhwa

Service Tribunal Peshawar

Muhammad Ishaq Appellant(s)/Petitioner(s)

VERSUS

The Director Elementary

Khyber Pakhtunkhwa Respondent(s)

I/We Muhammad Ishaq do hereby appoint **Mr. Khush Dil Khan, Advocate Supreme Court of Pakistan** in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.


AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by


Signature of Executants


Khush Dil Khan,
Advocate,
Supreme Court of Pakistan

9-B, Haroon Mansion
Khyber Bazar, Peshawar
Off: Tel: 091-2213445

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No.794/15

Mr. Irshad Khan SST Swabi----- Appellant .

VERSUS

Secretary Education of Education Govt:of Khyber Pakhtunkhwa Peshawar and others.. Respondents.

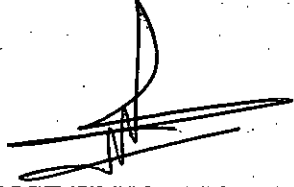
WRITTEN REPLY

Respectfully Sheweth,

ON FACTS.

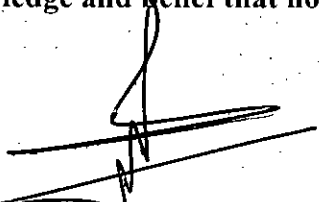
That the Elementary & Secondary Education Department has transferred the appellant vide Endst:No.10299-10306 dated 02.07.2015 which was cancelled from the date of its issue vide Endst:No.10674-78 dated 22.07.2015 (Annexure A & B attached).

It is therefore, most humbly prayed that keeping in view the above stated fact the appeal in hand may very kindly be dismissed as the appellant has no cause of action because his grievances have been removed accordingly.

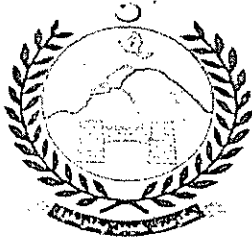

DISTRICT EDUCATION OFFICER
(MALE) SWABI
Distt: Education Officer
(Male) Swabi

Affidavit

I do hereby solemnly affirm declare that the contents of the comments submitted by respondents is true and correct to the best of my knowledge and belief that nothing has been concealed from this Honourable Court.


DISTRICT EDUCATION OFFICER
(MALE) SWABI
Distt: Education Officer
(Male) Swabi

District Education Officer (male) Swabi
Khyber Pakhtunkhwa
PH No. 0938-280239



A

TRANSFER ORDER.

The following SSTs are hereby transferred on their own pay and BPS in the best interest of public service with immediate effect.

S/No	Name & Designation	From	To	Remarks
1	Muhammad Naeem (Phy/Maths)	GHS Karnal Sher Killi	GHSS Bam Khel	
2	Irshad Hussain (General)	GHS No 1 Yar Hussain	GHS Kalabat	
3 ✓	Amjad Ali (Maths/Phy)	GHS Serai	GHS Gar Munara	

- Note
- Charge report should be submitted to the all concerned.
 - No TA/DA is allowed.

(NISAR MUHAMMAD)
DISTRICT EDUCATION OFFICER
(M) SWABI

Endst. No 10299-10306 dated 2-7 /2015

Copy of the above is forwarded to the:-

- PS to Minister for E & SE Khyber Pakhtunkhwa Peshawar
- Director E & SE Khyber Pakhtunkhwa Peshawar.
- District Accounts Officer Swabi.
- District Monitoring Officer Swabi
- Principal/Head Master Concerned.
- ADEO (B & A) Local Office.
- Supdt: Local Office.
- Official concerned.

DISTRICT EDUCATION OFFICER
(M) SWABI



B

OFFICE OF THE DISTRICT EDUCATION OFFICER MALE SWABI
CANCELLATION OF TRANSFER ORDER.

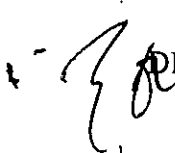
The Transfer order issued vide this Office Endst No 10299-10306 dated 02-07-2015 is hereby cancelled from the date of issue .

(NISARMUHAMMAD)
DISTRICT EDUCATION OFFICER
(MALE) SWABI

Entlost: No. 10674-78 Dated 22/7 /2015

Copy of the above is forwarded to the -

1. Director E & SE Khyber pakhtunkhwa Peshawar.
2. PS to Minister for E & SE Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Swabi
4. Principals/Head Master Concerned
5. Official concerned.

 22/07/15
DISTRICT EDUCATION OFFICER
(MALE) SWABI