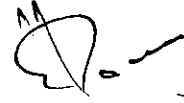


30.01.2018

Junior to learned counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Junior to learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 06.02.2018 before D.B.



(Muhammad Amin Khan Kundi)
Member (J)



(Muhammad Hamid Mughal)
Member (J)

06.02.2017

~~Senior~~ counsel for the appellant present. Mr. Kabir Ullah Khattak, Addl: AG for the respondents present. ~~Senior~~ counsel for the appellant seeks withdrawal of the present appeal. In this regard ~~Senior~~ the ~~Senior~~ counsel for the appellant has signed on the margin of order sheet as token proof. Consequently, the present appeal is hereby dismissed as withdrawn. Filed be consigned to the record room.



(Gul Zeb Khan)
Member



(M. Hamid Mughal)
Member


ANNOUNCED
06.02.2018

I want to withdraw my present appeal

15.11.2017

Junior to counsel for the appellant and Mr. Ziaullah, DDA alongwith Mr. Arshad Ali, ADO for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel was busy before the High Court Peshawar. Private respondent no.4 not present. Adjourned. To come up for arguments on 30.11.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

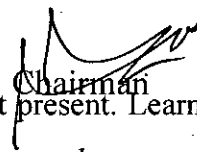
30.11.2017

Husband of the appellant, Mr. Muhammad Jan, DDA alongwith Mr. Arshad Ali, ADO for official respondents and junior to counsel for private respondent no.4 present. Junior to counsel for private respondent no.4 submitted an application for adjournment. Adjourned. To come up for arguments on 09.01.2018 before D.B.

09.01.2018


Member
Learned counsel for the appellant present. Learned District Attorney for respondents present. Learned counsel for the respondent No.4 also present and seeks adjournment. Adjourned by way of last opportunity. To come up for further proceedings/final hearing on 30.01.2018 before D.B.


(Ahmad Hassan)
Member(E)


Chairman
(M. Hamid Mughal)
Member (J)

19.01.2017


Counsel for appellant and Mr. Muhammad Jan, GP for respondents present. Rejoinder not submitted. Learned counsel for appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on 12.06.2017 before D.B.


(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

12.06.2017

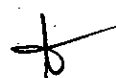
Agent to counsel for appellant Mr. Arshad Ali, ADO (Litigation) along with Mr. Muhammad Adeel Butt, Additional AG for the respondents present. Agent to counsel for appellant requested for adjournment. Adjourned. To come up for rejoinder and arguments on 04.10.2017 before D.B.

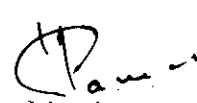

(Muhammad Amin Khan Kundi)
Member


(Gul Zeb Khan)
Member

04.10.2017

Junior to counsel for appellant present. Learned Assistant Advocate General for official respondents present. Counsel for private respondent No. 4 submitted fresh wakalat nama placed on file. Junior to counsel for appellant submitted rejoinder which is placed on file. Requested for adjournment. Adjourn. To come up for arguments on 15.11.2017 before D.B.


Member
(Executive)


Member
(Judicial)

31.08.2016

Counsel for the appellant and Mr. Hameed-ur-Rehman, AD (lit.) alongwith Mr. Ziaullah, GP for respondents present. Representative of the department stated that written reply is in under process and requested for adjournment. Request accepted. To come up for written reply/comments on 18.10.2016 before S.B.



Member

18.10.2016

Appellant in person and Mr. Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 17.11.2016 before S.B.



Member

17.11.2016

Counsel for the appellant, Raham Taj, ADO, Khurshid Khan, SO and Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 19.01.2017.


Chairman

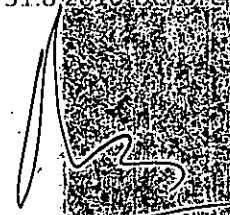
06.2016

Appellant with counsel present.

Preliminary arguments heard and case file perused. Through the instant appeal, the appellant has impugned order dated 13.2.2016 vide which respondent No. 4 Nadra Pervén PSHT adjusted at GGPS, Qaid Abad No. 1 replacing the appellant. Against the impugned order the appellant filed departmental appeal on 23.2.2016 which was not responded within the statutory period, hence the instant service appeal.

Points argued at the Bar required further consideration of this Tribunal therefore, the appeal is admit for regular hearing, subject to deposit of security and process fee within 10 days. Notices be issued to the respondents for written reply/comments for 31.8.2016 before S.B.



Appellant Deposited
Security & Process Fee


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 667/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	21/06/2016	<p>The appeal of Mst. Zeenat Ara presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	22-06-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>23-06-2016</u></p> <p style="text-align: right;"> MEMBER</p>

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 667 /2016

Zeenat Ara

V/S

Education Department.

INDEX

No.	Documents	Annexure	Page No.
1.	Memo of Appeal	----	01-04
2.	Copy of Certificate of U/C Kakshal	A	5
3.	Copy of order dated 26.3.2013	B	6-10
4.	Copy of U/C Policy dated 21.1.2013	C	11-12
5.	Copy of election duty order	D	13
6.	Copy of transfer order	E	14
7.	Copy of order dated 13.2.2016	F	15
8.	Copy of departmental appeal	G	16
9.	Act of 2011.	H	17-26
10.	Vakalat nama	----	21

APPELLANT

THROUGH:


(M. ASIF YOUSAFZAI)


(TAIMUR ALI KHAN)

&


(S. NOMAN ALI BUKHRI)
ADVOCATES, PESHAWAR

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 667 /2016

Khyber Pakhtunkhwa
Service Tribunal

Zeenat Ara, PSHT, GGPS Quaid Abad No.1,
Kakshal, Peshawar.

Diary No. 653

Dated 21-6-2016

(Appellant)

VERSUS

1. The Secretary Education, (E&SE), KPK, Peshawar.
2. The Director Education (E&SE) KPK, Peshawar.
3. The District Education Officer (Female), Peshawar.
4. Nadra Parveen, PSHT GGPS, Quaid Abad No.1 Kakshal Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED. 13.02.2016 WHERE BY THE RESPONDENT NO.4 HAS BEEN POSTED AS PHST IN PLACE OF APPELLANT BY VIOLATING THE SENIORITY, UNION COUNCIL POLICY, ACT OF 2011 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

Filed to file
Registrar
21-6/16

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED. 13.02.2016 MAY BE SET-ASIDE AND THE RESPONDENT DEPTT: MAY BE DIRECTED TO ADJUST THE APPELLANT AS PSHT (HEAD MISTRESS) AT GGPS QAUID ABAD KAKSHAL BEING SENIOR MOST AND ALSO BELONGS TO SAME UNION COUNCIL. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was working as PST BPS-12 in GGPS Quaid Abad No.1 Kakshal and belongs to Union Council Kakshal Peshawar City which is evident from the certificate of Secretary Union Council Kakshal, Peshawar. (Copy of certificate is attached as Annexure-A)
2. That the appellant was promoted to PSHT (BPS-15) and was at Serial No.78 in the promotion list and having seniority no. 239, while the private respondent was at Serial No.115, and having seniority no. 319 which proves that the appellant is senior teacher to respondent no.4. In the said promotion order dated. 26.03.2013 the appellant was transferred to GGPS Gul Bela Kochian and respondent no. 4 was transferred GGPS Goar Gathri The appellant has also performed her duty as Assistant Presiding Officer in GGPS Gul Bela Kochian in General Election 2013 (Copies of order dated 26.3.2013, Union Council policy and election duty order are attached as Annexure-B,C&D)
3. That the appellant has problem in her back bone, and was difficult for her to cover long distance from Kakshal to Gul Bela daily, therefore she filed an application to SDEO (F) to adjust her in GGPS Qaid Abad No.1 Kakshal, which was allowed by the SDEO to continue her duties at GGPS, Qaid Abad No.1 Kakshal Peshawar on her own pay and scale till further order. (Copy of order is attached as annexure-E)
4. That as the appellant is senior most PSHT (BPS-15) in GGPS Quaid Abad No.1 Kakshal and also belong to Union Council Kakshal and as the Head Mistress of the GGPS Quaid Abad No.1 Kakshal Mst: Shahnaz Akhtar PSHT(B-15) was going to be retired on 4.4.2016, but despite that respondent NO.4 has been given PHST (Head Mistress) post , who is also junior to appellant by transferring her from GGPS Old Karim pura . It is also worth to mention here that respondent no.4 does not belong to union council Kakshal and belongs to Union Council (Ganj). (Copy of order dated 13.2.2016 is attached as Annexure-F)
5. That as a junior teacher has been made head over a senior teacher (appellant) therefore the appellant filed departmental appeal on 23.02.2016 against the order dated 13.2.2016, which was not responded with in the statutory period of ninety days. (Copy of departmental appeal is attached as annexure-G)

6. That now the appellant has no other remedy, but constrained to file the instant appeal on the following grounds amongst others.

GROUNDS:

- A) That order dated. 13.02.2016 , not adjusting the appellant on the post of Headship in GGPS Quaid Abad No.1 Kakshal despite being senior most and also belongs to Union Council Kakshal and not taking action on the departmental appeal of the appellant are against Union Council policy dated 21.1.2013, law (Act of 2011), rules and norms of justice.
- B) That according to Union Council Policy of dated 21.1.2013, senior PSHT may be adjust in the same union Council, as the appellant the senior most PSHT in the GGPS Quaid Abad No.1 Kakshal and also belongs to Union Council Kakshal, while the respondent no.4 belongs to other Union Council Ganj, therefore it is the right of the appellant to be adjusted on the post of Headship of GGPS Quaid Abad No.1 Kakshal being senior to the respondent no.4.
- C) That the appellant was at Serial No.78 and private respondent was at Serial No.115 of the promotion list of PSHT, which means that the appellant was senior than the private respondent and according to Union Council Policy dated 21.1.2013, senior most PSHT may be retained in the school of their present posting, but despite that private respondent which was junior to the appellant was transferred from GGPS Old Karim pura and adjusted her on the post of Headship at GGPS Quaid Abad No.1 Kakshal, which is the violation Union Council policy dated 21.1.2013 and Act of 2011.
- D) That the respondent no.4 is so influential that she booked the PSHT post in GGPS Kakshal which was not available on 13.02.2016 and would be vacated on 4.4.2016. Thus such advance booking of post is against the law and rules and policy.
- E) That according to the Act of 2011, the respondent No.4 was required to be adjusted in her own union council and her adjustment in GGPS Kakshal by the respondent Deptt: is the violation of Act of 2011. Copy of the Act is attached as Annexure – H.
- F) That adjusting the private respondent on the post of Headship of GGPS Quaid Abad No.1 Kakshal despite the fact that she is junior to the appellant and making a senior official subordinate to a junior one is against the spirit of fairness and law.

4/

G) That the appellant has not been treated according to law and rules and was deprived from legal right of Headship due to the malafide of respondent No.3.

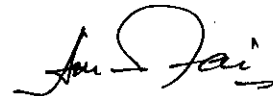
H) That the appellant seeks permission to advance other grounds and proofs at the time hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.



APPELLANT
Zeenat Ara

THROUGH:



(M. ASIF YOUSAFZAI)



(TAIMUR ALI KHAN)

&



(S. NOMAN ALI BUKHARI)
ADVOCATES, PESHAWAR

A 25

OFFICE OF THE SECRETARY UNION COUNCIL NO. 25
KAKSHAL NO. 2 PESHAWAR.

Jurisdiction Area under Union Council 25 Kakshal 2.

It is inform you that Kocha Malik Wazir Tariq Abad No. 1 New Kakshal Peshawar is situated at Union Council Number 25, Kakshal 2. I Hence the report is submitted for your kind information and further necessary action please. (Zeenat J Ara W/O Sartaj Khan is permanent Residence of this Area).

Verified on behalf
of ex Council Head
Peshawar

Secretary
Union Council 25, Kakshal. 2
Peshawar City.
Cell: 0300-95944851

رومين و نسر شريف صاحب

ATTESTED
★

26-3-13

6

شیر ذریعہ
سید افضل

DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR.

OFFICE ORDER:-

Consequent upon the recommendation of Departmental Promotion Committee and in pursuance of the Govt. of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No. SO (BDA) 1-18/5255/2008 dated 12/10/2012 and No. SO(PE) 4-5/SSRC/Meeting/ 2012/ Teaching Cadre dated 13/11/2013, the following Primary School Teachers BPS.12 are hereby promoted to the post of Primary School Head Teacher (PSHT) BPS.15, plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect in schools noted against their names:

3-11-13
2-11-13

Sr	Seniority No.	Name of Circle	Teacher name	Name of School	Posted at
1	2	H/ ABAD	KHATOON BEGUM	GGPS NO.1.BARA LINE	GGPS NO.1.BARA LINE
2	7	CITY	ABIDA YASMEEN	GGPS FAISAL COLONY NO.1	GGPS FAISAL COLONY NO.1
3	8	CITY	TASLEEM BEGUM	GGPS FAISAL COLONY NO.2	GGPS FAISAL COLONY NO.2
4	15	CITY	FATIMA BEGUM	GGPS DEEN BAHAR COLONY NO.2	GGPS Kandi Marozai No.1
5	16	DAUDZAI	NUSRAT BEGUM	GGPS TODA	GGPS TODA
6	19	CITY	JAVIDA AKHTAR	GGPS ZARYAB COLONY NO.1	GGPS ZARYAB COLONY NO.1
7	28	CANTT:	MUMTAZ SHAHEEN	GGPS DABGAR: BANAT	GGPS DABGARI BANAT
8	33	CITY	ZARINA FAYAZ	GGPS IJAZ ABAD SHAHEEN MUSLIM TOWN	GGPS Suleman Khel
9	34	CITY	NAZMA TAUQEER	GGPS JOGIWARA NO.1	GGPS JOGIWARA NO.1
10	45	CITY	SHAMINAZ AKHTAR	GGPS QAD ABAD NO.2	GGPS QAD ABAD NO.2
11	45	City	Nusrat Shaheen	GGPS Goar Gatri No.2	GGPS Goar Gatri No.2
12	50	H/ ABAD	SURRIYA BANO	GGPS ISLAMIA COLLEGE	GGPS ISLAMIA COLLEGE
13	73	CITY	TARA JABEEN	GGPS SARBILAND PURA	GGPS SARBILAND PURA
14	90	CANTT:	ZARINA SARFARAZ	GGPS GULSHAN REHMAN	GGPS GULSHAN REHMAN
15	94	CITY	SAJIDA BIBI	GGPS SIRKI GATE	GGPS Mian Jee Baba
16	96	H/ ABAD	JAMILA BANO	GGPS NO.1.BARA LINE	GGPS Nodah Payan
17	98	H/ ABAD	NAJMA FIRDOOS	GGPS BADEZAI	GGPS BADEZAI
18	99	CITY	NIGHAT RAHANA	GGPS ZARYAB COLONY NO.2	GGPS ZARYAB COLONY NO.2
19	104	CITY	SALMA KOUSAR	GGPS ZARGAR ABAD	GGPS Maryam zai
20	113	CITY	NUSRAT ANSARI	GGPS SHAH DAND	GGPS SHAH DAND
21	114	CANTT:	TABASSUM RUKHSANA	GGPS ACHAR 1	GGPS ACHAR 1
22	116	CANTT:	RUKHSANA ABASS	GGPS SATTAR SHAH	GGPS Achar No.2
23	118	CITY	BUSHRA NIGHAT	GGPS GULBAHAR NO.2	GGPS GULBAHAR NO.2
24	129	DAUDZAI	NIYYAR SULTANA	GGPS SHAH ALAM	GGPS SHAH ALAM
25	130	CITY	SHAMIM AKHTAR	GGPS AKHOON ABAD	GGPS AKHOON ABAD
26	134	CITY	NIGAHAT YASMEEN	GGPS SHAIKH ABAD	GGPS SHAIKH ABAD
27	136	CANTT:	NASIRA BIBI	GGPS ASIA PARK	GGPS ASIA PARK
28	137	CANTT:	TAHIRA PERVEEN	GGPS IRRIGATION COLONY	GGPS IRRIGATION COLONY
29	139	C/PURA	ROBINA NAZLI	GGPS Yousaf khel	GGPS Yousaf khel
30	147	CITY	NAVEEDA BANO	GGPS WAZIR BAGH NO.1	GGPS WAZIR BAGH NO.1
31	148	H/ ABAD	SHAHIDA PARVEEN	KOTLA MOHSIN KHAN	GGPS Shahcen Abad
32	149	CITY	REHANA DAUD	GGPS SHAH DAND	GGPS Sufaid Sung
33	150	CITY	ROMANA BASHIR	GGPS Jewan Mahal	GGPS Jewan Mahal
34	151	CITY	IMRANA TAUQEER	GGPS DALAZAI ROAD	GGPS DALAZAI ROAD
35	155	CITY	SAHIB SULTAN	GGPS HAIDAR COLONY	GGPS HAIDAR COLONY
36	156	CITY	NASIM AKHTAR	GGPS AFGHAN COLONY NO.1	GGPS AFGHAN COLONY NO.1
37	157	CITY	RIFAT JEHAN AR	GGPS GUL ABAD PESHAWAR	GGPS GUL ABAD PESHAWAR

S.No. 78

S.No. 78.
S.No. 115

ATTESTED

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83

Sl. No.	Seniority No.	Name of Circle	Teacher name	Name of School	Posted at
	245	Hayat Abad	SHAHEEN AKHTAR	GGPS NO.3 TERNALI BALA	GGPS Safdar Abad
82	245	CITY	ROZINA SHAHEEN	GGPS NEW KARIM PURA	GGPS NEW KARIM PURA
83	249	CANTT:	NIJAZ BIBI	GGPS SATAR SHAH	GGPS SATAR SHAH
84	250	CITY	YASMIN	GGPS WAZIR BAGH NO.2	GGPS Garhi Umar Gul
85	252	CITY	FARZANA TASLEEM	GGPS Gulbahar Colony No.3	GGPS Gulbahar Colony No.3
86	254	CITY	WAHEEDA SHAMIM	GGPS WAZIR BAGH NO.2	GGPS WAZIR BAGH NO.2
87	258	MATHRA	SHAMSHAD	GGPS KOCHYAN	GGPS KOCHIAN
88	260	CANTT:	SHAFQAT JEHAN	GGPS Gulshan Rehman Colony	GGPS LANDI ARBAB 2
89	262	CITY	KHALIDA PARVEEN	GGPS KHYBER COL: YOUSAF ABAD	GGPS KHYBER COL: YOUSAF ABAD
90	266	CITY	ASMAT ARA	GGPS NISHTAR ABAD	GGPS NISHTAR ABAD
91	268	CANTT:	SHAHIDA BIBI	GGPS NOUTHIA NO 1	GGPS Sadiq abad aza khel
92	269	CITY	FARZANA BIDI	GGPS GOAR GATHRI NO.2	GGPS Mera Maryam zai No.2
93	273	CITY	FARIDA QAYYUM	GGPS ZARGAR ABAD	GGPS Bazid Khel No.1
94	280	CITY	TABASSUM NAHEED	GGPS WAZIR BAGH NO.2	GGPS Garhi Wakilan
95	281	CITY	JAMILA KHTOON	GGPS NISHTAR ABAD	GGPS Mera Mushtarika Mehal
96	282	CANTT:	SHAGUFTA YASMIN	GGPS ASIA PARK	GGPS Aza Khel No.1
97	286	CITY	ZAIN SHRAF	GGPS Gulbahar No.4	GGPS Gulbahar No.4
98	287	MATTANI	SHAH BANO	GGPS Mera Maryamzai No.1	GGPS Mera Maryamzai No.1
99	288 ✓	MATHRA	SHAHEEN	GGPS NISATA BALA	GGPS NISATA BALA
100	289	CITY	SHERAZ BEGUM	GGPS Saeed Abad	GGPS Saeed Abad
101	291	MATHRA	SHARAFAT BIBI	GGPS Mathra	GGPS Mathra
102	292	CITY	SHAKEELA FIROOZ	GGPS AKHOON ABAD	GGPS Shahab Khel
103	296	CITY	SHAKEELA BANO	GGPS GUL-abad	GGPS Garhi Sharif Gul
104	299	DAUDZAI	NISHAT BANO	GGPS MIAN GUJAR # 1	GGPS MIAN GUJAR # 1
105	300 -	C/Pura	SARTAJ BANO	GGPS JAGRA MALOGO	GGPS JAGRA MALOGO
106	301	CANTT:	JAMILA KHTOON	GGPS GHARI QAMER DIN	GGPS GHARI QAMER DIN
107	302	C/Pura	MUNIR IQBAL	GGPS BUDHAI	GGPS Chohan Gujjar No.2
108	303	CITY	AZRA	GGPS NEW KARIM PURA	GGPS Masho Khel
109	304	CANTT:	FARIDA NISHAT	GGPS IRRIGATION COLONY	GGPS Garhi Chohan
110	306	CITY	NAHEED SHAFIQ	GGPS FIDA ABAD	GGPS FIDA ABAD
111	307	CANTT:	SAFEENA SAHAR	GGPS NOUTHIA NO 1	GGPS NOUTHIA NO 1
(112)	309	H/ ABAD	SHAFQAT BEGUM	NO.2.SUFAID DHERI	NO.2.SUFAID DHERI
113	312	CITY	PARVEEN JALIL	GGPS HAIDAR COLONY	GGPS Masho Khel Anzal NO.1
114	314	C/Pura	MAQSOODA SHUAIB	GGPS No.1 MUHAMMAD ZAI	GGPS No.1 MUHAMMAD ZAI
115	319	CITY	NAZRA PERVEEN	GGPS GOAR GATHRI NO.1	GGPS GOAR GATHRI NO.1
(116)	322	CITY	ZILI HUMA	GGPS YAKATOOT	GGPS Bazid Khel No.2
117	323	CITY	RIFAT MUSHTAQ	GGPS NEW KARIM PURA	GGPS Masho Khel Anzal NO.2
118	324	MATHRA	RIFFAT ZEBA	GGPS PEER KILLI MATHRA	GGPS PEER KILLI MATHRA
119	326	H/ ABAD	RIFFAT BEGUM	GGPS HAYAT ABAD NO.3	GGPS Kandi Marozai
120	327	C/Pura	SHAMS SHAHEEN	GGPS Tarnab Farm	GGPS Tarnab Farm
121	330	C/Pura	QADIR BIBI	GGPS Banda Kachori	GGPS Mushtar Zai No.1
122	335	CITY	SHAHEEN AKHTAR	GGPS Gul Bacha Jee	GGPS Gul Bacha Jee
123	336	CITY	ZAHIDA BANO	GGPS HEALTH EMPLOYEES COLONY	GGPS HEALTH EMPLOYEES COLONY
124	337	CANTT:	ELIZABETH BHATTI	GGPS Garhi ATTA MUHAMMAD	GGPS Garhi ATTA MUHAMMAD
125	341	H/ ABAD	NAFISA KHATOON	GGPS NO.2 BARA LINE	GGPS Sarband No.3
126	342	BADABER	MUSSARAT JEHAN	GGPS SURIZAI MIANA	GGPS SURIZAI MIANA

جونیئر ایجوکیشن

ATTESTED

[Signature]

(remar) resnawar.

ATTESTED

[Signature]

11/10/20

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S#	Seniority No.	Name of Circle	Teacher name	Name of School	Posted at
127	346	H/ ABAD	SHAHIDA BEGUM	NO.2.TEKKAL BALA	GGPS Tehkal Bala No.2
128	347	CITY	MEHNAZ TARIQ	GGPS GULBAHAR NO.2	GGPS Mushlar Zal No.2
129	349	City	Shehla Jalil	GGPS KHYBER COL: YOUSAF ABAD	GGPS Jatti Payan
130	353	DAUDZAI	SHAMSHAD BEGUM	GGPS WAHID GHARI	GGPS WAHID GHARI
131	354	C/Pura	IRSHAD BEGUM	GGPS NO.3 CHAMKANI	GGPS NO.3 CHAMKANI
132	355	C/Pura	AMICAPATAMUJINA	GGPS NO.3 CHAMKANI	GGPS NO.3 CHAMKANI

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Sr	Seniority No.	Name of Circle	Teacher name	Name of School	Posted at
342	663	CITY	MUSSARAT MUNIR	GGPS KAKSHAL NO.1 QUAID ABAD	GGPS Behlol Zai
343	665	CITY	SHABANA NOREEN	GGPS AFGHAN COLONY NO.2	GGPS Jogani
344	669	CITY	RIFAQAT SULTAN	GGPS Din Dahan No.2	GGPS Afghan ColonyNo.3

TERMS & 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 regulation as may be issued from time to time by the Govt.
3. Their service can be terminated at any time, in case hi performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed from time to time.
4. ~~Charge report should be submitted to all concerned.~~
5. ~~Their inter-see 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 this effect to be recorded in their service books.~~
8. ~~Necessary entry to this effect should be made in their service books.~~

SOFIA TABASSUM
District Education Officer,
(Female) Peshawar.

Endst: No. ~~11662-67~~ Promotion PSHT(F) /Adj / Dated Peshawar the ~~26/3~~ 2013

Copy for information to the :-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Sub Divisional Education Officer (Female) Peshawar
4. ASDEO (Female) circles concerned.
5. Supdt: Local Office.
6. Officials Concerned.

[Signature]
26/3/13
Deputy District Education Officer,
(Female) Peshawar.

ATTESTED
[Signature]



Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

PII No. 091-9201380, 9210938,

9210437, 9210957, 9210468

Fax 091-9210936 0800-33857

No 2412-354A / Promotion / Estab

Dated Peshawar the 31/01/2013.

21-1-13
Handwritten initials and a circled number '11'.

To

All the District Education Officers,
(Male & Female), in Khyber Pakhtunkhwa.

Subject:- Guidelines for Posting of PST B-12 on Promotion to the post of Senior PST B-14 and PSHT B-15, Qari B-12 to B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16.

Memo:

I am directed to refer to the subject noted above and to clarify that posts of PST B-12 /Senior PST B-14/PSHT B-15 may be rationalized and re-distributed among the Primary schools in the following manner and on Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted as under:-

Up gradation of Posts in Primary Schools (Female) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization							
				S.T B-16	CT B-15	PSHT B-15	SPST B-14	PST B-12	NQ	Caller	Chow
1	25288	GGPMS A (JICA)	208	1	2	0	2	3	1	1	1
2	25048	GGPMS B (JICA)	306	1	2	0	2	6	1	1	1
3	25143	GGCMS C	173	1	0	0	2	3	1	1	1
4	30056	GGPS D	50	0	0	1	0	1	0	0	1
5	25224	GGPS E	110	0	0	1	1	1	0	0	1
6	25244	GGPS F	160	0	0	1	1	2	0	0	1
7	25277	GGPS G	198	0	0	1	1	3	0	0	1
8	25221	GGPS H	240	0	0	1	2	3	0	0	1
9	32912	GGPS I	285	0	0	1	2	4	0	0	1
10	25097	GGPS J	320	0	0	1	2	5	0	0	1
11	25138	GGPS K	360	0	0	1	2	6	0	0	1
12	32606	GGPS L	400	0	0	1	3	6	0	0	1
13	25278	GGPS M	440	0	0	1	3	6	0	0	1
Total			3250	3	4	10	23	50	3	3	13

Up gradation of Posts in Primary Schools (Male) After Rationalization @ 1-40 ratio

S.No	School Code	Name of Primary School	Total Enrolment	Sanctioned Posts after Rationalization			
				PSHT B-15	SPST B-14	PST B-12	Chow
1	30056	GPS A	50	1	0	1	1
2	25221	GPS B	110	1	1	1	1
3	25244	GPS C	160	1	1	2	1
4	25277	GPS D	198	1	1	3	1

ATTESTED

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PSHT | PS-14 | PS-2

5	25241	GPS E	240	1	2	3	1
6	32912	GPS F	285	1	2	4	1
7	25097	GPS G	320	1	2	5	1
8	25138	GPS H	360	1	2	6	1
9	32606	GPS I	400	1	3	6	1
10	25278	GPS J	440	1	3	7	1
Total			2563	10	17	38	10

Note:-

1. Each Primary School (except JICA & Community Model School where SST post is sanctioned) will have one post of PSHT B-15.
2. There will be no post of PSHT B-15 & SPST B-14 in MPS.
3. No of posts of PSHT B-15, SPST B-14 & PST B-12 will not exceed the already communicated sanctioned posts.

Posting on Promotion

4. On Promotion of PST B-12 to the post of Senior PST B-14 and PSHT B-15, may be posted in the same UCs Subject to the provisions of sanctioned post.
5. Senior most PSHT B-15, SPST B-14 & PST B-12 (According to the Seniority list) may be retained in the school of their present posting and junior most may be transferred to other schools.
6. In their promotion order it should be mentioned that their Inter-se-Seniority on lower post will remain intact.
7. If anyone forego promotion, Entry to this effect may be made if his/her Service book.
8. Minimum qualifications for the above posts have already been prescribed in the Service Rules notified vide Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre Dated the November 13, 2012.

I am further directed to further clarify that:

1. On promotion Qari B-12 to the post of Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16, will be posted in High and Higher Secondary Schools
2. 1/3 Qari B-12 posts will be upgraded to Senior Qari B-15, CT B-15 to Senior CT B-16, AT B-15 to Senior AT B-16, TT-15 to Senior TT B-16, DM B-15 to Senior DM B-16 and PET B-15 to Senior PET B-16 in , High and Higher Secondary Schools only in Elementary and Secondary Education Department at District Level.
3. No post of CT B-15, PET B-15, AT B-15, DM B-15, TT-15, will be upgraded to B-16 in Middle Schools.
4. Senior most Senior CT B-16, Senior AT B-16, Senior DM B-16, Senior PET B-16, Senior TT B-16 (According to the Seniority list) may be retained in the schools of their present posting and junior most may be transferred to other schools.
- 5.

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

Endst: No. / File No. 1/A-88/KC/S.list : Dated Peshawar the 18/01/2013.

- Copy forwarded for information and necessary action to the:-
1. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
 2. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
 3. M/File

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

Union Council

23-4-13

OFFICE OF THE RETURNING OFFICER NA-I, PESHAWAR-I

No. NA1-213

dated 23/04/2013.

D (B)

ELECTION DUTY ORDER

In pursuance of the provisions of section 9 of the Representation of the People Act, 1976, the following appointment of Presiding/Assistant Presiding Officer/Polling Officers are hereby made.

For Polling Station GOVT. GIRLS PRIMARY SCHOOL QAID ABAD NEAR QABRISTAN (FEMALE) PS-1

Polling Station for the National Assembly Constituency NA1-213

Polling Station for the Provincial Assembly Constituency: PK-3, Peshawar-III

National Assembly Constituency: NA-213

Provincial Assembly Constituency: PK-3, Peshawar-III

To be held on: 11/05/2013

1	2	3	4
Name, Designation office address of Presiding Officer	Name, Designation Office address of Assistant Presiding Officer	Name, Designation Office address of Polling Officer	Name of the Assistant Presiding Officer designated to act under section 9(4) as Presiding Officer
<p>SHAHEEN SHAFIQ, ASSISTANT PROFESSOR, GOVT GIRLS DEGREE COLLEGE MATHRA 103</p> <p>Presiding Officer Contact No.: 03009015003</p>	<p>1-ZEENAT ARA, PSHT, GGPS / GUL BELA KOCHIAN 1705</p> <p>2-SAMINA NAZIR, CT-GEN, GGHS IRREGATION COL 9:9</p> <p>1-ABIDA YASMEEN, TT, GGMS GHARI MALIK SHER 1372</p> <p>2-ULFAT BEGUM, PSHT, GGPS PHANDU BALA 1795</p>	<p>1-RIASAT ZEBA, FMT, BHU CHAGHAR MATTI 3910</p> <p>2-SHAZIA MAQSOOD, PST, GGPS IJAZ ABAD SHAHE 2156</p>	<p>ZEENAT ARA, PSHT, GGPS GUL BELA KOCHIAN 1705</p>

NOTE:

- * Presiding Officer is directed to produce attendance of the rest of polling personnel out-side the court premises collect their cell /phone numbers and report the same to polling personal management office (PPMO) situated at New Judicial Complex, Peshawar
- * Assistant Presiding Officers and polling officers are reciprocally directed to contact their respective presiding officer to ensure their attendance.
- * Presiding Officer and Assistant Presiding Officer designated to ac under section 9(4) as Presiding Officer are directed to collect polling material on 10th of May 2013 at 09:00 AM positively
- * Venue for collection of material will be communicated through print media on 8th of May 2013.
- * No request for cancellation or change of duties of the officials so deputed will be entertained. Willful absence of any of the polling personnel shall render them to disciplinary proceedings under the relevant laws.

PUFAIL AHMAD
PUFAIL AHMAD
 Returning Officer,
 PK-3, Peshawar-III
 Ph 091-9213414
 Place: Peshawar

HAQ NAWAZ SWATI
HAQ NAWAZ SWATI
 Additional District & Sessions Judge-XIII,
 Returning Officer, NA-I, Peshawar-I
 Ph.091-9213406

ATTESTED

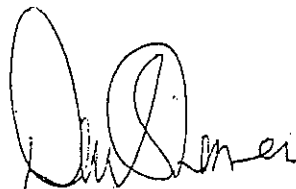
E

(14)

Office of the Sub Divisional Education Officer (Female) Peshawar

Office Order

You ~~Mrs. Zeenat Ara, PSHT B-15, GGPS, Gul Bela Kochian~~ is hereby ~~allowed to continue her duties at GGPS, Quaid Abad Kaksahal Peshawar on her~~ own pay & Scale till further order please.



Sub Divisional Education Officer
(Female Peshawar)

ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR.
OFFICE ORDER.

13-2-16
E (15)

Mst: Nadra Parveen PSHT (BPS-15) Govt: Girls Primary School Old Karimpura Peshawar is hereby adjusted at Govt: Girls Primary School Qaid Abad No.1(Kakshal) Peshawar vice Mst: Shahnaz Akhtar PSHT (B-15) is going to be retired with effect from 04/04/2016 in the intrest of public service.

Note:- Charge report should be submitted to all concerned.

(ULFAT BEGUM)
DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR.

Endst: No. 7850-53 dated Peshr; the 13/2 /2016.

Copy for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. ASDEO (F) Circle Concerned.
3. Head Teacher concerned.
4. Official concerned.

Ulfat Begum

DISTRICT EDUCATION OFFICER,
(FEMALE) PESHAWAR.

طرائف نو اور

ATTESTED

A

23/5/2016 - 23/5/2016

Days - 90 completed on 23/5/2016

23/2/16 to 29/2/16 = 07
1-3-16 to 31-3-16 = 31
1-4-16 to 30-4-16 = 30
1-5-16 to 22-5-16 = 22

Days no. 2338
Dated 23/02/16

(90) days due on

خدمت جناب ڈائریکٹر ایلمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا ایشادور

مضمون:

جناب عالی!

گزار بحضور انوریہ ہے کہ میں GGPS قائد آباد کاشال میں بطور PSHT گریڈ 15 میں ڈیوٹی انجام دے رہی ہوں میں UIC قائد آباد کاشال کی مستقل رہائشی ہوں اور سکول میں سب سے سینئر ٹیچر ہوں۔ لیکن DEO(F) پشاور صاحبہ نے مجھے بائی پاس کر کے دوسری GGPS UIC کریمپورہ سے مسماۃ نادرہ پروین کو تبدیل کر کے سکول کی ہیڈ ٹیچر لگا دیا گیا ہے۔ جو مجھ سے سروس میں جونیئر ہے۔ اور UIC گنج سے تعلق رکھتی ہے۔

لہذا آپ صاحبان سے استدعا ہے کہ سکول ہذا میں میرے ہیڈ شپ کا آرڈر جاری کر کے تاحیات دعا گو ہوں گی۔
بصورت دیگر میں عدالت سے رجوع کروں گی۔

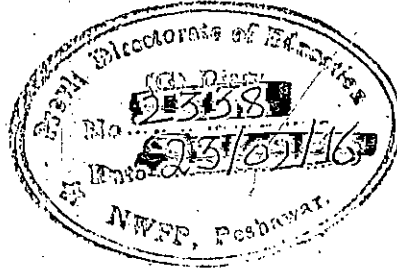
العارض

آپ کی تابعدارہ

زینت آراء

PSHT گریڈ 15

GGPS قائد آباد کاشال پشاور



آج تک جواب نہیں ملا -

ATTESTED

HA

Notifications

4th May 2011 | No.PA/ Khyber Pakhtunkhwa/Bills/2011

**THE KHYBER PAKHTUNKHWA (APPOINTMENT, DEPUTATION, POSTING
AND TRANSFER OF TEACHERS, LECTURERS, INSTRUCTORS AND DOCTORS)
REGULATORY ACT, 2011
AN
ACT**

to regulate by law appointments, postings and transfers of teachers
serving in primary, middle, secondary and higher secondary
schools, lecturers in colleges and instructors in technical institutions
and doctors in health facilities.

Preamble.---WHEREAS it is expedient to regulate by law appointments, postings and transfers at local level, of teachers serving in primary, middle, secondary and higher secondary schools, lecturers in colleges and instructors in technical institutions and doctors in health facilities and to ensure the availability of teachers in schools, lecturers in colleges and instructors in technical institutions and the doctors in health facilities, and to regulate deputation of doctors abroad, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act, 2011.

(2) It shall apply to teachers serving in primary, middle, secondary and higher secondary schools, lecturers in colleges as well as commerce colleges and instructors serving in technical institutions and doctors serving in the health facilities in the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force at once.

2. Definitions.---(1) In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say,-

(a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

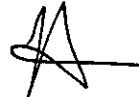
(aa) "college" means a degree college;

(b) "doctor" means a doctor serving in the health facility;

(c) "Government" means the Government of the Khyber Pakhtunkhwa;

(d) "health facilities" mean all health facilities established and managed by Government to provide medical facilities to general public;

ATTESTED





(e) "lecturer" and "instructor" respectively means a lecturer or an instructor serving in a Technical Institution as well as in a college, as the case may be;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "rules" mean the rules made under this Act;

(h) "school" means school in the public sector including primary, middle, secondary school, higher secondary school or an institution of equivalent level imparting education through any system or medium of instruction in the public sector;

(i) "teacher" means a teacher of primary, middle, secondary or higher secondary school; and

(j) "technical institution" means and includes a Commerce College or Government College of Management Sciences or Technical Institute or Technical and Vocational Training Center or Skill Development Center in the public sector imparting technical education to students leading to the award of a degree or a diploma or a certificate.

(2) Words and phrases used in this Act, but not defined, shall have the same meanings as respectively assigned to them under the relevant federal law or provincial law or any other statutory order or rules for the time being in force.

3. Appointment, posting and transfer of primary school teachers.---(1) The vacancy of primary school teacher shall be filled in from the candidates belonging to the Union Council of their permanent residence mentioned in their Computerized National Identity Card and domicile, on merit and if no eligible candidate in that Union Council is available where the school is situate, such appointment shall be made on merit from amongst eligible candidates belonging to the adjacent Union Councils:

Provided that on availability of a vacancy, a primary school teacher, appointed from adjacent Union Council, as referred to in this sub-section, shall be transferred against a vacant post in a school of the Union Council of his residence within a period of fifteen days.

(2) Upon marriage, the primary school teacher on request may be transferred to the school in the Union Council, where his spouse, ordinarily resides, subject to the availability of vacancy.

(3) The primary school teacher shall be transferred to other school within the Union Council on completion of tenure as may be prescribed or before completion of tenure, subject to the policy of rationalization for maintaining certain students teachers ratio, if any.

(4) Government shall, within a period not exceeding one year of the commencement of this Act, make arrangement for posting of all the primary school

ATTESTED

(19) ~~19~~ ~~19~~

teachers appointed prior to coming into force of this Act, to the schools of their respective Union Councils or adjacent Union Councils, as the case may be.

4. Appointment of doctors, lecturers, instructors, subject specialists and teachers on adhoc basis.---(1) Government may, through the competent authorities make adhoc appointment on merit against the vacant posts of doctors, lecturers, instructors, subject specialists and teachers, falling within the purview of Commission, in a district concerned from the domicile holders of that district for a period of one year or till the arrival of recommendees of Commission, whichever is earlier after fulfilling the pre-requisites of giving wide publicity in the press. On assumption of charge of post by recommendee of the Commission, the services of such ad hoc appointee shall stand automatically terminated:

Provided that if no suitable and eligible candidate is available in the district concerned for appointment, then the candidates belonging to the neighbouring districts shall be considered for appointment in the order of their merit.

(2) Save as the appointment made under proviso of this section, "ad hoc appointee" shall serve in the district of his domicile.

(3) The post of a doctor, lecturer, instructor, subject specialist or teacher who proceeds on training or long leave may be treated as vacant post for the purpose of contract or contingent appointment till the return of such employee from training or long leave and assumption of charge of the post:

Provided that the period of such training or long leave shall not be less than one year and no appointment on contract or contingent shall be made on the post which may fall vacant for a period less than one year.

5. Initial posting. --- (1) The doctors, lecturers, instructors subject specialist or teachers, upon their appointment shall be first posted in the periphery of the zone against whose quota they have been recruited, and they shall not be transferred for a period of at least three years.

(2) Upon expiry of the tenure as referred to in sub-section (1), transfer shall be made only upon the availability of substitute.

6. Deputation of Doctors.---(1) Government may allow deputation abroad for all categories of doctors only once in their entire service, for a period not exceeding three years.

(2) Deputation to "Foreign Service" within Pakistan shall be permissible only in respect of medical officers for a period not exceeding three years:

Provided that no further extension, on expiry of agreed tenure shall be given to the doctors who are already on deputation abroad or within Pakistan.

ATTESTED

A -

7. Postgraduate Medical Education.---(1) The Health Department, on the basis of objective need assessment and analysis, shall determine the intake number of Trainee Medical Officers (TMOs) in Postgraduate Medical Institute (PGMI) and Junior Registrars in Tertiary Care Hospitals every year. This stipulated number shall not exceed in any case.
 - (2) Any doctor selected or permitted for postgraduate medical training shall be treated on leave without pay and may be entitled only for stipend fixed by Government from time to time for such training.
 - (3) A doctor selected or permitted for postgraduate medical training shall provide surety bond prescribed by Government ensuring that upon completion of his studies for which he was initially selected, shall compulsorily serve for three years in the district of his domicile and in case of non-availability of a post in the district of domicile, he shall serve for three years in the rural area.
 - (4) For the purpose of sub-section (3), the doctor shall also provide guarantee of two government officers.
 - (5) In case of violation of sub-section (3), Government shall serve one month notice upon the doctor for resumption of duty, failing which the amount shall be recovered from him or from the guarantor, as the case may be.
8. Provisions relating to doctors apply to lecturers and instructors. ---The provisions relating to doctors in section 7 of this Act shall mutatis mutandis apply to lecturers and instructors.
9. Act to over-ride other laws.---The provisions of this Act shall have effect notwithstanding any thing contained in any other law for the time being in force.
10. Jurisdiction barred.---Save as provided under the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 and the Khyber Pakhtunkhwa Service Tribunal Act, 1974 (Khyber Pakhtunkhwa Act No. I of 1974), no order made or proceedings undertaken under this Act, or the rules made there under or any officer authorized by it shall be called into question in any Court, and no injunction shall be granted by any Court in respect of any decision made, or proceedings taken in pursuance or by any power conferred by or under this Act or the rules.
11. Removal of difficulties.---Government may, by order, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.
12. Power to make rules.---Government may make rules for carrying out the purposes of this Act.

ATTESTED



VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal, Peshawar.

Zeenat Aka.

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt.

(Respondent)
(Defendant)

I/We Zeenat Aka.

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

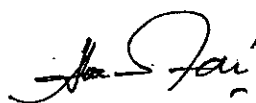
I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20



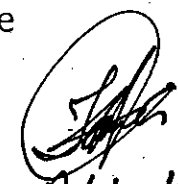
(CLIENT)

ACCEPTED



M. ASIF YOUSAFZAI
Advocate

&



TAIMUR ALI KHAN
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APPEAL NO. 667/2016

Zeenat Ara

V/S

GOVT.

Reply on behalf of Respondents No. 1-2 & 3

Respectfully Sheweth:-

The Respondents submit below:-

Preliminary objections:-

- 1.** That the Appellant has got no cause of action/ locus standi.
- 2.** That the instant appeal is badly time barred.
- 3.** That the instant Appeal is not maintainable in its present form.
- 4.** That the instant Appeal is bad for mis- joinder and non- joinder of the necessary parties.
- 5.** That the Appellant has not come with clean hands to this Hon^{ble}able Tribunal.
- 6.** That the instant appeal is barred by law.
- 7.** That this Hon^{ble}able Tribunal has got no jurisdiction to adjudicate upon the instant Service Appeal.
- 8.** That the Appellant has been estopped by his own conduct to file the Appeal before this Hon, able Tribunal.

On Facts:-

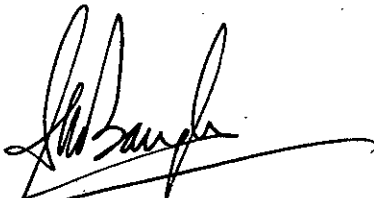
1. That Para-1 is correct.
2. Incorrect and denied. In reply to Para-2, it is submitted that the Appellant has forgo her promotion vide Stamp Paper dated 28-08-2013 and consequent upon the said Stamp Paper, an Office Order dated 01-11-2013 vide Endst: No.3166-3247 was passed whereby the Appellant was retained in her school as SPST on her own request and Appellant obeyed the said Office Order. Moreover, the Appellant is still working as SPST in BPS-14 in the GGPS, Quid Abad Peshawar and marks her attendance regularly as a SPST in daily attendance Register under her own signature. Furthermore, the Appellant never challenged her Demotion Order
(Stamp Paper, Office Order & Attendance Register are attached as Annex: A , B & C)

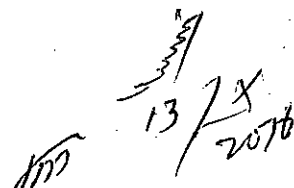
3. Incorrect and denied. The SDEO (F) is not competent authority and she has no power to pass such kind of orders. Detail has been given in the above Para.
4. That in reply to Para-4, it is submitted that the post PHST BPS-15 is District Cadre post. The Appellant is working as SPST in BPS-14, therefore, she cannot be adjusted on the post of PSHT.
5. Incorrect. Detail reply has been given in Para-2.
6. That Para-6 is incorrect and denied. The Appellant has no cause of action to knock the doors of this Hon, able Tribunal.


Grounds.

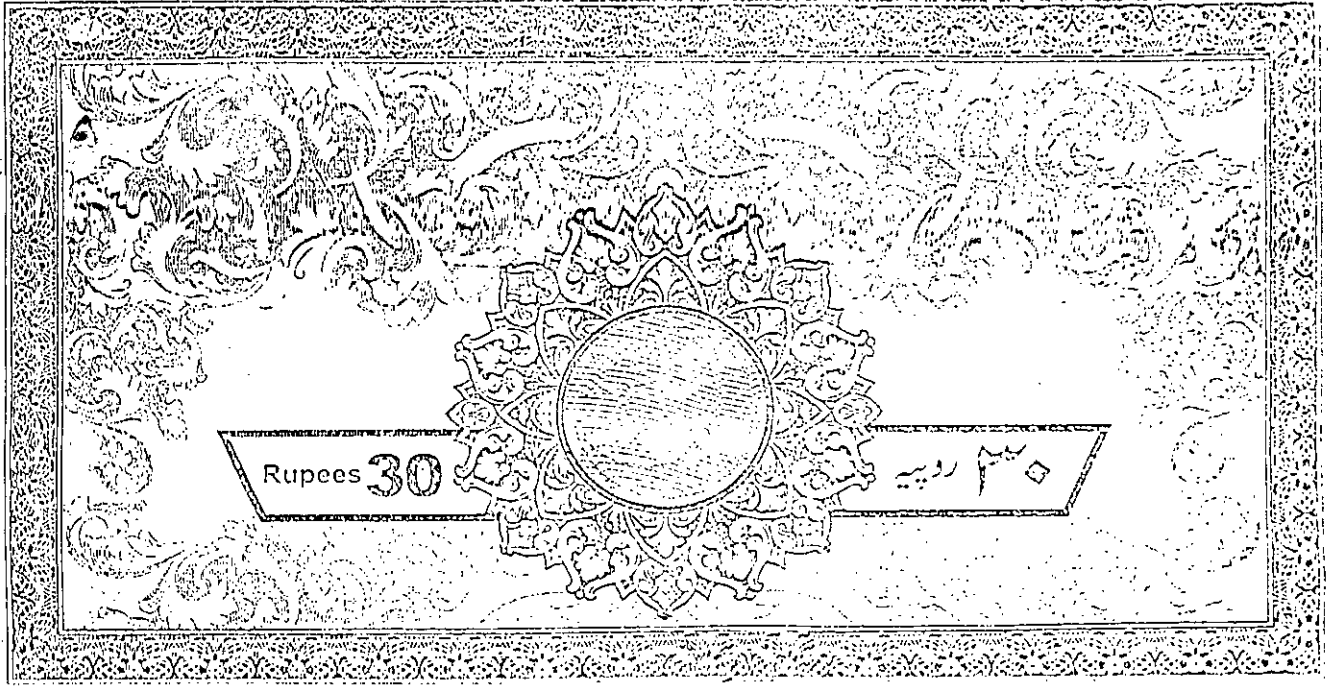
- A. That Ground- A is incorrect and denied. The post of HPST is District Cadre post and the Appellant is working as SPST in BPS-14, therefore, she cannot be adjusted on the post of HPST.
- B. That Ground-B is correct to the extent that PHST is to be adjusted in her own Union Council but in case of non availability of vacant post the she could be adjusted anywhere because PHST post is District Cadre.
However, the Appellant is not PHST. She is SPST in BPS-14, therefore, she cannot be adjusted on the post of HPST while rest of the Ground-B is incorrect and misleading, hence denied.
- C. That in reply to Ground-C, it is submitted that the Appellant has forgo her promotion, therefore, she is not entitled for the relief as claimed in the instant Appeal.
- D. That Ground-D is incorrect and denied. The Appellant is adjusted in Service Appeal No. ^{598/15} of this Hon, able Tribunal. (Order sheet is attached)
- E. Incorrect and denied. PHST can be adjusted anywhere in the District under the law and rules.
- F. That Ground-F is replied in Ground-C.
- G. That Ground-G is incorrect and denied. The Appellant has been treated according to law.
- H. That the Respondents also seek leave of this Hon, able Tribunal to present case law and raise additional grounds at the time of arguments.

It is therefore, very humbly prayed that on the acceptance of this reply, the instant appeal may very kindly be dismissed.


Secretary,
(E & SE) KPK Peshawar


13/7/2016
Director,
(E & SE) KPK Peshawar


District Education Officer,
(Female) Peshawar



۳۶

بیان حلفی

کہ ہمیں آج کے دن کے لئے یہ سہولت فراہم کرنے کے لئے
 حکومت پاکستان نے ایک سہولت فراہم کرنے کے لئے
 فیڈرل گورنمنٹ آف پاکستان سے درخواست کی ہے
 کہ وہ اس سہولت کو منظور کر لے اور اسے
 اپنی پالیسی میں شامل کرے۔
 اس سہولت سے مندرجہ ذیل شعبوں کو
 فائدہ پہنچے گا۔
 ۱۔ زرعی شعبہ
 ۲۔ صنعتی شعبہ
 ۳۔ تجارتی شعبہ
 ۴۔ خدماتی شعبہ
 ۵۔ دیگر شعبے

28-8-2013

17301-2629473-0

محمد رفیق
 ڈائریکٹر
 سہولت فراہمی
 حکومت پاکستان

گورنمنٹ آف پاکستان
 وزارت معاش و صنعت
 اسلام آباد
 ۲۸-۸-۲۰۱۳
 ۱۷۳۰۱-۲۶۲۹۴۷۳-۰

21

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR

OFFICE ORDER:-

Consequent upon their undertaking on judicial stamp papers, the competent authority has been pleased to cancel the promotion order of the following senior PST to PSHT post

They should however be allowed to continue in their school as senior PST.

S.No	Seniority No.	Name Of Circle	Name Of Teacher	Name of School
1	104	City	Salma Kousar ✓	GGPS Zargar Abad
2	149	City	Rehana Doud ✓	GGPS Shah Dand
3	187	City	Adeeba Khanum ✓	GGPS Shaikh Abad
4	219	Cantt	Abida Gul ✓	GGPS Dabgari Banat
5	220	City	Azra Yasmeen ✓	GGPS Shaikh Abad
6	228	City	Murtaza Begum ✓	GGPS Wazir Bagh No.3
7	239	City	Zeenat Ara ✓	GGPS Quaid Abad
8	245	H/ Abad	Shaheen Akhtar ✗	GGPS Tehkal Bala # 3
9	250	City	Yasmin ✓	GGPS Wazir Bagh No.3
10	269	City	Farzana Bibi ✓	GGPS Goar Gathri No.2
11	282	Cantt	Shagufta Yasmeen ✓	GGPS Asia Park
12	301	Cantt	Jamila Khatoon ✓	GGPS Ghar iqamar Din
13	303	City	Azra ✓	GGPS New KarimPura
14	384	City	Rashida Naseer ✓	GGPS New KarimPura
15	385	H/ Abad	Robina Tariq ✓	GGPS Hayatabad # 6
16	386	City	Farzana ✓	GGPS Wazir Bagh No.3
17	394	City	Fazeelat ✓	GGPS New Karim Pura
18	410	C/ Pura	Kausar Iqbal ✓	GGPS Phandu Bala
19	411	City	Tahira Yasmeen ✓	GGPS Jewan Mahal
20	450	City	Robina Shaheen ✓	GGPS Akhoon Abad
21	451	City	Tehmina Noreen ✓	GGPS Quaid Abad
22	471	City	Faiza Begum ✓	GGPS GulBahar No.3
23	473	City	Nighat ✓	GGPS Sirki Gate
24	481	City	Bushra Bibi ✓	GGPS GoarGathri No.2
25	484	City	Faran Younis ✓	GGPS Kakshal No.1
26	490	Cantt	Gul E Rana ✓	GGPS Landi Arbab 1
27	495	City	Shabana Rohi ✓	GGPS Shaikh Abad
28	497	H/ Abad	Rukhsana Begum ✓	GGPS Hayatabad # 1
29	503	H/ Abad	Musarrat Imran ✓	GGPSTehkalBala # 3
30	507	City	Farzana Yasmeen ✓	GGPS Zargar Abad
31	522	City	Tayyaba Siddiqi ✓	GGPS Sarbiland Pura
32	537	City	Rukhsana Yasmeen ✓	GGPS GoarGathri No.2

No	Seniority No	Name Of Circle	Name Of Teacher	Name of School
71	799	Cantt	Ismat Jahan	GGPS Railway Quarters-1

19

NOTE -


1. Necessary entry to this effect should be made in their service books.

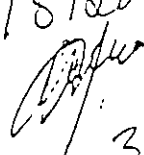
SAMINA GHANI
District Education Officer,
(Female) Peshawar.

Endst: No. 3166-3247 /Promotion/Forgo Dated Peshawar 11/11 /2013

Copy for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar..
2. Director (Elementary & Secondary) Education Khyber Pakhtunkhwa Peshawar.
3. SDEO (Female) Peshawar.
4. ASDEO Circles concerned.
5. Teachers Concerned.


District Education Officer,
(Female) Peshawar

Recd on
30/8/2014.

30/8/2014

حجے کے ایسے ماہ آگامی کی کالینڈر

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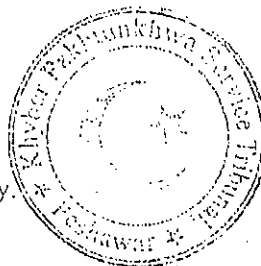
نام ذہنت آراء 14			رضوانہ شفاعت						نہماز شاہ 12			ماہ فرزندہ نور 14			
F.A.S.P.S.T			M.T		P.S.T		F.A.I2		P.S.T		F.A.S.P.S.T		عہدہ		
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قسمت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان
2	9	11	2	9	11	2	3	9	12	8	10	10

BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 596 /2015

Mst. Nadra Perveen,
(PSHT), GGPS, Old Karimpura, Peshawar City.



A.W.P. Province
Service Tribunal
Diary No. 635
Dated 03-6-2015

APPELLANT

VERSUS

1. Director (Elementary & Secondary) Education, Dabgari Garden, Peshawar.
2. District Education Officer (Female), Hashtnagri, Peshawar City.
3. Mst. Iram Ambreen,
PHST, GGPS, Jala Bela, District Peshawar.

RESPONDENTS

APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED ORDER NO. 8682-87 DATED
28-5-2015 WHEREBY THE APPELLANT WAS
ILLEGALLY TRANSFERRED FROM GGPS
OLD KARIMPURA PESHAWAR TO GGPS GUL
BELA KOCHIAN PESHAWAR.

Filed to the
Registrar
03/06/2015

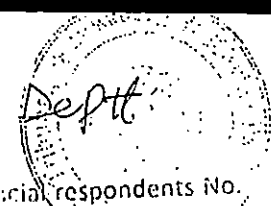
Prayer in Appeal

By accepting this appeal, the impugned order No.8682-87 dated 28-5-2015 may graciously be set aside and the appellant may kindly be retained at GGPS, Old Karimpura Peshawar under the policy of rationalization circulated by the Government of Khyber Pakhtunkhwa vide No. 6104-59 dated 1-4-2014.

ACCEPTED

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Appeal No. 596/2015
Mst. Nadia Parveen vs Edu: Dept



22.03.2016

Counsel for the appellant, Addl: A.G for official respondents No. 1 and 2 and counsel for private respondent No. 3 present. Photo copy of office order dated 13.2.2016 submitted by the learned Addl: AG according to which the appellant has been adjusted at GGPS Qaid Abad No. 1 (Kakshal) Peshawar.

In the light of afore-stated development, learned counsel for the appellant requested for withdrawal of appeal.

Dismissed as withdrawn. File be: consigned to the record room.

[Signature]
Chairman

22.03.16

ANNOUNCED
22.3.2016

Certified true copy
[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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24-03-2016

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 667/2016

Zeenat Ara

VS

Education Deptt

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

- (1-8) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Para-1 of the appeal was admitted correct by the respondent's department hence needs no comments.
- 2 Incorrect and misconceived while para-2 of the appeal as mention in the main appeal is correct. Moreover the stamp paper annexed with the reply is fake and bogus stamp paper was issued on the name of Wahid Ullah on 28.05.2013 an attested by Oath Commissioner on 21.05.2013 and the date was mentioned in the stamp paper is 28.08.2013 which is after the attestation date which clearly shows that the stamp paper is fake and bogus and only deprive of the appellant from promotion to give favour to blue eyed person.
- 3 Incorrect while para-3 of the appeal as mentioned in the main appeal of the appellant.
- 4 Incorrect and misconceived While Para-4 of the appeal is correct as mentioned in the main appeal of the appellant moreover the post of PHST (BPS-15) is not District Cadre post and there is not such kind of notification was available or attached with the reply regard the plea mentioned in the Para-4 of reply of respondent. Furthermore it is pertinent to mentioned here that the post of PHST BPS-15 is UC cadre post. The respondent No. 4 is belong to Union Council 19 Ganj and also

the name of school mentioned in the order dated 13.02.2016 is fake because the one head mistress namely Irum Abreen is already working against the post PHST BPS-15 in GGPS old Karim Pura till now.

- 5 Incorrect While Para-5 of the appeal is correct as mentioned in the main appeal of the appellant.
- 6 Incorrect the appellant has good cause of action and the appeal of the appellant may liable to be accepted on the following grounds.

GROUND:

- A) Incorrect and misconceived While Para-A of grounds of the appeal is correct. Moreover, the impugned order dated 13.02.2016 is against the law and rules so liable to be set aside. Moreover the post of PHST BPS-15 is UC cadre post not a District cadre.
- B) Incorrect While Para-B of grounds of the appeal is correct as mention in the main appeal of the appellant moreover according to order dated 26.03.2013 the appellant is ~~add~~ No. 78 as mentioned in the order which is the order of PSHT BPS-15 which clearly shows that the appellant is working against the post of PSHT BPS-15 from the date 26.03.2013 till now.
- C) Incorrect While Para-C of grounds of the appeal is correct as mention in the main appeal of the appellant moreover the appellant has never forgo her promotion. The stamp paper attached with the reply of the respondent is fake and bogus.
- D) Incorrect. While Para-D of grounds of the appeal is correct as mention in the main appeal of the appellant.
- E) Incorrect While Para-E of grounds of the appeal is correct as mention in the main appeal of the appellant. Moreover, the respondents not mentioned any law regards the post of PSHT BPS-15 as District cadre.
- F) Incorrect. While Para-F of grounds of the appeal is correct as mention in the main appeal of the appellant.
- G) Incorrect. While Para-G of grounds of the appeal is correct as mention in the main appeal of the appellant.
- H) Legal.

It is, therefore, most humbly prayed that on acceptance of this application, the respondents may be directed to release the salary of the appellant w.e.from 01.07.2017 and onward. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of the appellant.



APPELLANT

THROUGH:



(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT

&



(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT

AFFIDAVIT:

It is affirmed and declared that the contents of the above application are true and correct to the best of my knowledge and belief.



Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal

Mst. Zeenat Ara.....Appellant

V E R S U S

D.E.O & others.....Respondents

APPLICATION FOR ADJOURNMENT

Respectfully Sheweth:

1. That the above titled case is pending adjudication before this Hon'ble Court and is fixed for 30.11.2017.
2. That the counsel for respondent No.4 Nadra Parveen is proceeding to Islamabad for medical checkup and cannot put appearances for assistance in Hon'ble Court.

It is, therefore, respectfully prayed that on acceptance of this application, the titled appeal may kindly be adjourned.

Through

Respondent No.4


Shahid Naseem Khan Chamkani

Advocate High Court

Dated 29.11.2017