

05.08.2020

Due to summer vacation case to come up for the same on
10.09.2020 before D.B.



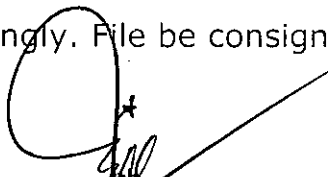
Reader

10.09.2020

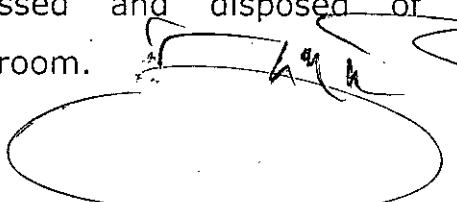
None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional Advocate General on behalf of official respondents No. 1 to 3 and Mr. Umer Zafran, Advocate, for private respondent No. 4 are present.

Learned counsel for the private respondent No. 5 submitted that the grievance of the appellant has already been addressed in consequence of issuance of notification NO. SO(S/F)E&SED/1-3/2019/Promotion/BS-18 to BS-19/MC dated 27.05.2019 whereby appellant has been promoted from BPS-18 to BPS-19 on regular basis as DDEO (F) Peshawar, and currently posted at Bannu, therefore, the appeal has been rendered infructuous.

It is on record that appellant has challenged the impugned orders dated 05.03.2019, 15.03.2019 and 13.05.2019 whereby she was transferred from the post of Principal GGHS Phase 3 Hayatabad Peshawar to DDEO (female) Peshawar, and notification dated 15.03.2019 whereby the services of the appellant were placed at the disposal of Directorate of Elementary & Secondary Education, which was assailed in a departmental appeal but during pendency she was posted as DDEO (F) Peshawar, vide notification dated 13.05.2019. However, by virtue of notification NO. SO(S/F)E&SED/1-3/2019/Promotion/BS-18 to BS-19/MC dated 27.05.2019 appellant has been promoted from BPS-18 to BPS-19 on regular basis and posted to District Bannu where she has reportedly assumed the charge of her assignment therefore, in the circumstances this appeal becomes infructuous and stands dismissed and disposed of accordingly. File be consigned to the record room.



(Mian Muhammad)
Member (Executive)



(Muhammad Jamal Khan)
Member (Judicial)

ANNOUNCED
10.09.2020

09.01.2020 Due to general strike of the Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 14.01.2020 before D.B.


Member


Member

14.01.2020 Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG for the respondents present. Adjourned to 13.03.2020 for arguments before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

13.03.2020 Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 23.04.2020 before D.B.


Member


Member

30.04.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 05.08.2020 before D.B.


Member

01.11.2019

Learned counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Learned counsel for private respondent No.4 present.

Learned counsel for the appellant stated that consequent upon promotion of the appellant from BS-18 to BS-19 vide order dated 27.05.2019, she is awaiting her next posting. Adjournment requested. Adjourn. To come up for arguments on 18.11.2019 before D.B.



Member


Member

18.11.2019

None present on behalf of the appellant: Mr. Kabirullah Khattak, Additional AG for official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Notice be issued to learned counsel for the appellant for arguments for 06.12.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

06.12.2019

Due to general strike of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG for official respondents No. 1 to 3 present. Adjourned to 09.01.2020 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

28.10.2019

Appellant absent. Ashraf Ali Advocate on behalf of appellant appeared and seeks adjournment being freshly engaged. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Fazal Subhan S.O for official respondents present. Learned counsel for private respondent present.

Learned counsel for private respondent No.4 stated that no interim relief was granted by this Tribunal in the present case and despite that the appellant has not honored posting transfer order dated 05.03.2019, made impugned in the present service appeal, resultantly, the private respondent NO.4 is in embarrassing position.

Stance of learned counsel for private respondent appears to be genuine, respondent No.2 is directed to submit information regarding nature of departmental action initiated against the appellant due to her non-compliance of posting/transfer order. Adjourn. To come up for further proceedings on 01.11.2019 before D.B.


Member


Member

03.10.2019

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 04.10.2019 before D.B.


Member


Member

04.10.2019

Junior to counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Learned counsel for private respondent present and stated that that in view of the promotion order date d27.05.2019 of the appellant from BS-18 to BS-19, the present service appeal has become infructuous. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for further proceedings on 15.10.2019 before D.B.


Member


Member

15.10.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Usman Ghani learned District Attorney alongwith Fazal Subhan SO present. Notice be issued to the appellant, learned counsel for the appellant. Notice be also issued to the private respondent and learned counsel for private respondent. Adjourn. To come up for arguments on 28.10.2019 before D.B.


Member


Member

04.09.2019

Counsel for the appellant and Mr. Usman Ghani District Attorney alongwith Shakeel Superintendent for respondents No. 1 to 3 present. Mr. Umar Zafran, Advocate for private respondent No. 4 present and Wakalatnama submitted which is placed on file.

Counsel for the private respondent No. 4 furnished reply on behalf of the said respondent. Representative of the official respondents still requests for further time. Last opportunity is granted to the official respondents. To come up for requisite reply/comments on 18.09.2019 before S.B.

Chairman



18.09.2019

Counsel for the appellant, Addl. AG alongwith Shakeel Superintendent for the official respondents and counsel for private respondent No. 4 present.

Official respondents No. 1 to 3 have not submitted parawise comments despite last opportunity ~~was~~ granted to them. The appeal is posted to D.B for arguments on 02.10.2019. The appellant may submit rejoinder to reply of respondent No. 4, within a fortnight, if so advised.

Chairman



02.10.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Shakeel Ahmed Superintendent for the official respondents and counsel for the private respondent No.4 present, stated that the present service appeal has become infructuous and to this effect submitted copy of office order dated 27.05.2019. Learned counsel for the appellant seeks adjournment. Being a posting transfer case the instant matter is adjourned to 03.10.2019 before D.B

Member

Member



31.07.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney for respondents No. 1 to 3 present.


Mr. Umer Zafran, Advocate has submitted Wakalat Nama on behalf of respondent No.4 and requests for time to furnish reply. A similar request is made by learned District Attorney on behalf of respondents No. 1 to 3. A notice issued ^{to} ~~on~~ respondent no.5 returned on account of her transfer from the office of DDEO (F) Peshawar. The appellant shall therefore, provide fresh address of the said respondents on next date of hearing.

Adjourned to 21.08.2019 before S.B.


Chairman

21.08.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Shakeel Superintendent for the official respondent ~~present~~ and counsel for the private respondent No.4 present. Learned counsel for the appellant submitted application for deletion of name of respondent No.5 (Mst. Sabina Yasrab) from the panel of respondents. Request accepted. Representative of the official respondents and counsel for the private respondent No.4 seeks further time to furnish written reply/comments. Adjourned. To come up for written reply/comments on 04.09.2019 before ~~S~~.B.


(Hussain Shah)
Member

Appeal No. 916/2019
Suroyaya Begum vs Govt

16.07.2019

Counsel for the appellant present.

Learned counsel for the appellant contends that the appellant was transferred and posted as Principal GGHSS Phase-III Hayatabad on 07.09.2017. At the relevant time the post was also shifted from GGHSS No. 1 Karak and the appellant was posted there in peculiar circumstance pertaining to her health condition. In that regard learned counsel referred to a medical certificate issued on 15.06.2017. That, before the completion of normal tenure she was transferred and posted as DEO(Female) BS 18 Peshawar. While making the impugned transfer order the respondents not only disregarded the policy of Provincial Government on the subject but also the health condition of the appellant which did not permit her to perform field duty.

In view of the arguments of learned counsel and available record instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 31.07.2019 before S.B.

Alongwith the appeal there is an application for suspension of operation of notifications dated 05.03.2019, 15.03.2019 and 13.05.2019. Notice of the application be also given to the respondents for the date fixed.

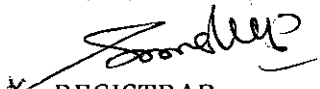

16/7/19
Appellant Deposited
Security & Process Fee


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 916/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	12/07/2019	<p>The appeal of Mst. Surraya Begum presented today by Mr. Muhammad Asif Yousafzai 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> <p>2-</p>	(15/07/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/07/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

Handwritten notes and stamps in the bottom right corner of the page.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 916 /2019

Surraya Begum

V/S

Chief Secretary & Others

INDEX

S. No.	Documents	Annexure	P. No.
01	Memo of appeal	-----	01-04
02	Suspension application	-----	05-06
03	Copies of order dated 03.06.2013 & 29.01.2015	A&B	7-8
04	Copy of notification dated 07.09.2017	C	9
05	Copy of notification dated 05.03.2019	D	10-17
06	Copy of notification dated 15.03.2019	E	18
07	Copy of departmental appeal	F	19
08	Copy of notification dated 13.05.2019	G	20
09	Copies of posting transfer policy and circular dated 27.02.2013	H&I	21-28
10	Copy of medical prescription	J	29-30
11	Vakalat Nama	-----	31

APPELLANT

THROUGH:



**M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT**



**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT**

Room No. FR 8, 4th Flour,
Bilour plaza, Peshawar cantt:
Cell# 0333-9103240

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 916 /2019

Khyber Pakhtukhwa
Service Tribunal

Diary No. 950

Dated 12/07/2019

Mst Surraya Begum, Principal, (BPS-18),
GGHS phase-III Hayatabad, Peshawar.

(APPELLANT)

VERSUS

1. The Chief Secretary, Govt of KPK, Civil Secretariat Peshawar.
2. The Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Mst. Mehreen Javaid, Principal,
GGHS Phase-III Hayatabad, Peshawar.
- (5. Mst. Sabina Yasrab, DDEO (Female) Peshawar.

Revised
2/08/19

(RESPONDENTS)

Filed to Day
Registrar
12/7/19

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 05.03.2019, WHEREBY THE APPELLANT WAS TRANSFERRED FROM THE POST OF PRINCIPAL GGHS PHASE-III HAYATABAD TO DDEO (FEMALE) PESHAWAR AND AGAINST THE ORDER DATED 15.03.2019, WHEREBY THE APPELLANT WAS PLACED AT THE DISPOSAL OF DIRECTORATE E&SE FOR FURTHER POSTING WHICH WAS FURTHER POSTED AS DDEO (F) PESHAWAR VIDE NOTIFICATION DATED 13.05.2019 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 05.03.2019, 15.03.2019 AND 13.05.2019 MAY KINDLY BE SET ASIDE BEING PREMATURE AND IN VIOLATION OF POSTING/TRANSFER POLICY AND CIRCULAR DATED 27.02.2013. THE RESPONDENT DEPTT: MAY FURTHER PLEASE BE DIRECTED NOT TO TRANSFER THE APPELLANT PREMATURE AND IN VIOLATION OF POSTING/TRANSFER POLICY AND CIRCULAR DATED 27.12.2013. 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 appointed as DEO (Management Cadre) on 31.05.2011 and posted at Buner and during performing her duty at Buner Station, the appellant suffer severe Arthritics disease due to which she requested for posting at Peshawar.
2. That the appellant was adjusted on the post of Principal on 04.03.2013 at GGHS Civil Quarter Peshawar and then posted at GGHS Islamia Collegiate as a Principal on 29.01.2015. **Copies of order dated 03.06.2013 & 29.01.2015 are attached as Annexure-A & B.**
3. That the appellant was then transferred and posted as Principal GGHS School Phase-III Hayatabad Peshawar vide notification dated 07.09.2017 as the appellant herself tried her best and transfer the post of Grade -18 for herself from District karak. **Copy of notification dated 07.09.2017 is attached as Annexure-C.**
4. That without completing her normal tenure at GGHS Phase-III Hayatabad Peshawar the appellant was transferred from the post of Principal GGHS Phase-III Hayatabad Peshawar to DDEO (Female) Peshawar and respondent No. 4 was posted on the post of appellant vide notification dated 05.03.2019. **Copy of notification dated 05.03.2019 is attached as Annexure-D.**
5. That another notification was issued on dated 15.03.2019, whereby the service of the appellant was placed at the disposal of Directorate of Elementary and Secondary Education. The appellant aggrieved from the order dated 05.03.2019 & 15.03.2019 filed departmental appeal on 10.04.2019, which was not responded within the statutory

period of ninety days and during the pendency of the departmental appeal of the appellant, the appellant was further posted as DDEO (F) Peshawar vide notification 13.05.2019. **Copy of notification dated 15.03.2019, departmental appeal and notification dated 13.05.2019 are attached as Annexure-E,F&G)**

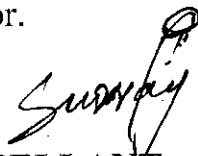
6. That the appellant has no other remedy except to file the instant appeal in this august Tribunal for redressal of her grievances on the following grounds amongst the others.

GROUND:

- A) That not taking action on the departmental appeal of appellant and the notifications dated 05.03.2019, 15.03.2019 and 13.05.2019 are against the law, facts, norms of justice, premature and violation of posting transfer policy and circular dated 27.02.2013, therefore, not tenable and liable to be set aside.
- B) That the impugned order dated notifications dated 05.03.2019, 15.03.2019 and 13.05.2019 were passed in violation of posting transfer/policy and circular based on Anita Turab case dated 27.02.2013, therefore, the impugned notifications are liable to be set aside on this ground alone. **Copies of posting transfer policy and circular dated 27.02.2013 are attached as Annexure-H&I.**
- C) That the appellant has severe Arthritis and Heart problem and by transferring to such far flung area will not only effect her health condition but also effect her performance badly. **Copy of medical report is attached as Annexure-J.**
- D) The impugned transfer orders are also premature as the appellant has not completed his tenure at GGHS Phase-III Peshawar, therefore the impugned transfer order is liable to be set aside.
- E) That in passing of impugned transfer order, no exigencies or public interest was shown by the respondent, but just to adjust blue eyed person on the post of appellant.
- F) That according to posting/transfer policy, that posting/transfer orders of all the officers up to BS-19 except the Heads of the Attached Departments irrespective of the grade will be notified by the concerned Administrative Departments with the prior approval of the Competent Authority obtained on the Summary, but in the case of the appellant, no prior approval of Summary for transfer was obtained, which is violation of posting/transfer policy.


- G) That the appellant was successive transferred by the respondent department and due to such successive transfers the appellant will be unable to perform her duty with best of his ability and capability and such successive transfer are also discouraged by the superior courts in different judgments.
- H) That the appellant with her owns efforts, the post of grade-18 was transferred to GHHS Phase III from Karak, but even then she was transferred from that post prematurely.
- I) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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


APPELLANT
Surraya Begum

THROUGH:


M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
&

(ASAD MAHMOOD)
ADVOCATE HIGH COURT


APPELLANT

THROUGH:


M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

& 
(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

AFFIDAVIT

It is solemnly affirmed that the contents of the application is true and correct to best of my knowledge and belief and nothing has been concealed from this Honourable Service Tribunal.


DEPONENT



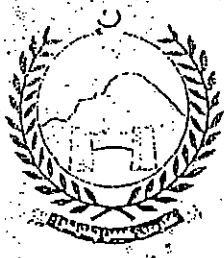
Annex-A

A

A (7)

2

15



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SE DEPARTMENT

Dated Peshawar the June 3, 2013.

NOTIFICATION

NO.SO(S/F)E&SE/4-16/2013/Surraya Begum: Mst. Surraya Begum Ex-DEO (F) (BS-18), District Buner (awaiting posting) is hereby adjusted as Principal (BS-18) GGHS Civil Quarter, Peshawar against the vacant post in the interest of public service with immediate effect.

2. No TA/DA is allowed.

SECRETARY

Endst.of even No & date

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa Peshawar
2. Director, E&SE, Peshawar.
3. District Officer Education (F) Peshawar.
4. Incharge EMIS, E&SE Department.
5. P.S to Secretary E&SE Department.
6. Officer concerned.
7. Office order file.

(BEENISH MIRAN)
SECTION OFFICER (S/F)

RECEIVED

Attested

Better copy of
A (20) B (8)
B

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

Dated Peshawar, January 29, 2015

NOTIFICATION

NO.SO(S/F)E&SF1-16/2015/Surraya Begum Ms Surraya Begum Principal (BS-18) GGHS Hassan zai Charsadda is hereby transferred and posted as principal (BS-18) at GGHS Islamia Collegiate, against the vacant post with immediate effect

No. TA/DA allowed

SECRETARY

Endst of even No & date

Copy forwarded to the

1. Accountant General, Khyber Pakhtunkhwa Peshawar
2. Director, E & SE Peshawar
3. District Education Officer (F) Charsadda and Peshawar
4. District Account Officer Charsadda
5. Incharge EMIS, E&SE Department
6. PS to Secretary E&SE Department
7. Officer Concerned
8. Officer order file

(FOZIA NAZ)
SECTION OFFICER (S/F)

ATTESTED

A

Annex-B

9



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the September 7th, 2017

NOTIFICATION

NO. SO(S/F)E&SED/4-16/2017/Mst. Surraya Begum/Principal/Peshawar: Mst. Surraya Begum, (BS-18) DDEO (Female) Peshawar (Management Cadre) is hereby transferred and posted as Principal (BS-18) at Govt. Girls High School Phase-III Hayatabad Peshawar against newly shifted post in the interest of public service with immediate effect.

2. No T.A/D.A is allowed.

SECRETARY

Endst: of even No. & date:

Copy forwarded to the: -

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

R. L. Khattak 07-09-2017

(LAL SAEED KHATTAK)
SECTION OFFICER (SCHOOLS FEMALE)

ATTESTED

A

Attested

[Signature]



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

D-10

Dated Peshawar the March 5th, 2019

NOTIFICATION

No. SO(S/F/E&SED/3-2/2019/Recruitment/Prin:/V.Prin:/BS-18/Female: Consequent upon the recommendations of the Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority/ Chief Minister Khyber Pakhtunkhwa is pleased to appoint the following as Principal/ Vice Principal (BS-18) (@Rs. 38350-2870-95750) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government and posted as mentioned against each:

S#	Name & Father's Name of Candidate	Domicile	As Proposed.	Remarks
1	Irum Jabeen D/O Syed Zakar Hussain	Abbottabad	Principal (BS-18) GGHSS Dingi Haripur	Vice Sr. No. 81
2	Farida Jabeen D/O Said Qamraish	Mardan	Principal (BS-18) GGHSS Bakhshali Mardan	A.V.P
3	Khola Bibi D/O Muhammad Zafran	Abbottabad	Vice Principal (BS-18) GGCHSS Abbottabad	Vice Sr. No. 82
4	Shazia Gul D/O Muhammad Adil	Peshawar	Vice Principal (BS-18) GGHSS University Town Peshawar	Vice Sr. No. 83
5	Dilnashin Bibi D/O Manzoor Ur Rehman	Kohat	Vice Principal (BS-18) GGHSS Jungle Khel Kohat	Vice Sr. No. 84
6	Nuzahat Bashir D/O Mohammad Bashir	Mansehra	Principal (BS-18) GGHSS Trangri Bala Mansehra	A.V.P
7	Shaheen D/O Khairur Raman	Malakand	Principal (BS-18) GGHSS Kot Malakand	A.V.P
8	Lubna Toheed D/O Said Qamresh	Mardan	Principal (BS-18) GGHSS Koper Mardan	A.V.P
9	Romana Masood D/O Mohammad Masoud	Abbottabad	Principal (BS-18) GGHSS Ghari Phulgran Abbottabad	Vice Sr. No. 85
10	Gulshan Ara D/O Aman Ullah Khan	Peshawar	Principal (BS-18) GGHSS Wadpaga Peshawar	Vice Sr. No. 106
11	Zubaida D/O Muhammad Younas	Peshawar	Principal (BS-18) GGHSS Akbarpura Nowshera	Vice Sr. No. 87
12	Sara Ilyas D/O Hamid Ilyas	Kohat	Principal (BS-18) GGHSS KDA Kohat	Vice Sr. No. 88
13	Nazish Naheed D/O Qazi Nisar Muhammad	Mansehra	Principal (BS-18) GGHSS Muradpur Mansehra	A.V.P
14	Najmun Nisa D/O Syed Qudrat Shah	Abbottabad	Principal (BS-18) GGHS Bakote Abbottabad	A.V.P
15	Nusrat Waheed D/O Abdul Waheed Khan	Karak	Principal (BS-18) GGHS Esak Chountra Karak	A.V.P
16	Farzana Bukhari D/O Nazir Hussain	Peshawar	Principal (BS-18) GGHSS Azakhel Payan Nowshera	Vice Sr. No. 89

5/03/19

ATTESTED

*

17	Rifhat Parveen D/O Abdul Qayyum Khan	Abbottabad	Vice Principal (BS-18) GGHS Baffa Mansehra	Vice Sr. No. 90
18	Sobia Jadoon D/O Muhammad Akbar Khan	Abbottabad	Vice Principal (BS-18) GGHS Kakul Abbottabad	Vice Sr. No. 91
19	Saima D/O Khalil Ur Rehman	Peshawar	Principal (BS-18) GGHS Mian Gujar Peshawar	Already occupied by her
20	Shabana Iqbal D/O Muhammad Iqbal	Karak	Principal (BS-18) GGHS Behzadi Chakkar Kot Kohat	Vice Sr. No. 92
21	Tauheed Bibi D/O Surfaraz	Malakand	Principal (BS-18) GGHS Agra Malakand	A.V.P
22	Rubina Gulzar D/O Muhammad Gulzar	Abbottabad	Principal (BS-18) GGHS Shah Afzal Abad Mansehra	Vice Sr. No. 93
23	Nasim Begum D/O Sher Bahadur	Shangla	Principal (BS-18) GGHS Chakisar Shangla	Already occupied by her
24	Mehnaz Iqbal D/O Muhammad Iqbal Khan	Karak	Vice Principal (BS-18) GGHS Hayatabad Peshawar	Vice Sr. No. 96
25	Irum Shaheen D/O Lal Muhammad	Peshawar	Principal (BS-18) GGHS Sufaid Sung Peshawar	Already occupied by her
26	Abida Iram D/O Ghulam Abbas	UDA Swabi	Principal (BS-18) GGHS Topi Swabi	A.V.P
27	Saceda Bano D/O Muhammad Anwar	Haripur	Principal (BS-18) GGHS Chapra Haripur	Vice Sr. No. 94
28	Fozia Naz Begum D/O Azum Khan	Mardan	Principal (BS-18) GGHS Khazana Dheri Mardan	A.V.P
29	Rakhshanda Mehdi D/O Mehdi Khan	Peshawar	Principal (BS-18) GGHS Sherpao Charsadda	A.V.P
30	Kalsoom Begum D/O Shah Nawaz Khan	Karak	Principal (BS-18) GGHS Jehangiri Karak	A.V.P
31	Rafia Naz D/O Ghulam Mujtaba Khan	Abbottabad	Principal (BS-18) GGHS Berote Abbottabad	A.V.P
32	Haseena Fida D/O Fida Muhammad	Peshawar	Principal (BS-18) GGHS Nizampur Nowshera	A.V.P
33	Seema Afridi D/O Abdul Mateen	Peshawar	Principal (BS-18) GGHS Behlola Charsadda	Vice Sr. No. 95
34	Mehreen Javaid D/O Muhammad Javaid	Peshawar	Principal (BS-18) GGHS Phase-III Hayatabad Peshawar	Vice Sr. No. 86
35	Faheem Afshan D/O Mir Dad Khan	Nowshera	Principal (BS-18) GGHS Dheri Kati Khel Nowshera	A.V.P
36	Sadia Rahman D/O Ghulam Rahmani	Mardan	Principal (BS-18) GGHS Chamdheri Mardan	A.V.P
37	Shazia Ashraf D/O Muhammad Ashraf	Mansehra	Vice Principal (BS-18) GGCMHS No. 1 Mansehra	A.V.P
38	Saira Parveen D/O Matloob Khan	Abbottabad	Vice Principal (BS-18) GGHS Malikpura Abbottabad	Vice Sr. No. 97
39	Saeeda Islam D/O Islam Ud Din	Nowshera	Principal (BS-18) GGHS Khisgi Payan Nowshera	Vice Sr. No. 98
40	Sadia Afsheen D/O Nazir Ahmed	Abbottabad	Principal (BS-18) GGHS Trawra Mansehra	A.V.P
41	Aisha Bibi D/O Ghulam Rahmani	Mardan	Principal (BS-18) GGHS Jandarpar Mardan	A.V.P

05/03/14

ATTESTED

(Signature)

12

42	Shakila D/O Muhammad Rashid	Malakand	Principal (BS-18) GGHSS Totano Banda Swat	A.V.P
43	Aisha Bibi D/O Abdur Rashid	Swat	Principal (BS-18) GGHSS Zarakhela Swat	A.V.P
44	Nazneen D/O Karamat Ullah Khan	Bannu	Principal (BS-18) GGHSS Hassanzai Charsadda	A.V.P (spotise policy)
45	Iffat Jabeen D/O Syed Lal Hussain Shah	Haripur	Vice Principal (BS-18) GGHSS Kot Najibullah Haripur	A.V.P
46	Madiha Mukhtar Saqi D/O Ali Mukhtar Saqi	D.I.Khan	Principal (BS-18) GGHSS Paniala D.I.Khan	A.V.P
47	Taskeen Tabassum D/O Saifdar Ali Khan	Charsadda	Principal (BS-18) GGHSS Dhakki Charsadda	A.V.P
48	Wahilat Begum D/O Lajbar	Mardan	Principal (BS-18) GGHSS Qasimi Mardan	A.V.P
49	Zaib Un Nisa D/O Payo Dar Khan	Karak	Principal (BS-18) GGHSS Kot Kohat	A.V.P
50	Zubaida Khanam D/O Amir Badshah	Lakki Marwat	Principal (BS-18) GGHSS Ghazni Khel Lakki Marwat	Vice Sr. No. 99
51	Nuzhat Jabeen D/O Muhammad Saeed Ur Rehman	Abbottabad	Principal (BS-18) GGHSS Darband Mansehra	A.V.P
52	Naseem Akhtar D/O Muhammad Sharif	Kohat	Principal (BS-18) GGHSS Togh Bala Kohat	Vice Sr. No. 100
53	Shaukat Ara D/O Muhammad Zamin Khan	Swat	Principal (BS-18) GGHSS Gwalera Swat	A.V.P
54	Jamila Bano Khattak D/O Asaf Zareen Khattak	Karak	Principal (BS-18) GGHSS Dab Karak	A.V.P
55	Khadija Begum D/O Abdul Aziz	Abbottabad	Principal (BS-18) GGHSS Noordi Haripur	Vice Sr. No. 101
56	Rozina Safi D/O Abdul Malik Safi	Mardan	Principal (BS-18) GGHSS Jamal Garhi Mardan	A.V.P
57	Nasreen Bibi D/O Muhammad Aslam	Abbottabad	Principal (BS-18) GGHSS Ghandian Mansehra	Vice Sr. No. 102
58	Shahneela Arjumand D/O Arjumand Khan	Dir Lower	Principal (BS-18) GGHSS Shatai Dir Lower	A.V.P
59	Noreen Ayaz D/O Raja Muhammad Ayaz	Abbottabad	Vice Principal (BS-18) GGHSS Khanpur Haripur	Vice Sr. No. 103
60	Fareeha Hayat D/O Muhammad Hayat Khan	Bannu	Principal (BS-18) GGHSS Bangash Khel Bannu	A.V.P
61	Hasina Bibi D/O Abdul Hussain	Chitral	Principal (BS-18) GGHSS Mastuj Chitral	A.V.P
62	Shaheen Begum D/O Muhammad Israr	Malakand	Principal (BS-18) GGHSS Totakan Malakand	A.V.P
63	Haleema Bibi D/O Malik Mohammad Dahood	Mansehra	Principal (BS-18) GGHSS Oghi Mansehra	A.V.P
64	Fehmida Begum D/O Abdul Haq	Malakand	Vice Principal (BS-18) GGHSS Sakhakot Malakand	A.V.P
65	Nasira Bibi D/O Ghulam Hassan Khan	Nowshera	Principal (BS-18) GGHSS Badrashi Nowshera	A.V.P
66	Shahnaz Masood D/O Masood-ur-Rehman	Karak	Vice Principal (BS-18) GGHSS No. 1 Karak	A.V.P
67	Nasira Jabeen D/O Muhammad Zafran	Abbottabad	Principal (BS-18) GGHSS Kiri Raiki Abbottabad	A.V.P

ATTESTED

[Signature]

13

68	Nida Bibi D/O Muhammad Rafique	Mansehra	Principal (BS-18) GGHSS Bher Kund Mansehra	Vice Sr. No. 104
69	Fehmida Anjum D/O Naqeeb Ullah Khan	Bannu	Principal (BS-18) GGHS No. 2 Sarai Naurang Lakki Marwat	A.V.P
70	Nusrat Parveen D/O Abdul Qadeer	Haripur	Principal (BS-18) GGHSS Beer Haripur	A.V.P
71	Farkhanda Jabeen D/O Abdul Karim	Chitral	Principal (BS-18) GGHSS Warijune Chitral	Vice Sr. No. 105
72	Najma Niaz D/O Azad Khan	Swabi	Principal (BS-18) GGHSS Matta Mughal Khel Charsadda	A.V.P
73	Badeya Danish D/O Lal Khan	Abbottabad	Principal (BS-18) GGHSS Azakhel Bala Nowshera	Vice Sr. No. 118
74	Iffat Younus D/O Muhammad Yunus	Haripur	Principal (BS-18) GGHS Sarai Niamat Khan Haripur	Vice Sr. No. 107
75	Qudsia Syed D/O Syed Zubair	Mansehra	Principal (BS-18) GGHSS Nokote Mansehra	A.V.P
76	Nusrat Haider D/O Ali Haider Khan	Bannu	Principal (BS-18) GGHS Bahadar Mughal Khel Bannu	A.V.P
77	Rabia Bibi D/O Talib Shah	Abbottabad	Principal (BS-18) GGHS Rajoya Abbottabad	Vice Sr. No. 108
78	Qudsia Bano D/O Muhammad Ayaz Khan	Mansehra	Principal (BS-18) GGHSS Dhodial Mansehra	Vice Sr. No. 109
79	Neelam D/O Malang Shier	Tribal District Mohmand	Principal (BS-18) GGHSS Matta Palangzai Charsadda	A.V.P
80	Nurjabeen D/O Noor Muhammad	Tribal District Kurram	Principal (BS-18) GGHS Qubadshah Khel Upper Kurram	A.V.P

CONSEQUENTIAL TRANSFERS

81	Mst. Nasrin Begum, HM (BS-17) working as Principal (BS-18) GGHSS Dingi Haripur (in OPS)	-	HM (BS-17) GGHS Kohla Bala Haripur	A.V.P
82	Mst. Fozia Hina, SS (Stat) BS-18 working as Vice Principal (BS-18) GGCHSS Abbottabad	-	SS (Stat) BS-18 GGHSS KTS No. 2 Haripur	A.V.P
83	Mst. Sadia Arifeen, SS (Bio) BS-18 working as Vice Principal (BS-18) GGHSS University Town Peshawar	-	SS (Bio) BS-18 GGCHSS Peshawar	Vice Sr. No. 110
84	Mst. Yasmeen Bibi, HM (BS-17) working as Vice Principal (BS-18) GGHSS Jungle Khel Kohat (in OPS)	-	HM (BS-17) GGHS Marai Bala Kohat	A.V.P
85	Mst. Shakila Begum, SS (His-cum-Civics) BS-18 working as Principal (BS-18) GGHSS Ghari Phulgran Abbottabad	-	SS (His-cum-Civics) BS-18 GGHSS No. 2 Manshra	Vice Sr. No. 111
86	Mst. Surraya Begum, Principal (BS-18) GGHS Phase-III Hayatabad Peshawar (Management Cadre)	-	DDEO (Female) BS-18 Peshawar	Vice Sr. No. 119

55/03/14

ATTACHED

A

87	Mst. Sumaira Ambreen, SS (Econ) BS-18 working as Principal (BS-18) GGHSS Akbarpura Nowshera	-	SS (Econ) BS-18) GGHSS Shabqadar Charsadda	A.V.P
88	Mst. Naila Rubi, HM (BS-17) working as Principal (BS-18) GGHSS KDA Kohat	-	HM (BS-17) GGHS Churlaki Kohat	A.V.P
89	Mst. Farhat Begum, HM (BS-17) working as Principal (BS-18) GGHSS Azakhel Payan Nowshera (in OPS)	-	HM (BS-17) GGHS Nodeh Nowshera	A.V.P
90	Mst. Sarwat Ghayas, SS (Econ) BS-18 working as Vice Principal (BS-18) GGHSS Baffa Mansehra	-	SS (Econ) BS-18 GGHSS Ghari Habibullah Mansehra	A.V.P
91	Mst. Bibi Sajida, SS (English) BS-18 working as Vice Principal (BS-18) GGHSS Kakul Abbottabad	-	SS (English) BS-18 GGHSS Havelian Abbottabad	A.V.P
92	Mst. Memoona Kausar, HM (BS-17) working as Principal (BS-18) GGHSS Behzadi Chakkar Kot Kohat (in OPS)	-	HM (BS-17) GGHS Parshai Kohat	A.V.P
93	Mst. Tahira, HM (BS-17) working as In-charge Principal (BS-18) GGHSS Shuh Afzal Abad Mansehra	-	HM (BS-7) GGHS Karori Mansehra	A.V.P
94	Mst. Talat Naheed, SS (Chemistry) BS-18 working as Principal (BS-18) GGHSS Chapra Haripur	-	SS (Chemistry) BS-18 GGHSS Havelian Abbottabad	Vice Sr. No. 112
95	Mst. Nighat Sultana, HM (BS-17) working as Principal (BS-18) GGHS Behlola Charsadda (in OPS)	-	HM (BS-17) GGHS Sardheri Charsadda	Vice Sr. No. 113
96	Mst. Rifhat Memoon, SS (Econ) BS-18 working as Vice Principal (BS-18) GGHSS Hayatabad Peshawar	-	SS (Econ) BS-18 GGHSS Akora Khattak Nowshera	A.V.P
97	Mst. Rabia Bibi, SS (English) BS-18 working as Vice Principal (BS-18) GGHSS Malikpura Abbottabad	-	SS (General) BS-18 GGHSS Malikpura Abbottabad	Vice Sr. No. 38
98	Mst. Imtiaz Parveen, HM (BS-17) working as Principal (BS-18) GGHSS Khisgi Payan Nowshera (in OPS)	-	HM (BS-17) GGHS Marhati Banda Nowshera	Vice Sr. No. 114
99	Mst. Farzana Bibi, SS (Islamiat) BS-18 working as Principal (BS-18) GGHSS Ghazni Khel Lakki Marwat	-	SS (Islamiat) BS-18 GGHSS Ghoriwala Bannu	A.V.P
100	Mst. Uzma Sardar, HM (BS-17) working as Principal (BS-	-	HM (BS-17) GGHS Hassan Khel Kachai Kohat	A.V.P

05/03/14

ATTESTED
A

	18) GGHSS Togh Bala Kohat (in OPS)			
101	Mst. Shaista Bano, SS (Physics) BS-18 working as Principal (BS-18) GGHSS Noordi Haripur		SS (Physics) BS-18 GGHSS Kot Najibullah Haripur	A.V.P
102	Mst. Jawaria Kanwal, SS (His-cum-Civics) BS-18 working as Principal (BS-18) GGHSS Ghandian Mansehra		SS (His-cum-Civics) BS-18 GGHSS Ghari Habibullah Mansehra	A.V.P
103	Mst. Iffat Rahim, HM (BS-17) working as Vice.Principal.(BS-18) GGHSS Khanpur Haripur (in OPS)		SS (BS-17) GGHSS Khanpur Haripur	A.V.P
104	Mst. Nadia, Hameed Lodhi, SS (Chemistry) BS-18 working as Principal (BS-18) GGHSS Bher Kund Mansehra		SS (Chemistry) BS-18 GGHSS Ghari Habibullah Mansehra	A.V.P
105	Mst. Bibi Kibria, HM (BS-17) working as Principal (BS-18) GGHSS Warijune Chitral (in OPS)		HM (BS-17) GGHS Koshit Chitral	A.V.P
106	Mst. Naz Begum, SS (English) BS-18 working as Principal (BS-18) GGHSS Wadpaga Peshawar		SS (English) BS-18 GGHSS Shabqadar Charsadda	A.V.P
107	Mst. Fozia Barlas, SS (Maths) BS-18 working as Principal (BS-18) GGHS Sarai Niamat Khan Haripur		SS (Maths) BS-18 GGHSS Havelian Abbottabad	Vice Sr. No. 115
108	Mst. Khadija, HM (BS-17) working as Principal (BS-18) GGHS Rajoya Abbottabad (in OPS)		HM (BS-17) GGHS Rahi Abbottabad	A.V.P
109	Mst. Nusrat Hussain, SS (Bio) BS-18 working as Principal (BS-18) GGHSS Dhodial Mansehra		SS (Bio) BS-18 GGHSS Ghari Habibullah Mansehra	A.V.P
110	Mst. Shehla Sarwar, SS (Bio) BS-17 working against BS-18 post at GGCHSS Peshawar (in OPS)		SS (Bio) BS-17 GGHSS Azakhel Payan Nowshera	A.V.P
111	Mst. Bibi Saima, SS (His-cum-Civics) BS-17 working as SS (His-cum-Civics) BS-18 GGHSS No. 2 Mansehra (in OPS)		SS (His-cum-Civics) BS-17 GGHSS Takhti Khurd Mansehra	A.V.P
112	Mst. Naheeda, SS (Chemistry) BS-17 working against BS-18 post at GGHS Havelian Abbottabad		SS (Chemistry) BS-17 GGHSS Panian Haripur	A.V.P
113	Mst. Fluma Kalsoom, HM (BS-17) GGHS Sardheri Charsadda		HM (BS-17) GGHS Alizai Peshawar	A.V.P

05/03/19

ATTESTED

A

114	Mst. Shahida Jabeen, HM (BS-17) GGHS Marhati Banda Nowshera		HM (BS-17) GGHS Chagharmatti Peshawar	A.V.P
115	Mst. Zahida, SS (Maths) BS-17 working against BS-18 post at GGHS Havelian Abbottabad		SS (Maths) BS-17 Trawra Manshra	A.V.P
116	Mst. Rehana Kausar, SS (English) BS-17 GGHS Zaroobi Swabi		SS (English) BS-17 GGHS Richbin Abbottabad	Vice Sr. No. 3
117	Mst. Sadia Aziz, SDEO (Female) BS-17 Haripur (Management Cadre)		DDEO (Female) BS-18 Haripur (in promotion zone) in OPS	Vice Sr. No. 31
118	Mst. Bushra Begum, HM (BS-17) working as Principal (BS-18) GGHS Azakhel Bala Nowshera (in OPS)		HM (BS-17) GGHS Garhi Momin Nowshera	A.V.P
119	Mst. Sabina Yasrab Rahim, SS (History-cum-Civics) BS-18 working as DDEO (Female) Peshawar (Teaching Cadre)		SS (History-cum-Civics) BS-18 GGHS Shabqadar Charsadda	A.V.P

TERMS AND CONDITIONS:

1. They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973 and the rules made thereunder.
2. Their pay shall be released subject to verification of academic documents/ testimonials from the concerned Board/ University by the District Education Officer (Female) concerned. Verification process must be completed within three months and compliance report be submitted to this office otherwise disciplinary proceedings will be initiated against the DEO (F) concerned.
3. Their services shall be considered regular and they shall be eligible for pension/ deduction of GP fund in terms of the Khyber Pakhtunkhwa Civil Servants Act, 1973 as amended in 2013.
4. Their services shall be liable to termination on one months notice from either side. In case of resignation without prior notice, their one-month's pay/ allowances shall be forfeited to the Government.
5. They shall be initially, on probation for a period of one year extendable for further one year as per rules.
6. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 as amended from time to time.
7. The appointee shall join their post within 30 days of the issuance of this notification. The Director E&SE Khyber Pakhtunkhwa Peshawar would furnish a certificate to the effect that the candidate has joined the post in time: failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.
8. Charge report shall be submitted to all concerned.
9. No TA/ DA shall be allowed to the appointee for joining their duty.

SECRETARY
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

ATTESTED


★

Endst: of: even No. & date:

17

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director (Recruitment), Khyber Pakhtunkhwa Public Service Commission, Peshawar.
4. District Education Officers (Female) concerned.
5. District Accounts Officers concerned.
6. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
7. PS to Advisor to Chief Minister for E&SE Khyber Pakhtunkhwa Peshawar.
8. Incharge EMIS, E&SE Department for uploading at official website.
9. PS to Secretary E&SE Department.
10. Principal/ Vice Principal concerned.
11. Office order file.


(SHABIR KHAN) 205/03/09
SECTION OFFICER (SCHOOLS FEMALE)

ATTACHED



14

E 18 Quex. E

16/03/2019

IMG-20190316-WA0001.jpg

NOTIFICATION

16/03/2019

Government of Khyber Pakhtunkhwa
Department of Public Service
Posting/adjustment of the following officers of E&SE Department of the posts/stations as mentioned against each, in the interest of public service with immediate effect.

S/N	Name of officer	From	Posted as	Remarks
1	Mst. Rizwana (BS-18)	Waiting Posting	Instructor (BS-10) P.D.T.E. (Female) Kohat P.S.	A.V.P.
2	Mst. Sabina Yusrat Rahim, SS H/Civics (BS-18)	Under transfer as SS H/Civics (BS-18) GGHSS Shabqadar Charsadda	DDEO (BS-18) (Female) Peshawar	do
3	Mst. Dilshad Begum, DDEO (BS-18)	Deputy Director (BS-18) Directorate of E&SE	DDEO (BS-18) (Female) Swabi with additional charge of DEO (Female) Swabi	do
4	Mst. Fehmida Begum, Principal (BS-18)	Principal (BS-18) GGHSS Sakhakor Malakand	DDEO (BS-18) (Female) Malakand with additional charge of DEO (Female) Malakand	do
5	Mst. Gulnaz SDEO (BS-17)	SDEO (BS-17) (Female) Tankhoy Morkhoy Chitral	SDEO (BS-17) (Female) Booni Chitral	VISAD
6	Mst. Musarat Jamil, SDEO (BS-17)	SDEO (BS-17) (Female) Booni Chitral	SDEO (BS-17) (Female) Tankhoy Morkhoy Chitral	VISAD

ATTESTED

Consequent upon the above, the services of Mst. Suraya Begum are hereby placed at the disposal of Directorate of E&SE for further posting.

No T.A./D.A. allowed

SECRETARY
Govt. of Khyber Pakhtunkhwa
E&SE Department

Encl: of even No. & Date

Copy forwarded to the

- 1. Accountant General, Khyber Pakhtunkhwa Peshawar
- 2. Director, E&SE Khyber Pakhtunkhwa Peshawar

ATTESTED
[Signature]

The Chief Secretary,
Khyber Pakhtunkhwa.

PS/C.S Khyber Pakhtunkhwa
Diary No. 4528 WIE
Date 10-4-19

F
F
19

DEPARTMENTAL APPEAL FOR RETENTION OF PRINCIPAL SURRAYA BEGUM
(BPS-18) GGHS HAYATABAD PHASE -III

Respected Sir,

I was appointed as DEO Buner from 31-05-2011. During duty at Buner, I got sever Arthritis and then I requested the Department for adjustment as Principal.

The department accepted my request and adjusted me as Principal on 04-06-2013 at GGHS Civil Quarters Peshawar from 04-06-2013 and I have been working as Principal in different schools till date.

Now I have cardiac problem and the department was kind enough and shifted my post from GGHS No. 1 Karak (BPS-18) to GGHS Phase-III Hayatabad Peshawar and adjusted me as Principal on medical grounds (Copy of order and Medical Certificate attached).

Now I have again been retransferred as DDEO Peshawar vide Notification No. SO(S/F)E&SED/3-2/2019/Recruitment/Prin:/V.Prin: BS-18/ Female, S. No. 24, dated 05-03-2019.

Furthermore it is astonishing that my services are hereby placed at the disposal of Directorate of E&SE for further posting vide Notification No. SO(S/F)E&SED/4-16/ 2019/ General/ Posting/Transfer, dated 15-03-2019.

In view of the above, it is humbly requested to retain me as Principal at GGHS Phase-III Hayatabad, Peshawar.

Thanks

Yours obediently,

SURRAYA BEGUM
Principal
PRINCIPAL
GGHS Hayatabad Phase III, Peshawar.
GGHS Phase III
Hayatabad Peshawar

Endst. of even No. 853CE

Copy forwarded to the

1. Accountant General, Khyber Pakhtunkhwa
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar

ATTACHED



GOVERNMENT OF KHYBER PAKHTUNKHWA

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

Dated Peshawar the May 13th, 2019

NOTIFICATION

No. SO(S/F)E&SED/4-16/2019/Adjustment: Consequent upon the approval of Competent Authority; the following adjustments are hereby ordered against the mentioned posts in public interest with immediate effect:

S#	Name, Designation & Station	Posted As	Remarks
1	Mst. Surraya Begum, Management Cadre (BS-18) services at the disposal of Directorate of E&SE	DDEO (F) BS-18 Peshawar	Vice Sr. No. 2
2	Mst. Sabina Yasrab Rahim, DDEO (F) BS-18 Peshawar (Teaching Cadre)	SS (His-cum-Civics) BS-18 GGHSS Shabqadar Charsadda	A.V.P

No TA/ DA allowed.

**SECRETARY
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

Endst: of even No. & date:

Copy forwarded to the:

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


(GUL RUKH)

SECTION OFFICER (SCHOOLS FEMALE)

ATTACHED

A

*Logg Al
Suppl
Morden*

17 (20) (21)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

POSTING/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas; 01½ years for unattractive areas and one year for hard areas. *(See P-06 as retained)*

v)

vi) "While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, Khyber PakhtunKhwa needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, Khyber PakhtunKhwa shall be obtained."

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

vi(a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.

vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.

TESTED

A

Circular letter No. SOR-VI/E&AD/1-4/2008/Vol-VII dated the 11th September, 2009

Para-I(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated, 3-5-2008. Consequently authorities competent under the Khyber PakhtunKhwa Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.

Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010.

Sub para-VI (a) added vide circular letter No. SOR-VI/E&AD/1-4/2008 dated 22nd October, 2008.

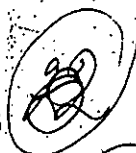

29

- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement.

DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the Khyber Pakhtunkhwa Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department	Secretary of the Department concerned.

3



b) To and from an Attached Department	Secretary of the Department in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another	Secretary (Establishment)

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) ✓ Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

xiv) Government servants including District Govt employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) ✓ Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.


 ATTESTED

Updated up to April, 2010.

23
29

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No. SOR-VI/E&AD/I-4/2003 dated 24-6-2003.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

SPECIMEN NOTIFICATION

GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO. _____ The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. and date even.

Copy forwarded

- 1.
- 2.
- 3.
- 4.

ATTESTED

A

(NAME)
SECTION OFFICER
Administrative Department

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No. SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985 and the District Government Rules of Business, 2004 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest.

25

Updated up to April, 2010:

subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

✓ The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

✓ I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct. 2005.

The Chief Minister Khyber PakhtunKhwā has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) ✓ Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No: SOR-VI/E&AD/1-4/2003, dated 8-6-2004 & Urdu Letter No: SOR-VI/E&AD/Misc: /2003, dated 3-1-2006.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree, except the Government Servants holding Administrative posts;
- ii) ✓ Khyber PakhtunKhwā Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}

The competent authority has decide that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the Khyber PakhtunKhwā Govt Servants (Conduct) Rules 1987 shall be proceeded against under the Khyber PakhtunKhwā Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber PakhtunKhwā Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect

Updated up to April, 2010

28

shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

{Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated 29-6-2007}

"In continuation of this Department circular letter No.SOR-VI/E&AD/1-4/2008/Vol-VII dated 11th September, 2009, I am directed to refer to the subject and to say that the Provincial Cabinet in its meeting held on 30th March, 2010 inter-alia approved the following for the purpose of Posting/Transfer Policy:-

Unattractive/Hard Areas

1. ✓ The distinction between unattractive/hard areas should be done away with and both should be labeled as Unattractive areas. ✓
2. Existing list of FATA areas be retained.
3. The following areas were recommended/approved to constitute unattractive areas in NWFP:-

- a. Kohistan District.
- b. Tank District.
- c. Chitral District.
- d. Bagram District.
- e. Shangla District. ✓
- f. Hungu District.
- g. PATA areas of Mansehra (Kala Dhaka)

1. Tenure for settled area 03 year
2. unattractive area is 02 ✓
(P-I)

Tenure of posting.

- i. ✓ The erstwhile normal tenure of 2 years be retained.
- ii. Existing tenure for unattractive areas be retained. However, in case of married civil servants, transfer should be made just at the beginning of school session and tenure should be one year instead of 1.5 year, so that academic disruptions are avoided.
- iii. At the time of entry in service, all civil servants be asked to give 4 options from unattractive areas.
- iv. After a stint of service in unattractive area, employees may be offered option to serve in district of choice.

ATTESTED

PLACEMENT POLICY

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy is as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in

6
No. SOR-VI/E&AD/1-4/2010/Vol-VIII Dated Peshawar, the 10th April, 2010
Placement Policy has been made part of the posting/transfer policy vide Urdu circular No.SOR-VI(E&AD)1-4/06, dt 9-2-2007

Updated upto April, 2010:

27

consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.

- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and then the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:
 - a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department; in order to transfer the knowledge and bring about a qualitative change internally;
- vi) ✓ The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participants will decline/represent against his/her posting.

A
A

28
17

Dated 28 Feb 2013

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**
(REGULATION WING)
NO. SOR.VI (E&AD)1-4/2005/Vol-II
Dated Peshawar, 27th February, 2013

To
S. J. Khan

1. The Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.
2. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. All Commissioners in Khyber Pakhtunkhwa.

Subject: CONSTITUTION PETITION NO.23 OF 2012 OUT OF SUO MOTO CASE NO. 3/2012 (PETITION BY MS. ANITA TURAB FOR PROTECTION OF CIVIL SERVANTS REGISTERED UNDER ARTICLE 184 (3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.)

Sir,

I am directed to refer to the subject noted above and to state that the Supreme Court of Pakistan vide the subject cited judgment has enunciated the following principles of Law with regard to protection and conduct of civil servants.

- (i) **Appointments, Removals and Promotions:** Appointments, removals and promotions must be made in accordance with the law and the rules made hereunder, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.
- (ii) **Tenure, Posting and Transfer:** When the ordinary tenure for a posting has been specified in the law or rules made thereunder, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

DS II
SO
4/3

mayaw

Spl. Secy

So. Secy / So Est
STB

ATTESTED
A

- (iii) **Illegal Orders:** Civil Servants owe their first and foremost allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule based norms; instead, in such situations, they must record their opinion and, if necessary, dissent.
- (iv) **OSD:** Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.

2. I am, therefore, directed to request you to note the above principles of law for strict compliance.

Yours faithfully,

Majam
(NAJ-MUS-SAHAR)
SECTION OFFICER (REG-VI)

Encl: as above.

A copy is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Registrar, Peshawar High Court, Peshwar.
6. The Secretary Khyber Pakhtunkhwa, Public Service Commission.
7. All Addl: Secretaries Establishment & Administration Department.
8. All Deputy Secretaries in Establishment & Administration Department.

Majam
SECTION OFFICER (REG-VI)

8

9444x-A
J
27

Professor

Dr. Amjad Taqweem Kakakhail
(Gold Medalist)



پروفیسر

ڈاکٹر امجد تقویم کا کاخیل

گولڈ میڈلسٹ
ایم بی بی ایس (پشاور)
ایف سی پی ایس (میڈیسن)
ایم آر سی پی ایس (آئرلینڈ)

Physician & Rheumatologist
F.C.P.S. (Pak) MRCP (Ireland)

Professor Medicine
Post Graduate Medical Institute
Lady Reading Hospital Peshawar.

♀

27/2/14

To whom it may concern

It is certified that Mrs Suraya Begum w/o Professor Abbas Khan is having Arthritis, she is my patient for last many yrs and requires life long treatment and is not fit for field duty & long travels.

Attested

ATTESTED

درد کی گولی کے ساتھ معدے کی دوائی ضرور رکھائیں۔
ناغہ بروز ہفتہ، اتوار

ڈاکٹر امجد تقویم کا کاخیل
M.B.S. M.R.C.P. F.C.P.S
ایسوسی ایٹ پروفیسر
پشاور ہسپتال پشاور

Clinic: 29-30 A, Karachi Market, Khyber Bazar Peshawar
Mob: 0300-5908048 - 0321-9772311

(9)

(28) (30)

Dr. Muhammad Adil
M.B.B.S (Pesh), M.C.P.S (Medicine), F.C.P.S (Cardiology)

Assistant Professor
Cardiology Department
Lady Reading Hospital, Peshawar.

CLINIC:
2nd Floor, Room # 210.
Akbar Medical Centre
Dabgari Garden, Peshawar.

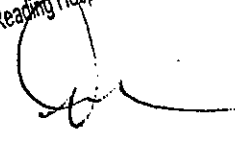
Name: Sarayya Bibi Age _____ Sex F Date 15/6/07

Clinical Record

To whom it may concern,
Mrs. Sarayya Begum is known
case of CAD/Angina/HTN and
Dyslipidemia. She is taking
regular life long medication.
She is also having fibromyalgia
and taking medication for
that. She should be offered
less stressful job - as much
as possible.

ATTESTED


ATTESTED


DR. MUHAMMAD ADIL
Assistant Professor Cardiology Department
Lady Reading Hospital Peshawar


Appointment: 0334-9077850 / 0317-0160616

معائنہ بروز پیر تا جمعہ

سرورین سٹریٹ ہوٹل لہستان

سرورین سٹریٹ ہوٹل لہستان
 خیر خواہانہ بنام محکمہ تعلیم

مورخہ
 مقدمہ
 دعویٰ
 جرم

باعث تحریر آنکہ

محمد اسلم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام لہستان کیلئے محمد اسلم برسرقرنی اور محمد اسلم بنام محمد اسلم
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
 اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
 مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
 تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
 اور اس کا ساختہ پرداخت منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
 سب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
 گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

20

ماہ

الہ آباد

واہ الع

کے لئے منظور ہے۔

Attested & Accepted
 [Signature]

محمد اسلم
 [Signature]

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Surraya Begum Vs Chief Secretary KPK & Others

1. I /We **Mst. Mehreen** the undersigned, do hereby nominated, appointed and agreed to engage **Umer Zafran & M.A. Iqbal Khalil** Advocates and their associates on my/our behalf to appear/ plead act represent and answer in the above court or any appellate court or any other court or forum to which the business is transferred in the above matter, and to sign and file petitions, statements, account, exhibits, compromises or other documents whatsoever in connection with the said matter or any matter arising therefore and also apply for and receive all the documents or copies of documents, disposition etc, and to apply for issue summons and other writs or subpoena and to apply for and get issue any arrest, attachment or other execution, warrant or order and to conduct any proceedings that may arise thereto; and apply for and receive payment or any or all sums or submit the above matter for arbitration, and to employ any other legal practitioner authorizing him to exercise the powers and authorities hereby conferred on the advocates of the firm whenever he may think fit to do so.
2. AND to do all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.
3. AND I/ we hereby agree to ratify and confirm all law acts done on my/ our behalf under or by virtue of these presents or of the usual practice in such matter.
4. PROVIDED, always, that if the case may be dismissed in default, if it be proceeded ex-party, the counsels of the firm shall not be held responsible severally or jointly and neither the firm be held responsible in the like manner. We, hereby agree that in the event of the whole fee agreed by me to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid, and in case of non-payment, I/we should not enjoy any defense whatsoever.
5. This power of attorney has been signed on ____ day of ____ in year 2019.

Attested & Accepted

UMER ZAFRAN

M.A. IQBAL KHALIL
Advocates, Peshawar

TF-74, Deans Trade Centre
Peshawar Cantt:
Phone:091-5253373
Mobile: 0300-5927464
Email:umerzafran@hotmail.com

Mehreen
(CLIENT)

(1)

Mohammed Zahid

BEFORE THE SERVICES TRIBUNAL, KPK PESHAWAR

Services Appeal No. 916 / 2019

Mst. Surraya Begum Appellant

VERSUS

Chief Secretary Govt of KP & Others Respondents

WRITTEN REPLY ON BEHALF OF RESPONDENT NO. 04

Respectfully Sheweth :-

Preliminary Objections

1. That the appeal has not been bases on facts.
2. That the appellant has got no cause of action and locus standi to file the appeal.
3. That the appeal is not maintainable in the present form.
4. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
5. That the appellant is stopped by his own conduct to file the appeal.
6. That the appeal is barred by law and limitation.
7. That the appellant has not come to this Honourable Tribunal with clean hands.

2

FACTS

1. That Para No. 01 relates to Education Department. However, the facts alleged by the appellant needs proof.
2. There seems no violation of posting of transfer policy as
 - a. She belongs to Management Cader;
 - b. She was transferred to Peshawar on her own request;
3. (i) That As the appellant herself admitted that she was appointed as DEO (F) (Management Cadre) transferred to Peshawar on her own request on Medical Grounds in March 2013 and for the more then six years she is posted at Peshawar, but the transfer policy shows the stay is meant for a Station in Rural or Urbans areas and not for specific post/ seat and that also not on wrong posting; but since she resides in Hayatabad.

(ii) There is no valid evidence to prove that Mrs Surraya Begum has visited any Government Hospital and the doctors who have prescribed and advised, in their private capacity at their Private Clinic on their private letter pads during part time practices.
4. (i) As already stated against Para 3 above that the stay is meant for a station and not for a particular post but since she resides in Hayatabad, therefore, her best efforts to remain in the territory of Hayatabad, otherwise even now she has been transferred and posted within Peshawar

(ii) Posting of government employees become inevitable in other months due to promotion / retirement / creation of new posts / return from long leave, involvement in disciplinary proceedings and adjustment of surplus staff. But in this case the appellant has been posted in Peshawar. (Reference Provincial KPK Esta Code, posting / transfer in Government Departments (SI No.8).

(iii) (a) Page 122

5. This is an administrative issue and department can answer but this is clear that this order was issued in the public interest. However, the appellant has been retained at Peshawar.
6. That the appellant has no cause of action to file the instant appeal.

GROUNDS

- A. This is a departmental issue and the Education Department can better answer. However, all the notifications mentioned by the appellant are in accordance with laws and rules and no fundamental right of the appellant has been violated.
- B. I think, the rules and policies did not show that just for a person who also belongs to another cadre, the post is transferred from a district to another district and that also on the basis of prescriptions of doctors in their private capacity in private clinics and on private letter pads.
- C. (i) As explained against Para B above.

(ii) Although she and her husband (now retired and not in government Service at the moment) belong to Karak District even then, on her promotion to BPS-19 she has been posted within Peshawar against her cadre post and not to far flung areas.
- D. The situation has been explained in Para 3 of FACTS and para C of grounds above.
- E. The verdicts of appellant, saying that transfer order was passed just to adjust blue eyed person on the post of appellant are several condemned and strongly / totally rejected, as my client was selected by the Public Service Commission after a lengthy process of about more than one year along with other 119 candidates.
- F. The department would be in better position to reply but as far as my client knows, before her appointment, she was in touch with the department and it was told to her that case was in process and the summary has been sent to competent authority.

4

- G. The Education Department would be in a better position to answer whether the Department made successive transfers himself due to Administrative completion's or on the approach by the appellant.
- H. This is a contradiction of verdicts referred to in (G) above. This is clear that the appellant herself tried to adjust her in Hayatabad i.e near to her home otherwise she could be adjusted in any girls school in Peshawar. Her recent transfer due to Management Cadre in Grade 19 and that also within Peshawar city and not at a far flung areas. The observation that the post of grade 18 was transferred to Hayatabad only for her but even then she was transferred from that post prematurely is not a valid justification.
- I. That the appellant has no cause of action to file the instant appeal, therefore, the same may please be refused.

It is, therefore, most humbly prayed that on acceptance of this reply the appeal filed by the appellant may please be dismissed with costs in the interest of justice.

Mehreen

RESPONDENT NO. 04

Through

Umer Zafraan

UMER ZAFRAN
Advocate High Court

Dated:- 04-09-2019

5

BEFORE THE SERVICES TRIBUNAL, KPK PESHAWAR

Services Appeal No. 916 / 2019

Mst. Surraya Begum Appellant

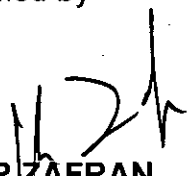
VERSUS

Chief Secretary Govt of KPk & Others Respondents

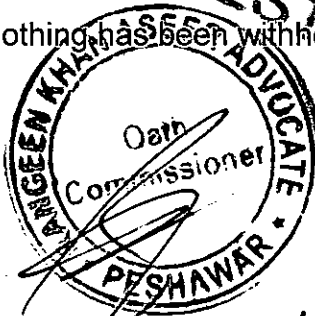
AFFIDAVIT

I, Mehreen Javed D/O Muhammad Javed R/O Civil Quarters, Peshawar, do hereby states on Oath that this written reply has been drafted on my information and instruction and I am fully convergent with facts of this reply and the contents of this reply are true and correct to the best of my knowledge and belief and nothing has been withheld from this august court.

Identified by



UMER ZAFRAN
Advocate, High Court



204/09/19


DEPONENT



ACCESS TO JUSTICE LAW CHAMBER

POWER OF ATTORNEY

Before The Justice Tribunal
Service Tribunal VERSUS Govt. Edu.
 Nature of Case S. App. On behalf of Abdul
 FIR # _____ Dated _____ U/Ss _____ PS _____


I do here by appoint **M/S Shabbir Hussain Gigyani & Associates** (hereinafter called as Advocates), as my counsel in this case with the following terms & conditions:-

- 1- That to sign and verify, pleading & all kind of application including those for notices, appeal, review, execution etc;
 - 2- To withdraw, compromise, refer to arbitration, bind me by oath, receive documents & money and give discharge;
 - 3- To appoint with him another lawyer and Generally for me & in my name and on my behalf to do all acts, deeds, matters & things relating to the case in all its stages that I personally could do if this instrument had not been executed.
 - 4- If at any time, the said counsel is unable to attend the court through illness or absence from station, he will make arrangement with some lawyer to appear for him, but he shall not be responsible for any lose caused to me, if his arrangement fails.
 - 5- I will make my own arrangement for attending the court on every hearing, to inform my said counsel, when the case is called. The counsel shall in no way be responsible for any loss caused to me through my failure to so inform him.
 - 6- The fee paid, or agreed to be paid, to the said counsel is for his work in this court alone, the retainer, however shall continue and remain in the court though I will make separate arrangement as to his fees in respect of appeal, revision, review, transfer proceeding and execution of decree or orders.
 - 7- Unless the whole amount of fee is paid the said counsel is no bound to prosecute my case, nor is he bound to do so (unless specially paid in separate arrangement) at any place other than the court house beyond the usual court hours, on a public holiday or in any other court.
 - 8- Not part of the said counsel's fee is returnable under any circumstances and cost of adjournments payable by the opposite party will be received and retained by him in addition to his fee payable by me.
- I have read the above terms & conditions & the same have been explained to me and I accept them as binding in witness whereof I have set my hand this _____ day of _____ 2019 at _____

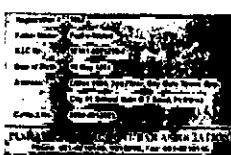
Executants:

[Signature] .1
[Signature] .2
[Signature] .3

Accepted & Arrested, Subject to the terms mentioned above

[Signature]
Shabbir Hussain Gigyani
 Amjid Khan Afridi
 Abu Bakkar Saddiq Mohmand


[Signature]
Fida Hussain Khalil
 Saif Ullah Mohmand

[Signature]
Waqar Khan Mohmand
 Yawar Hussain Yousafzai
 Emam Hussain Mohmand


BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Misc Application No. _____/2019

Service Appeal No. 916 /2019

Surraya Begum.....Applicant

Versus

Chief Secretary and others Respondents

**APPLICATION FOR DIRECTING THE RESPONDENTS TO ADJUST THE
APPELLANT AGAINST HER POST IN PURSUANCE OF HER PROMOTION ORDER
DATED: 27-05-2019**

Respectfully Sheweth,

Appellant humbly submits as to the following;


1. That titled appeal has been pending before this honorable tribunal, wherein the appellant has challenged her transfer order.
2. That during the pendency of appeal, appellant has been promoted from BPS-18 to BPS-19 vide order dated 27-05-2019 but without posting and its actualization is still awaited
3. That the order of promotion has not been actualized till the date.
4. That the respondents were under legal obligation to actualize the order of promotion by posting her in accordance with law.
5. That in the absence of actualization order, the appeal of the appellant could not consider being in fructuous, as she is still serving in BPS-18.

6. That non actualization of the order of the promotion is unwarranted and highly undesirable and speak malafide on the part of respondents

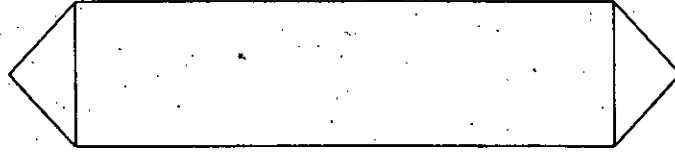
In view of the above submission, it is humbly prayed that on acceptance of instant application , this honorable tribunal may graciously be pleased to proceed with appeal and decide the same on merit.

OR

Direct the respondents to adjust the appellant on her promoted post in accordance with law and rules.

Appellant through

ASHRAF ALI KHATTAK ADVOCATE,
HIGH COURT PESHAWAR

Dated: 01-11-2019



2 منجانب
بنام

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام بمقام کلبہ اور کلبہ اللہ فاعلی خٹک ایڈووکیٹ
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے وہوگا۔ کوئی تارتخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Attested & Accepted

20/10/2019

Ashraf Ali Khattak

B.C # 10-4605

Coll # 0332-9931676

المرقوم
۱۰ ماہ نو عدد
Sunnat

العبد العبد العبد

کے لئے منظور ہے۔

مقام

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

S.A.# 916/2019

Surraya BegumAppellant.

VERSUS

Secretary E&SE, Govt: of Khyber Pakhtunkhwa & others **Respondents.**

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF THE RESPONDENTS NO.1-3.

Respectfully Sheweth,

The Respondents submit as under:-

Preliminary Objections

1. The applicant has got no cause of action/locus standi.
2. The instant application is badly time barred.
3. The applicant has concealed the material facts from this Hon'able Tribunal, hence is liable to be dismissed on this score.
4. The applicant has not come to this Hon'able Tribunal with clean hands.
5. The present application is liable to be dismissed for mis-joinder & non joinder of necessary parties.
6. That the appellant is estopped by his own conduct to file the instant appeal.
7. The instant application is against the prevailing law & rules.
8. The applicant is stopped by his own conduct to file the instant application.
9. That the impugned Notification of the Respondent No.1, is legally competent and is liable to be maintained
10. That each and every civil servant falling under the ambit Section-2(b) of KPK, Civil Servant Act 1973 is legal bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National Exchequer.

FACTS.

1. That Para-1 pertains to personal and service record of the appellant.
2. Para-2 also pertains to service record of the Appellant.
3. That the appellant herself admitted that she was adjusted in Government Girls High School Phase III Hayatabad, Peshawar on her own request, otherwise the appellant is the domicile holder of District Karak.
4. That Para-04 is correct to extent that the appellant has been adjusted against the DDEO (F) Peshawar for the purpose of smooth functioning of official business of the said district.
5. That the appellant basically belongs to the Management Cadre as per repeated judgment of Hon'able Peshawar High Court Peshawar and the Establishment Department letter that the Management Cadre should not be posted against teaching cadre, hence the appellant has been adjusted / posted against Management Cadre Post as DDEO(F), Peshawar.

6. That each and every civil servant falling under the ambit Section-2(b) of KPK, Civil Servant Act 1973 is legal bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National Exchequer.

Grounds:

- A. That Para-2 is incorrect and denied on the grounds that each and every civil servant falling under the ambit Section-2(b) of KPK, Civil Servant Act 1973 is legal bound to serve the Respondent Department to the entire satisfaction of the Competent Authority against the post for which she being paid by the Respondent Department from the National Exchequer.
- B. Incorrect and denied, the impugned Notification of the Respondent, is within legal sphere and is liable to be maintained in favour of the Respondent Department in the interest of justice as the Appellant is basically hails from Management Cadre in BS-18 and is liable to be posted against the said post anywhere in the Province under the mandatory provision of Section 10 of KPK, Civil Servant Act, 1973.
- C. Incorrect and denied. The statement of the appellant is against the facts and circumstance of the case as stated in the above mentioned paras of the instant reply as the Appellant has been treated as per Law, Rules and Transfer and posting policy of the Provincial Government.
- D. Incorrect and denied, the impugned Notification of the Respondent is within legal parameter and is liable to be maintained in the interest of equity of justice.
- E. Incorrect and denied. The plea of the appellant regarding to adjust blue eyed persons is also baseless as now such evidence and proof has been annexed by the Appellant in support of her plea, hence the plea of the Appellant is liable to be struck down in favour of the Respondent Department.
- F. Incorrect and denied, the impugned transfer Notification of the Respondent No.1 is within legal sphere and is liable to be maintained.
- G. Incorrect and denied. The appeal of the Appellant is badly time bard, pre-mature under the provision of Article 3 of Law of Limitation Act 198, hence is liable to be dismissed on the time of limitation in favour of the Respondent Department that any other ground / record shall be submitted at time of arguments on the date fixed.
- H. As already explained in the foregoing paras.

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


Secretary

Elementary & Secondary Education Department.
(For and on behalf of Rspondents No.1 to 3)