

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**  
**AT CAMP COURT SWAT**

Service Appeal No. 1051/2019

Date of Institution ... 15.07.2019

Date of Decision ... 09.12.2021

Neraz Begum D/o Khalilur Rahman R/o village Nawagai Tehsil Mandanr, District Buner, presently serving as SST Bio in GGHS Makhranay.

... (Appellant)

**VERSUS**

District Education Officer (F) Buner and three others.

... (Respondents)

Mushtaq Ahmed Khan Alizai  
Advocate

... For Appellant

Muhammad Rasheed,  
Deputy District Attorney

... For official respondents No. 1 to 3

Altaf Hussain  
Advocate

... For private respondent No. 4

**ROZINA REHMAN**  
**ATIQU-UR-REHMAN WAZIR**

... **MEMBER (JUDICIAL)**  
... **MEMBER (EXECUTIVE)**

**JUDGMENT**

**ATIQU-UR-REHMAN WAZIR MEMBER (E):-**

Brief facts of the

case are that the appellant being a regular Secondary School Teacher (SST) had performed her duty in GGHS Chinglay for more than three years and after completion of her tenure, she filed an application dated 05-11-2018 before District Education Officer (Female) for her transfer to the nearest station, but the appellant was transferred to another far flung school GGHS Makhranay vide impugned order dated 06-03-2019, whereas another SST, Noreen Bibi, who was an adhoc appointee, was adjusted in GGHS Nawagai, which was near to the home

of the appellant. Feeling aggrieved, the appellant filed departmental appeal dated 14-03-2019, which was not responded, hence the instant service appeal with prayers that the actions and inactions of the respondents in the shape of impugned order dated 06-03-2019 and transferring/adjusting and retaining adhoc SST, Miss Noreen Bibi in GGHS Nawagai may be set aside and adjustment of Noreen Bibi in GGHS Nawagai may be cancelled and may be directed to perform her duty in GGHS Makhranay and the appellant may be transferred to the post of SST (bio/chem) in GGHS Nawagai.

02. Learned counsel for the appellant has contended that the impugned order dated 06-03-2019 of the respondent No. 1 and orders whereby the adhoc and school based appointee of GGHS Makhranay was adjusted in GGHS Nawagai are against law, rules and norms of natural justice; that the actions and inactions (impugned orders of respondent No. 1 and retaining and continuing the same) is the result of malafide and undue favor to the adhoc appointee, whose appointment was confined only for GGHS Makhranay; that as per law, the candidate namely Noreen Bibi appointed on adhoc and school based in GGHS Makhranay could not be transferred or adjusted in any other school except GGHS Makhranay and this legal position had been incorporated in Para no 12 of her appointment order dated 14-09-2018, but despite this clear legal position, the respondents under political pressure have retained the aforesaid appointee against a regular post in GGHS Nawagai and have transferred/adjusted the appellant in GGHS Makhranay, which is the assigned school for the aforesaid adhoc appointee, hence the actions and inactions of the respondents are tainted with malice and illegality; that no care for the accrued rights of the appellant has been taken into consideration, while passing the impugned orders; that the principal of audi alturm partum has grossly been violated and on this score alone the impugned orders are against law and norms of natural justice.

03. Learned Deputy District Attorney for the official respondents has contended that the appellant is a regular civil servant and bound to obey her transfer order and not to involve in frivolous litigation; that transfer order dated 06-03-2019 is quite legal and not tainted by any sort of illegality; that a large number of teachers are serving in far flung areas and it is not possible for government to construct school near every school teacher; that school based appointment is no more in existence and to this effect, large number of transfers have already been made; that transfer is the discretion of the competent authority, which is exercised in the best interest of public service.

04. Learned counsel for private respondent No. 4 mainly relied on the arguments of official respondents with addition that respondent No. 4 is also resident of Nawagai and to this effect, she also deserve to be posted to nearest school, hence the stance of the appellant to this effect is without any force; that it is correct that respondent No. 4 was appointed in GGHS Makhranay, but was adjusted in GGHS Nawagai keeping in view the strength of students and their need on priority basis at that point of time; that respondent No 4 was transferred and posted by the competent authority in the best interest of public service.

05. We have heard learned counsel for the parties and have perused the record.

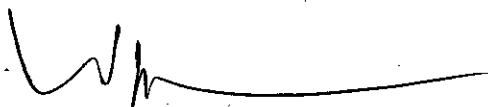
06. Record reveals that the appellant was a regular SST posted in GGHS Chinglay, where she served for more than three years and after completion of her tenure, she filed an application for her transfer to the nearest school in Nawagai, but in the meanwhile, respondent No. 4 was appointed as SST on adhoc basis in GGHS Makhranay vide order dated 14-09-2018. Para 12 of her appointment order clearly mentions that such appointment is school based and her service is not transferable to any other station, but the respondents in contravention to their own policy, transferred respondent No. 4 to Nawagai and transfer the appellant to GGHS Makhranay, which however was not warranted. Though transfer of a civil

servant is part of terms and condition of service of a civil servant and it falls within exclusive domain of competent authority, however such powers to transfer civil servant would not be exercised by competent authority according to his wish, sweet will or with malafide, rather such powers should be exercised in judicious manner with wisdom and good governance, but the respondents acted arbitrarily, which was not warranted. Whatever was done in violation of law could not be said to be done in good faith.

07. We have observed that the appellant has not been treated in accordance with law and she was treated discriminately, as the appellant after completing her tenure in a far-flung area was justified to be posted in nearest station, but the respondents not only transferred her to a far-flung school, but against a post already occupied by a school based adhoc appointee, Mst Noreen Bibi, who was deputed to work in GGHS Nawagai, which was not justifiable. Moreover, the appellant being unmarried had some legal rights, which had been pressed by the appellant in her departmental appeal that being unmarried, she may be posted to nearest school, which however was ignored by the respondents. To this effect, judgment reported as 2021 PLC (CS) 374 has held that unmarried employee was to be posted at the place of residence of her parents or family. Stance of the respondents to the effect that respondent No. 4 was adjusted in Nawagai due to low strength of students in GGHS Makhranay equally applies on appellant too, but it seems to be a lame excuse. In view of the situation, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED  
09.12.2021

  
(ROZINA REHMAN)  
MEMBER (J)  
CAMP COURT SWAT

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)  
CAMP COURT SWAT

ORDER

09.12.2021


Learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for official respondents No. 1 to 3 present. Learned counsel for private respondent No. 4 present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

09.12.2021

  
(ROZINA REHMAN)  
MEMBER (J)  
CAMP COURT SWAT

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (E)  
CAMP COURT SWAT

06.12.2021

Appellant present through counsel.

Muhammad Rasheed learned Deputy District Attorney for official respondents present.

Counsel for private respondent (Adv. Altaf Hussain) was informed telephonically on 06/12/2021.

Arguments were heard at certain length, however, for the just decision of case, private respondent No.4 and her counsel be put on notice for 09.12.2021. To come up for arguments and order on the date fixed before D.B at Camp Court, Swat.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, Swat.



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

05.10.2021

Junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment as senior counsel is busy in Lahore in connection with treatment of his son in Shoukat Khanum Hospital. Last opportunity is given. To come up for arguments on 06.12.2021 before D.B at Camp Court Swat.



(Atiq-Ur-Rehman Wazir)  
Member (E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

5.01.2021

Due to COVID 19, the case is adjourned to  
2.03.2021 for the same as before.


  
Reader

02.03.2021

Appellant present through representative.

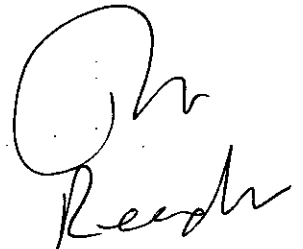
Noor Zaman Khan Khattak learned District Attorney for  
respondents present.

Lawyers community is on strike, therefore, case is  
adjourned to 5/5/2021 for arguments before D.B at  
Camp Court, Swat.

  
(Mian Muhammad)  
Member (E)  
Camp Court, Swat

  
(Rozina Rehman)  
Member (J)  
Camp Court, Swat

Due to covid 19 therefore  
to come up for the same on 5/10/21

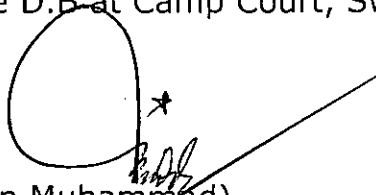
  
Reader



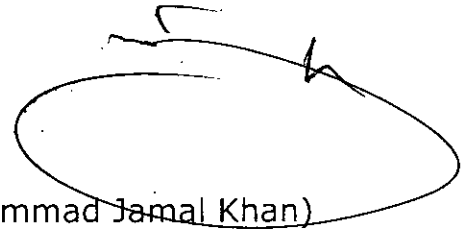
07.10.2020

Neither appellant nor her counsel is present. Mr. Usman Ghani, District Attorney for official respondents is present.

The case was adjourned for order on the plea of the learned District Attorney that production of a notification by virtue of the policy so promulgated was withdrawn he submitted that he made efforts in this regard but could not succeed. He requested for adjournment for giving him time for searching and consequent production of referred to notification and judgments of the august Services Tribunal. The District Attorney is directed to ensure the rendering of required assistance up to the next date. The case is adjourned to 03.11.2020 on which to come up for order before D.B at Camp Court, Swat.



(Mian Muhammad)  
Member (Executive)  
Camp Court Swat



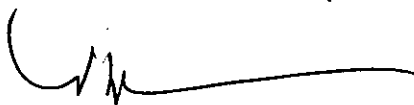
(Muhammad Jamal Khan)  
Member (Judicial)  
Camp Court Swat

03.11.2020

Nemo for appellant.

Muhammad Jan learned Deputy District Attorney for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 05.01.2021 for arguments, before D.B at Camp Court, Swat.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

05.10.2020

Counsel for the appellant is present. Mr. Usman Ghani, District Attorney for official respondents and Mr. Iltaf Hussain, Advocate for private respondent No.4 present.

Argument heard. To come up for order on 06.10.2020 before D.B at camp court Swat.

(Mian Muhammad)  
Member(E)

(Muhammad Jamal Khan)  
Member  
Camp Court Swat

06.10.2020

Neither appellant nor her counsel is present. Mr. Usman Ghani, District Attorney for official respondents present.

Arguments have been heard and we have perused the record, however, order could not be announced as the learned District Attorney had submitted that he is going to produce authorities of this Hon'ble Service Tribunal on pointed issue of appointment and posting but he has not produced the authorities rather submitted that policy invogue on the subject has been withdrawn by virtue of notification, the copy of which he has requisitioned from Peshawar but have not received till today and requested for giving him time for ~~his~~ submission before this Hon'able Tribunal. Time is allowed. File to come up for needful and order on 07.10.2020 before D.B at camp court Swat.

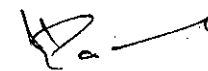
(Mian Muhammad)  
Member(E)

(Muhammad Jamal Khan)  
Member  
Camp Court Swat

02.03.2020

Learned counsel for the appellant present. Mr. Riaz Painsdakhel learned Assistant Advocate General alongwith Mr. Mohsin Ali ADO for official respondent 1 to 3 and counsel for private respondent No. 4 present. Learned counsel for the appellant submitted rejoinder, which is placed on file and seeks adjournment. Adjourn: To come up for arguments on 06.04.2020 before D.B at Camp Court Swat.

  
Member

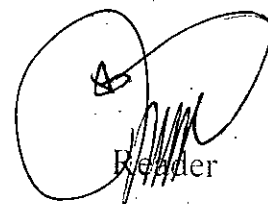
  
Member  
at Camp Court Swat

Due to corona virus  
tour to camp Court swat  
has been cancelled to  
come up for the same  
on - 07/06/20

  
Reader

07.01.2020

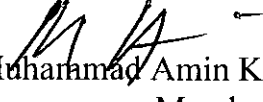
Due to COVID-19, the case is adjourned. To come up for the same on 05.08.2020, at camp court Swat.

  
Reader

Service Appeal No. 1051/2019


06.11.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. The case was fixed for attendance and reply of respondents but none is appeared on behalf of the respondents therefore, fresh notices be issued to the respondents with the direction to direct representative to attend the court and submit written reply/comments on the next date. Learned counsel for the appellant also submitted application for impleading of one Mst. Norina Bibi in the panel of respondents on the ground that Mst. Norina Bibi is a necessary party. The application is placed on record. The request as well as ground mentioned in the application appear to be genuine hence, the application is accepted and the Muharrar is directed to make entry to this effect and the name of Mst. Norina Bibi be entered in the panel of respondents. Notice be issued to Mst. Norina Bibi for attendance and written reply/comments for 02.12.2019 before S.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

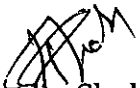
02.12.2019


Clerk to counsel for the appellant present. Mohsin Ali Litigation Officer representative of official respondents present. Altaf Hussain Advocate submitted Wakalat Nama in favor of private respondent No.4. Representative of official respondents as well as learned counsel for the private respondent No.4 requested for time to furnish written reply/comments. Being posting transfer case, the present service appeal is assigned to D.B for further proceedings. Adjourned to 06.01.2020 before D.B at Camp Court, Swat. The respondents may submit written reply/comments on the date fixed before D.B.

  
Member  
Camp Court, Swat

06.01.2020

Junior counsel for the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant AG for official respondents No. 1 to 3 and husband of private respondent No. 4 present. Representative of official respondents No. 1 to 3 is absent therefore, notices be issued to the official respondents with the direction to direct the representative to attend the court and also furnish written reply on the next date positively. Husband of private respondent No. 4 also requested for time for submission of written reply. Being posting transfer case, last chance is given to the respondents to furnish written reply/comments on the next date positively. Case to come up for written reply/comments on 03.02.2020 at Camp Court Swat.

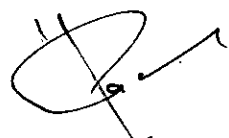
  
(Hussain Shah)  
Member  
Camp Court Swat

  
(M. Amin Khan Kundi)  
Member  
Camp Court Swat

03.02.2020

Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Ubaid ur Rehman ADO for official respondents present. Private respondent No.4 in person present. Representative of official respondents as well as private respondent No.4 submitted written reply/comments. Adjournment requested. Adjourn. To come up for rejoinder if any and arguments on 02.03.2020 before D.B.


  
Member

  
Member  
Camp Court, Swat.

09.10.2019

Counsel for the appellant Neraz Begum present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Education Department as SST (Bio & Chemistry) at Government Girls High School Chingly. It was further contended that she has completed more than three years tenure in the said school. It was further contended that since the appellant has already completed her tenure for more than three years therefore, she submitted application to the competent authority that she is unmarried and the said school is situated in far flung area from her village therefore, she is facing trouble to attend the school on daily basis from her village. It was further stated in the application that there is a vacant post of SST (Bio & Chemistry) in the Government Girls High School Koza Nawagai situated in her village as well as in nearby village Korla. It was further contended that one Noreen Bibi was appointed as SST (BIO) on adhoc/contract basis vide order dated 14.09.2018 and as per the said order she was posted as Government Girls High Makhranay. It was further contended that as per term and condition No. 12 of the appointment order dated 14.09.2018 it was mentioned that her appointment is made on school base, she have to serve of the place of posting and her services are not transferable but the said Noreen Bibi has been transferred to Government Girls High School Koza Nawagai vide order dated 26.11.2018 and the appellant was transferred from Government High School Chinglai to Government High School Makhranay vide order dated 06.03.2019 which school is situated at far flung area from the village of the appellant therefore, the appellant filed departmental appeal against the impugned order dated 06.03.2019 on 14.03.2019 but the same was not responded hence, the present service appeal. It was further contended that the respondent-department was bound to transfer the appellant to Government High School Koza Nawagai and the transfer order of Noreen Bibi is illegal and liable to be modified/rectified.

The contention raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days thereafter, notices be issued to the respondents for written reply/comments for 06.11.2019 before S.B at Camp Court Swat.



  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

Appellant Deposited  
Security & Process Fee  
11/10/19

Form- A  
FORM OF ORDER SHEET

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

Case No.- 1051/2019

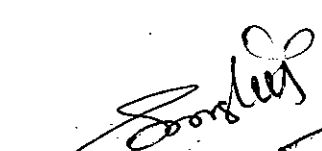
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/08/2019	<p>The appeal of Mst. Neraz Begum received today by post through Mr. Mushtaq Ahmad Khan Alizai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	30-8-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>09-10-19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

appeal of Mst. Neeraz Begum d/o Khalilur Rahman SST Bio in GGHS Makhrary received to-day on 15-07-2019 is incomplete on the following score, which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexures C & D of the appeal are illegible, which may be replaced by legible/better one.
- 2- Impugned order Annexure E mentioned in para-6 of the appeal is not attached which may be placed on it.
- 3- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1225 /S.T,


Dt. 18-7- /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Mushtaq Ahmed Khan Alizai, Buner.

10 days further extended.

⇒ All the objections except objection on annexure "c" has been removed. The competent authority is reluctant to provide the copy of the said annexure hence the Applicant will provide the same after its receipt.

  
Advocate Mushtaq Ahmed Khan  
Alizai Buner

Date 7/08/2019



Before the service tribunal khyber pukhtoonkhwa Peshawar .

Service appeal No.....1051/2019

Neraz begum SST Bio/chem.....appellant

Vs

District Education officer(F) Buner and others.....respondents

Index

S NO	Description of documents	Annextures	Pages
1	Service appeal		1-3
2	Affidavit		4
3	Addresses of parties		5
4	Application for suspension of the impugned order etc along with affidavit.		6-7
5	applications for transfer attached as along with post office receipt	"A"	8-11
6	Appointment order of adhoc appointee in GHSS Makhrañai and her adjustment orders are attached as annx B,C and D)	"B" 'C' and 'D'	12-19
7	impugned order dated 6/3/2019 attached	"E"	20
8	applications attached	F	21
9	departmental appeal along with post office receipt attached	"G"	22-24
10	Waklat nama		25

Dated: 11 /07/2019

Appellant

Through 

Mushtaq Ahmad khan alizai

Advocate,office district court

Buner.cell No 03469014199.

Before the Khyber pukhtoonkhwa service tribunal peshawar .

Appeal No. 1051/2019

Neraz begum d/o Khalilur rahmen r/o village Nawagai tehsil mandanr, district  
Buner, presently serving as SST bio in GGHS  
makhranay.....Appellant

Vs

1. District Education officer (Fi) Buner .
2. Director E & SE khyber pukhtoonkhwa at Peshawar.
3. Govt of khyber pukhtoonkhwathrough secretary E & SE  
khyberpukhtoonkhwa at Peshawar.....Respondents

4. Mst. Norm<sup>a</sup> bibi d/o Bakhtawarshah R/O village nawagai, Tehsil Mandanr,  
District Buner.

Appeal u/s 4 of the service tribunal act against the impugned orders/action of  
adjustments whereby one SST bio/chem(appointee for GGHS Makhranai  
through NTS) have been illegally adjusted in GGHS Nawagai against a regular  
post instead of her own school for which she had applied(i.e GGHS Makhranai)  
and appellant being a regular SST bio/chem despite on completion of her  
tenure in GGHS chinglai was adjusted against the aforesaid NTS post in GGHS  
Makhranai.

Respectfully sheweth:

Filed to day

Registrar

1. That the Appellant is a regular S.S.T (bio/chem) teacher and have  
efficiently performed her duties in GGHS chinglay to the entire  
satisfaction of her superiors..
2. That the Appellant is the bonafide resident of village Nawagai and GGHS  
chingly is faraway station and not accessible on daily basis in public  
transport. moreover being an unmarried female teacher, the Appellant cannot  
reside in GGHS chingly for her duty purposes.  
That despite the above mentioned dismal situation, the Appellant performed  
her duties for more than 3 years in GGHS chinglay and after completion of  
her tenure , she filed application before the D.E.O(female) for her transfer  
to the nearest station .(applications for transfer attached as Anx A along  
with post office receipt)
4. That in the year 2018 posts of SST bio/chem were advertised in GGHS  
makharani and GGHS koza nawagai through NTS which was purely school  
based appointment and candidate appointed on it could not be transferred as  
per rules and conditions of their appointment. .
5. That one candidate was appointed vide order dated 14.9.2018 in GGHS  
Makhranay on Adhoc school based policy and as per rules and afore said  
policy the above mentioned candidate could not be adjusted in any other  
school except GGHS Makhranay but the DEO (F) buner (defendant no 1)  
with malafide intention and under political pressure and influence

Re-submitted to day  
and filed.

Registrar  
15/7/19

2

transferred/ adjusted her in the nearest schools i.e GGHS koza Nawagai and GGHSS Nawagai in total derogation of law and rules within a short Spain of time.( appointment and adjustment orders are attached as annex B,C and D)

6. That vide impugned adjustment order dated 6/3/2019 the Appellant was adjusted in GGHS Makhranay despite the fact that she was a regular civil servant and had completed her tenure in a far flang school(i.e GGHS chinglai) and despite the fact that regular post was available in GGHSS Nawagai and the post in GGHS Makhranay was also for aforesaid adhoc appointee but still the authority illegally and malafidely adjusted her in Makhranay and illegally and malafidely retained the adhoc appointee in GGHSS nawagai.(impugned order dated 6/3/2019 attached as annex E)
7. That the above mentioned illegality and malafide action was brought into the notice of successor of the then DEO buner and the respondent no 2 but no action has been taken till date and the successor DEO Bner is patronizing and continuing willfully the malafide action of predecessor in office.(applications attached as annex F).
8. That the Appellant than filled a departmental appeal against the impugned orders/action but the same were not decided within the statutory time.(departmental appeal along with post office receipt attached as annex G)
9. That aggrieved from the impugned orders ,the appellant approached this honorable tribunal for ventilation of her grievances on the following grounds inter alia.

#### **GROUND:**

- a. That the impugned order dated 6.3.2019 of the respondent no 1 and orders whereby the adhoc school based appointee for GGHS Makhranai was adjusted in GGHSS Nawagai are against the law, rules and natural justice.
- b. That the actions and inactions (i.e impugned orders of respondent no 1 and retaining and continuing the same) is the result of malafide actions/omissions ,colorable exercise of power , discriminatory treatment and undue favor to the adhoc appointee appointed for GGHS Makhranai.
- c. That as per law and rules the candidate namely Mst Norin Bibi appointed on adhoc school based in GGHS Makhranai could not be transferred or adjusted in any other school then GGHS Makhranai and this legal position had been incorporated in para no 12 of her appointment order dated 14/9/2018 but despite this clear legal position the respondent under political pressure,back stair influence and malice have retained the aforesaid appointee on a regular post in GGHSS nawagai and have transferred/adjusted the appellant in GGHS Makhranai which is the assigned school for the aforesaid adhoc appointee.hence the actions and inactions of the respondents are tainted with malice and illegality.

- d. That no care for the accrued rights of the petitioner has taken into consideration while passing the impugned orders. The principle of audi alturm partum has grossly been violated on which score alone the impugned orders are against the law and natural justice.
- e. That the appellant have not been treated according to the law applicable to the civil servants, hence the impugned order is against the spirit of the law.
- f. That the appellant seek the permission of this worthy tribunal to rely on additional grounds at the time of arguments.

It is therefore kindly prayed that the actions and inactions of the respondents in the shape of impugned order dated 6.3.2019 and transferring/adjusting and retaining of adhoc SST bio/chem in GGHS nawagaimay kindly be set aside being illegal, malafide and result of colorable exercise of power and the adjustment of the candidate in GGHS Nawagai may be cancelled and she may be directed to perform her duties in GGHS makhranai as she has been appointed on school based in GGHS Makhranay and the appellant may kindly be transferred to the post of SST bio/chem in GGHS Nawagai.

Any other relief not specifically prayed for and which this honorable tibunal deems fit in the facts and circumstances of the case may also be granted.

Appellant 

Through 

Mushtaq Ahmad khan alizai  
Advocate, office district court  
Buner. cell No 03469014199.

4

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Service appeal No.....2019

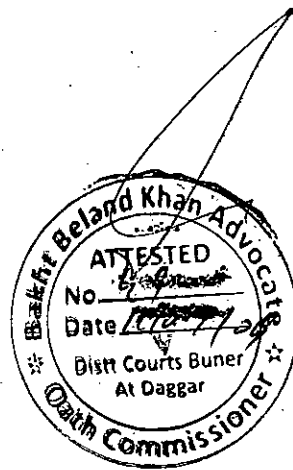
Neraz begum SST Bio/chem.....appellant

Vs

District Education officer(F) Buner and others.....respondents

**AFFIDIVET**

I Mushtaq Ahmad khan advocate as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of the instant service appeal is correct to the best of my knowledge and belief & nothing has been concealed from this worthy tribunal.



*(Handwritten signature)*

Deponent

5

**Before the service tribunal khyber pukhtoonkhwa Peshawar .**

Service appeal No.....2019

Neraz begum SST Bio/chem.....appellant

**Vs**

District Education officer(F) Buner and others.....respondents

**Addresses of parties**

**petitioner**

Neraz begum d/o Khalilur rahmen r/o village Nawagai tehsil mandanr ,district Buner, presently serving as SST bio in GGHS makhrana.

**Respondents**

1. District Education officer (M) Buner .
2. Director E & SE khyber pukhtoonkhwa at Peshawar.
3. Govt of khyber pukhtoonkhwathrough secretary E & SE khyberpukhtoonkhwa at Peshawar.

Appellant

 Through

Mushtaq Ahmad khan alizai

Advocate, office district court

Buner. cell No 03469014199.

6

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Application No.....2019

Neraz begum SST bio/chem.....appellant

Vs

District Education officer Buner and others.....respondents

Application for suspension of the impugned order dated 6/3/19 and impugned order/action whereby adhoc appointee appointed for GGHSS makhranay has been adjusted and retained illegally in GGHSS nawagai.

Respectfully sheweth;

1. That the titled service appeal is filed before this worthy tribunal in which no date has been fixed till yet.
2. That there exist a strong prima facie case in favor of the appellant and the appellant will face inconvenience and irreparable loss if the impugned order is not suspended till the final disposal of the instant appeal.
3. That the contents of the main appeal may kindly be considered part and parcel of the instant application.

It is therefore kindly prayed that on acceptance of this application the impugned order dated 6/3/2019 and impugned order/action whereby one adhoc appointee purely appointed for GGHS makhranai has been adjusted and retained under political pressure in GGHSS nawagai may kindly be suspended till the final disposal of the main appeal.

Appellant

Through

Mushtaq Ahmad khan alizai

Advocate, office district court

Buner. cell No 03469014199.

7

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Service appeal No.....2019

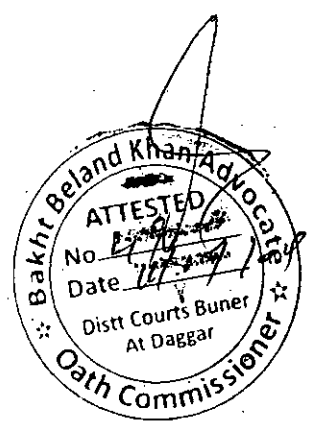
Neraz begum SST Bio/chem.....appellant

Vs

District Education officer Buner and others.....respondents

**AFFIDIVET**

I Mushtaq Ahmad khan advocate as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of the instant application is correct to the best of my knowledge and belief & nothing has been concealed from this worthy tribunal.



  
Deponent



C-1

5-11-2018  
F.V. 2018

To Thus Transfer  
Please no objection  
GCHSS CHINGTAL  
Distt: Buner  
PRINCIPAL 11-11-2018

SST (Sci Bio ch) 100

اساتو  
بناو

اساتو بناو  
اساتو بناو  
اساتو بناو

اساتو بناو  
اساتو بناو  
اساتو بناو

اساتو بناو  
اساتو بناو  
اساتو بناو

اساتو بناو  
اساتو بناو  
اساتو بناو

8  
Husain  
11-11-2018  
Principal  
GCHSS CHINGTAL  
Distt: Buner

(9)

To

The District Education  
Officer (F) Buxar.

Application For Transfer of The applicant

The applicant states as follows.

- 1 - That The applicant was appointed as C.T in GGMS Mangal Thana Tehsil Totalai on 16-5-2-14 and after few months as S.S.T in GGHS Chenglai.
- 2 - That The applicant is The bonafide Resident of Village Newnagri Tehsil Maudan and being an Unmarried Lady she Faced much hardship while serving in The aforesaid Schools because These School are Faraway Stations and are not accessible on daily basis.
- 3 - That The applicant have been regularized and keeping in view his Tenure of Service she needs to be Transferred To her home Station as per policy of Unmarried female Teachers. moreover you have transferred Fresh NTS Teachers (not yet regularized) against The NTS policy on 5-10-2018, Endst No 4189-92.
- 4 - That Vacant post of SST is layk in GGHS Korya.

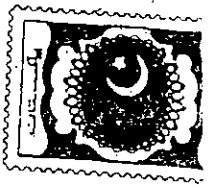
C.T.C  
(Signature)  
It is therefore kindly requested that The applicant be Transferred from GGHS Chenglai To GGHS Korya Maudan Appointing on any of the School of her Home Station.

Dated-- 13-10-2-18

Nera B  
O.C.F. M.

(8) (9) (10)

پوسٹ کارڈ  
POST CARD



نام نیراض بیگم ولد خلیل الرحمن سکسٹھ ناہیگی پونڈر  
پتہ نزد دفتر پتہ آغا ابرار خان انڈیا  
ڈاکخانہ  
ضلع پونڈر  
(پوسٹ کوڈ) 719

C.T.C

(Signature)

10  
10  
10

No.1428

For Insurance Notices see reverse. Rs.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgment is due.

Received a registered  
addressed to

Date-Stamp

initials of Receiving Officer Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for Rs. (in figures) (in words)

Insured

Name and  
address  
of sender

Weight  
(in words)

Kilo  
Grams

12/10/18

C.T.C.

*[Handwritten signature]*



**Directorate of Elementary and Secondary Education**  
**Khyber Pakhtunkhwa Peshawar**  
 PH No. 091-9225339, 9225345

**APPOINTMENT.**

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 18910-1520-64510) @ Rs. 18910/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

**(SST Bio Chem)**

Sr. No	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1.	141000705	Sobia	Hazrat Umer	Bagra	60.60	90	150.60	GGHS Kulyarai
2.	141000590	Toheed	Syed UllMukhtiar	Amnawar	67.66	72	139.66	GGHS Kuza Nawagai
3.	341000001	Fatima Bibi	Ubaidulldh	Jowar	67.32	60	127.32	GGHS Anghapur
4.	141000591	Noria Bibi	Bakhtawar Shah	Nawagai	65.01	59	124.01	GGHS Makhraji
5.	141000658	Sada	Javaid Iqbal	Balo Khan	64.41	59	123.41	GGHS Totalai
6.	141000696	Faiza Bibi	Rab Nawaz Khan	Kalpanai	64.76	55	119.76	GGHS Kuss Korona
7.	141000617	Asima Bakht	Bakht Rooin Shah	Kalpanai	61.76	51	112.76	GGHS Ghazi Kot

**(SST Maths: Phy:)**

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	142000494	Uzma Qazi	Anwar UlHaq	Nawagai	61.44	55	116.44	GGHS Kuza Nawagai
2	142000501	Ruby Begum	Hazrat Rasool	Karapa	66.73	44	110.73	GGHS Karapa
3	142000499	Sabiha Omer	Omer Khan	Bagra	61.15	48	109.15	GGHS Hisar

**(SST General)**

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	144000209	Irum Khan	Anwar Javed	Gokand	49.10	90	139.10	GGHS Kingi Galai
2	144000068	Sada Bahar	Javed Iqbal	Sunigram	70.77	64	134.77	GGHS Gerani
3	144000262	Iffat	Syed Shuja UlMulk	Rega	61.98	67	128.98	GGHS Matwani
4	144000178	Shairta	Matiullah	Narbatawal	61.10	67	128.10	GGHS Jowar
5	144000185	Munira Farooq	Inayat Ur Rahman	Sura	57.27	68	125.27	GGHS Ghazi Kot
6	144000155	Musarat Rahman	Inayat Ur Rahman	Sura	63.46	60	123.46	GGHS Jowar No.2

*(Handwritten signature and initials)*

(13)

**Female Appointment Order SST Adhoc**

2

Name: Nayab/Bibi Nadar Khan  
 Fir Baba  
 6-1-56 57 12-56  
 CGO/SS  
 Buner

**Minority Candidate in SST General @ 3% Quota**

Kullno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
11	Reekha Kumari	Makand Lal	Sowari	59.89	57	116.89	GGHS Kulyara

**TERMS & CONDITIONS.**

1. NO TAZDA etc is allowed.
2. Change reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year w.e.f 15<sup>th</sup> September, 2018 to 14<sup>th</sup> September 2019.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO (concerned) is issued that her certificates are verified.
8. She should join her post within 15 days of the issuance of this notification. In case of failure to join the post within 15 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. She will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. Her services shall be terminated at any time, in case her performance is found unsatisfactory during her contract period. In case of misconduct, she shall be proceeded under the rules framed from time to time.
12. Her appointment is made on School based, she will have to serve at the place of posting, and her service is not transferable to any other station.
13. Before handing over charge, once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.
14. Any candidate as overage less than 2 years, their upper age limit less than 2 years as hereby relaxed.
15. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted her appeal, the appointment of the low merit candidate will be withdrawn and adjustment order will be renewed according to merit.

**(Farid Ahmad Khattak)**

Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Encls: No. 517-22/A-17/SST/Adhoc/Appt: Buner/2018 Dated Peshawar the 14/09/2018.  
Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary-Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officer (Female) Buner
4. District Accounts Officer Buner
5. Official Concerned.
6. PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE, Khyber Pakhtunkhwa, Peshawar.
8. M/ File

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

C.T.C

(Signature)

2.7.2

Sr	Roll No	Name	Father Name	Permanent Address	Acads Marks (out of 100)	NTS Marks (out of 100)	Total Marks (out of 200)	CGHS School
1	14400020	Irum Khan	Amwar Javed	Gokand	90	90	180	CGHS
2	14400068	Sala Bahar	Javed Iqbal	Sungram	70	70	140	CGHS
3	144000212	Ilat	Syed Mujibullah	Kga	64	64	128	CGHS
4	144000178	Shakira	Muhammad	Narhalawal	67	67	134	CGHS
5	144000186	Munira Farooq	Inayat Ur	Sura	67	67	134	CGHS
6	144000155	Muztal	Inayat Ur	Sura	68	68	136	CGHS
7	144000155	Kahman	Rahman	Sura	60	60	120	CGHS

**(SST General)**

Sr	Roll No	Name	Father Name	Permanent Address	Acads Marks (out of 100)	NTS Marks (out of 100)	Total Marks (out of 200)	CGHS School
1	142000491	Uzma Qazi	Amwar Ullah	Nawagai	55	55	110	CGHS
2	142000501	Ruby Begum	Ijazat Rasool	Kampa	44	44	88	CGHS
3	142000499	Sabha Omer	Omer Khan	Bagrn	48	48	96	CGHS

**(SST Maths: Phy)**

Sr	Roll No	Name	Father Name	Permanent Address	Acads Marks (out of 100)	NTS Marks (out of 100)	Total Marks (out of 200)	CGHS School
1	141000705	Soha	Ijazat Imer	Bagrn	60	60	120	CGHS
2	141000590	Tobed	Syed Usaidullah	Almawar	72	72	144	CGHS
3	141000001	Fatma Bibi	Usaidullah	Jowar	60	60	120	CGHS
4	141000591	Norshah	Bakhtyar Shah	Nawagai	59	59	118	CGHS
5	141000668	Sala	Javed Iqbal	Balo Khan	59	59	118	CGHS
6	141000696	Munibibi	Rub Nwar	Kulpana	55	55	110	CGHS
7	141000617	Ainabakht	Bakht Koon	Kalpana	51	51	102	CGHS

**(SST Bio Chem)**

Consequent upon recommendation of the Departmental Selection Committee, School Teacher (SST Bio Chem) (SST Maths Phy) (SST Maths Phy) are hereby ordered against the post of Secondary School Teacher (SST Bio Chem) @ Rs. 18910/- fixed pensionable allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in leaving Cadre on the term and condition given below with effect from the date of their taking over charge :-

**APPOINTMENT**



Director, Punjab Secondary Education  
 PHO: 051-3589, 352645  
 Director, Punjab Secondary Education  
 PHO: 051-3589, 352645

*[Handwritten signature]*

DISTRICT EDUCATIONAL OFFICER  
DISTRICT B. N. 18

*[Handwritten signature]*

affiliated concerned  
District Monitoring Officer Burea  
District & Accounts Officer Burea  
District Officer Burea  
District Officer Burea  
District Officer Burea

(15)

(24) (22)



16

Annex D

# Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar

PII No. 091-9210389, 9210938,  
9210437, 9210957, 9210468  
Fax 091-9210936  
E-mail [deseekpk@yahoo.com](mailto:deseekpk@yahoo.com)



## CORRIGENDUM

Please read the following SSTs (Female) order issued with this office  
E.No. 17/SS1/F/Adhoc/Apptt: Buncer/2018 dated 14-09-2018 and E.No. 19/09-5 dated  
08-10-2018 on their own pay and grade in the interest of public service:-

S.No.	Name and Designation	Apptt. order of SST Endst NO. 517-22 dated 14-9-2018	Read	Instead
1	Mst. Sobia SST (Bio. Chem.)	-do-	GGHS Kulyari	GGHS Makhranai
2	Mst. Farid SST (Bio. Chem.)	-do-	GGHS Kuzai Nawagai	GGHS Kulyari
3	Mst. Noor Bibi SST (Bio. Chem.)	-do-	GGHS Makhranai	Nawagai
4	Mst. Farida SST (Bio. Chem.) Mst. Farida SST (Bio. Chem.) Mst. Farida SST (Bio. Chem.)	Endst No. 517-5 dated 08-10-2018	Imran Road Center Opposite Runway, Tehkal Fayan University Road Peshawar (S.No.6)	Imran Road Center Runway Tehkal University (S.No.6)

The terms and conditions mention in the appointment order will intact.

**(Farid Ahmad Khattak)**

Director Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Encl. No. 17/SS1/F/Adhoc/

Apptt: Buncer 2018

Dated Peshawar the 26/11/2018

Copy forwarded for information and necessary action to the:-

1. District Education Officer (F) Buncer & Peshawar
2. District Accounts Officer Buncer & Peshawar
3. Headmistress concerned
4. For their information
5. For to the Director P.E.S.T. Khyber Pakhtunkhwa Peshawar
6. M. File

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

C.T.O

(16A)

Beter copy  
Ank D

Better copy

**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION  
KHYBER PUKHTOON KHWA PESHWAER**

**CORRIGENDUM**

please read the following SSTs (female) order issued vide this office E.No 517-22/A 17/SST/F/Adhoc /Apptt:Buner/2018 dated 14-09-2018 and E/No 4000-5 dated 08-10-2018 on their own pay and grade in the interest of public service;

S No	Name and designation	Apptt; order of SST	Read	Instead
1	Mstsobia SST (bio;chem; )	Endst NO517-22 Dated 14-09-018	GGHSkulyarai	GGHS makharanai
2	MstTaheedSST(bio,chem)	Do	GGHS kuzanawagai	GGHS kulyarai
3 ✓	MstNorinBibi SST(bio,chem)	Do ✓	GGHS makhrana	Nawagai ✓
4	Anamiftikhar D/OiftikharJaved	Endst no 4000-5 dated 14-10- 2018	Iftikharjaved address Imran foam center opposite Runway tehkalpayan university road peshwar (S.no 6)	Imran foam center runway tehkal university (S;no 6)

The terms and conditions mention in the appointment order will intact

(Farid Ahmad Khattak)

Director elementary and secondary education KP Peshawar

Endst No 957580 A-17/SST/F/adhocApptt;Buner 2018

Dated Peshawar the 26/1/2018

(103) (17)

Before the District education officer Buner

Application against the impugned order / actions of adjustments whereby one (S.S.T bio /chem school based adhoc appointee for GGHS makhrani through NTS ) have been illigally adjusted IN GGHS Nawagai against a regular post instead of her own school and appellant being a regular S.S.T (Bio/chem) who has completed her tenure in GGHS chenglay was adjusted against the aforesaid N.T.S post of GGHS Makharani.

The appellants wants to submits as follows:

1. That the appellant is regular S.S.T (bio/chem) teacher and have efficiently performed her duties in GGHS chenglay to the entire satisfaction of her superiors..
2. That the appellant is the bonafide resident of village nawagai and GGHS cheengly is faraway station and not accessible on daily basis in public transport moreover being an unmarried female teacher, the appellant cannot reside in GGHS cheengly.
3. That despite the above mentioned dismal situation the appellant performed her duties for more than 3 years in GGHS cheenglay and after completion of her tenure , she filed application before the D.E.O(female) for her transfer to the nearest station ,(application for transfer attached along with post office receipt)
4. That in the year 2018 posts of SST bio/chem were advertised in GGHS makharani and GGHS koza nawagai through NTS which was purely school based appointment and candidate appointed on it could not be transferred as per rules and conditions of their appointment. .
5. That one candidate was appointed vide order dated 14.9.2018 in GGHS Makhranay on Adhoc school based appointment policy pursuance to the afore said advertisement who could not be adjusted in any other school then GGHS Makhranay but the DEO (F) buner with malafide intention and under political pressure and influence adjusted her in the nearest schools i.e GGHS koza Nawagai and GGHS Nawagai in total derogation of law and rules within a short Spain of time.(impugned appointment and adjustment orders are attached)
6. That vide impugned adjustment order dated 6/3/2019 the applicant was adjusted in GGHS Makhranay despite the fact that she was a regular civil servant and had completed her tenure in a far flang school and despite the fact the regular post was available in GGHS Nawagai and the post in GGHS Makhranay was also for aforesaid adhoc appoitee but still the authority illigaly adjusted her in Makhranay and illegally retained the adhoc appointee in GGHS nawagai.
7. That the above mentioned illegality and malafide action was brought into the notice of the district authority and in the notice of Director E and SE but no action has been taken till date by this authority and is patronizing and

containing willfully the malafide action of predecessor in office (application attached).

8 That the applicant will wait for more 7 days for ventilations of her grievances and if no heed was paid to her request than the applicant reserve the right take such legal action as she may be entitled to by law against both the authorities in personnel capacity for the malafide actions/omissions, colorable exercise of power, discriminatory treatment and undue favor of the district authorities.

It is therefore kindly requested that the order of the DFO Buner dated 03.2019 may kindly be set-aside and the adjustment of the candidate in (G.I.S.S Nawagai may be cancelled as she has been appointed on school based in (G.I.M.S Makhramy and the appellant may kindly be transferred to the post of SST bio/chem in (G.I.S.S Nawagai.

Dated: 3.6.2019

*Necraz*

Appellant

Necraz begum d/o Khalilur rahman  
SST Bio/chem Buner

*Handwritten signature and initials*

*Handwritten signatures*

201  
2-1-5

Postage and  
Fees  
Name and  
Address  
Post Office  
City  
State  
Zip  
Permit No. 1234  
Post Office  
City  
State  
Zip  
Postage and  
Fees  
Name and  
Address  
Post Office  
City  
State  
Zip  
Permit No. 1234  
Post Office  
City  
State  
Zip

19

19

19

12161



(20) AMEE

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)  
DISTRICT BUNER  
PHONE & FAX NO. 0939-510366  
EMAIL: deofemalebuner@gmail.com



No. \_\_\_\_\_ / DATED \_\_\_\_\_ /2019

**OFFICE ORDER**

In the light of direction of worthy Director E&SE the following officials adjustments were made on need base till further order in the best interest of public service.

S.#	Name of Teacher	Designation	From	To	Remarks
1	TAUHEED	SST (Bio+Chem)	GGHS KUZA NAWAGAI	GGHS SAWARI	Adjustment
2	FAIZA BIBI	SST (Bio+Chem)	GGHS KAS KORONA	GGHS KULYARI	A.V.P
3	NERAZ BEGUM	SST (Bio+Chem)	GGHSS CHINGLAI	GGHS MAKHRANAI	A.V.P

**Note:** If any complication or problem will be created at any stage & time this order will be considered null & void.

(SADIA ILYAS)  
DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER

Endst: No 267-72 Dated: 6/3/2019.

Copy for information to the :-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. District Accounts Officer Buner.
4. District Monitoring Officer Buner.
5. Principals/Head Mistresses Concerned.
6. Officials Concerned.

C.T.C

DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER

21/3/19

Amr & F

Before the Director Elementary and Secondary Education Khyber-pukhtoon khawa Peshawar.

Application to D E O Buner

~~Amr & F~~

The appellants wants to submit as follows:

1. That the appellant is regular S.S.T (bio/chem) teacher and have efficiently performed her duties in GGHS chenglay to the entire satisfaction of her superiors.
2. That the appellant is the bonafide resident of village nawagai and GGHS cheengly is faraway station and not accessible on daily basis in public transport moreover being an unmarried female teacher, the appellant cannot reside in GGHS chengly.
3. That despite the above mentioned dismal situation the appellant performed her duties for more than 3 years in GGHS cheenglay and after completion of her tenure, she filed application before you for her transfer to the nearest station. (application for transfer attached along with post office receipt).
4. That in the year 2018 posts of SST bio/chem were advertised in GGHS makharani and GGHS koza nawagai through NTS which was purely school based appointment and candidate appointed on it could not be transferred as per rules and conditions of their appointment.
5. That one candidate was appointed vide order dated 14/09/2018 in GGHS Makhranay on Adhoc school based appointment policy pursuance to the afore said advertisement who could not be adjusted in any other school then GGHS Makhranay but you with malafide intention and under political pressure and influence adjusted her in the nearest schools i.e GGHS koza Nawagai and GGHSS Nawagai in total derogation of law and rules within a short Spain of time. (impugned appointment and adjustment orders are attached)
6. That vide impugned adjustment order dated 6/3/2019 the appellant was adjusted in GGHS Makhranay despite the fact that she was a regular civil servant and had completed her tenure in a far flang school and despite the fact the regular post was available in GGHSS Nawagai and the post in GGHS Makhranay was also for aforesaid adhoc appoitee but still the authority illigaly adjusted her in Makhranay.

It is therefore kindly requested that the order dated 6.3.2019 may kindly be set-aside and the adjustment of the candidate in GGHSS Nawagai may be cancelled she has been appointed on school based in GGMS Makhranay and the appella may kindly be transferred to the post of SST bio/chem in GGHSS Nawagai.

Dated: 14.3.2019

C.T.C  
M

Appellant  
Neeraz begum d/o Khalilur ra  
SST Bio/chem Buner

Before the Director Elementary and Secondary Education Khyber Pukhtoon

Khyber Peshawar.

Departmental appeal through proper channel against the impugned order /actions of adjustments whereby one (S.S.T bio/chem school based adhoc

appointee for GHSS makhrani through NTS ) have been illegally adjusted in GHSS Nawagai against a regular post instead of her own school and appellant being a regular S.S.T (Bio/chem) who has completed her tenure in GHSS chenglay was adjusted against the aforesaid N.T.S post of GHSS Makharani.

The appellants wants to submits as follows;

1. That the appellant is regular S.S.T (bio/chem) teacher and have efficiently performed her duties in GHSS chenglay to the entire satisfaction of her superiors.

2. That the appellant is the bonafide resident of village nawagai and GHSS chenglay is faraway station and not accessible on daily basis in public transport moreover being an unmarried female teacher, the appellant cannot reside in GHSS chengly.

3. That despite the above mentioned dismal situation the appellant performed her duties for more than 3 years in GHSS chenglay and after completion of her tenure, she filed application before the D.F.O.(female) for her transfer to the nearest station (application for transfer attached along with post office receipt)

4. That in the year 2018 posts of S.S.T bio/chem were advertised in GHSS makharani and GHSS koza nawagai through NTS which was purely school based appointment and candidate appointed on it could not be transferred as per rules and conditions of their appointment.

5. That one candidate was appointed vide order dated 14-9-2018 in GHSS Makhranay on Adhoc school based appointment policy pursuant to the aforesaid advertisement who could not be adjusted in any other school then GHSS Makhranay but the DFO (F) buner with malaafide intention and under political pressure and influence adjusted her in the nearest schools i.e GHSS koza Nawagai and GHSS Nawagai in total derogation of law and rules within a short span of time.(impugned appointment and adjustment orders are attached)

6. That vide impugned adjustment order dated 6/3/2019 the appellant was adjusted in GHSS Makhranay despite the fact that she was a regular civil servant and had completed her tenure in a far flang school and despite the fact the regular post was available in GHSS Nawagai and the post in GHSS Makhranay was also for aforesaid adhoc appointee but still the authority illegally adjusted her in Makhranay.

It is therefore kindly requested that the order of the DFO Buner dated in 6.3.2019 may kindly be set-aside and the adjustment of the candidate in

Handwritten signature and initials.

Handwritten signature: Huzar G

Handwritten number: 22

Handwritten signature/initials.

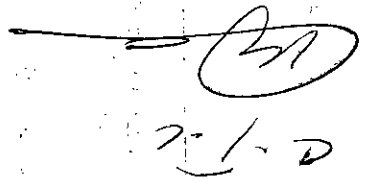
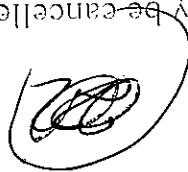


Appellant  
Necraz begum d/o Khalilur rahaman  
SST Bio/chem Buncer

Dated: 14.3.2019

GHSS Nawagai may be cancelled as she has been appointed on school  
based in GMS Makhramay and the appellant may kindly be transferred to  
the post of SST bio/chem in GHSS Nawagai.

23



CTC  
*[Signature]*

*Mr. J. H. ...*  
Kilograms  
Weight  
(in words)  
Grams  
(in words)  
with the word "insured" before, when necessary.  
Date-Stamp  
*[Signature]*

Post Office Act  
by virtue of  
registered  
upon  
Post Office Act

Post Office Act  
acknowledgment is due  
received a registered  
Post Office Act

*[Signature]*  
*[Signature]*  
271

وکالت نامہ

بعدالت حساب ۱۲.۰.۱۷ سروس ٹریبونل لاہور

نمبر از بیگم نام ڈسٹریکٹ ایف

منجانب سردار احمد دعویٰ سروس ایپل

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام کے لیے جسٹس مسٹر انجوائے سروس ٹریبونل لاہور

مشاق احمد خان ایڈووکیٹ پشاور کو بدیں شرط وکیل مقرر کیا ہے میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو

عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر

پیشی پر من مظهر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی

طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا

پچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اگر مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز

تعطیل یا پکھری کے اوقات کے آگے پچھے پیش ہونے پر من مظهر کو کوئی نقصان پہنچے تو اس کی ذمہ دار یا اس کے واسطے کسی

معاوضہ کے ادا کرنے یا مختانہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کوکل ساختہ پروڈانٹ صاحب

موصوف مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر

ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجرا کرنے اور ہر قسم کاروبار

وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپرد ثالثی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ

دینے کا بھی اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری، یکطرفہ درخواست حکم امتناعی یا قرقنی یا گرفتاری قبل

از اجراء ڈگری بھی موصوف کو بشرط ادائیگی علیحدہ مختانہ پیروی کا اختیار ہوگا، اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا

یا اپنے مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا پریسٹر کو بجائے اپنے

یا اپنے ہمراہ مقرر کریں، اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے، جیسے کہ صاحب موصوف کو

حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور

ایسی صورت میں میرا کوئی مطالبہ بھی صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ مختار نامہ لکھ دیا تاکہ سند رہے۔

مورخہ ۱۲/۰۷/۱۷۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Attested & Accepted

Mushtaq Ahmed Khan Advocate

الع بد

مستحق احمد خان ایڈووکیٹ

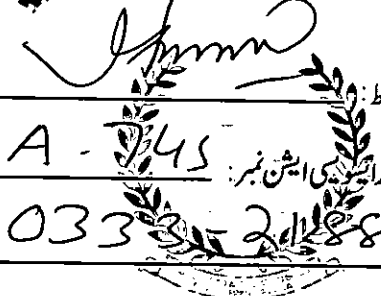

# وکالت نامہ

117

بگ نمبر

11611

سیریل نمبر:

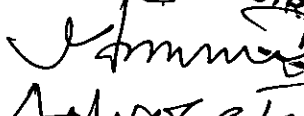
 <p>ایڈووکیٹ دستخط</p> <p>بار کونسل ابار ایسوسی ایشن نمبر: A-45</p> <p>033-87882-2</p> <p>رابطہ نمبر</p>	 <p>ڈسٹرکٹ بار ایسوسی ایشن بونیر خیبر پختونخواہ</p>
---	---

بعدالت جناب: سر شریو کمال کمار کورٹ میگزین سوات -

<p>منجانب: میرزا سلیم</p> <p>لوہن کی بی بی</p> <p>بنام</p> <p>سیانڈریٹ - 4</p> <p>ڈسٹرکٹ بار ایسوسی ایشن</p>	<p>Petition - 105/15</p> <p>دعویٰ نمبر</p> <p>علت نمبر:</p> <p>مورخہ:</p> <p>جرم:</p> <p>تھانہ:</p>
--	---

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کا پروائی متعلقہ آن مقام ہنگریم سوانسکیے الطاف حسین ایڈووکیٹ کو وکیل 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 تقریر تالک و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل گمرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے ججائے لہر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہونگے اور اس کا ساختہ پر داخلہ قبول و منظور ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوا کے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وصول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

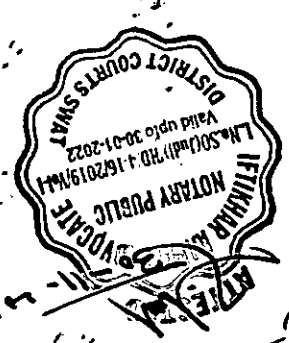
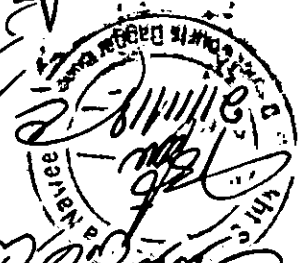
المقوم:   
 District Bar Association  
 Dera Ismail Khan  
 District Courts  
 Dargan Buner  
 High Court

گواہ شدہ  
 (Adv)  
 1st High Court

مقام  
 District Courts  
 Dargan Buner  
 High Court

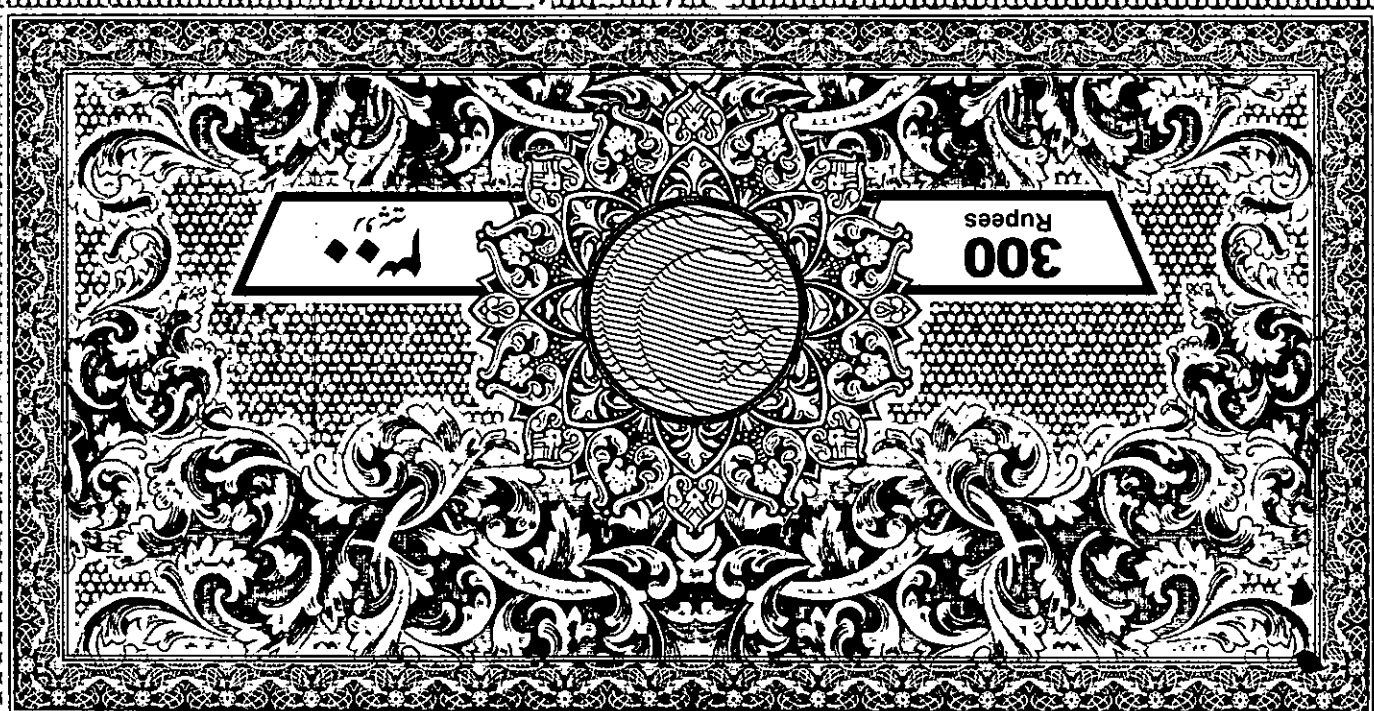
نوٹ اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

15101-0379803.3  
 15101-9458098-5  
 15101-9543598.5



Handwritten text in Urdu script, likely a legal document or affidavit, containing various clauses and signatures. The text is written in a cursive style and includes several lines of prose.

6/11/2019



121197

Wylie King 1826  
Special Favor of Attorney



1826

21 11/11/19



*King*

11 NOV 2019

DAO Bunker

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Application No.....2019

Neraz begum SST bio/chem.....appellant

Vs

District Education officer Buner and others.....respondents

**Application for addition of one Mst Norin Bibi d/o Bakhtawar shah r/o village  
nawagai tehsile Mandan district buner in the panel of respondents.**

Respectfully sheweth;

4. That the titled service appeal is pending adjudication before this worthy tribunal which has been fixed for 6/11/2019.i.e for today.
5. That inadvertently the name and address of the captioned respondent was not included in the panel of respondents which was a mere clerical mistake.
6. That the private respondent is a necessary party and her addition in the list of respondents is indispensable for the proper adjudication of the case.

It is therefore kindly prayed that on acceptance of this application the captioned respondent may kindly be added as respondent No 4 with red ink in the panel of respondents and she may be given opportunity for defending her case for the end of justice.

Appellant

Through



Mushtaq Ahmad khan alizai

Advocate,office district court

Buner.cell No 03469014199.

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Service appeal No.....2019

Neraz begum SST Bio/chem.....appellant

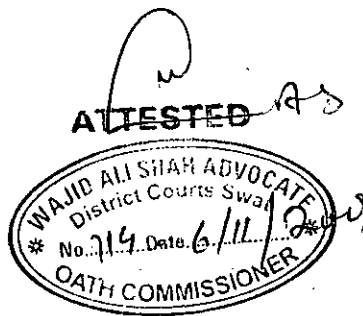
Vs

District Education officer Buner and others.....respondents

**AFFIDIVET**

I Mushtaq Ahmad khan advocate as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of the instant application is correct to the best of my knowledge and belief & nothing has been concealed from this worthy tribunal.

*M. Peeli*  
Deponent





**Before the service tribunal khyber pukhtoonkhwa Peshawar .**

Application No.....2019

Neraz begum SST bio/chem.....appellant

**Vs**

District Education officer Buner and others.....respondents

**Application for addition of one Mst Norin Bibi d/o Bakhtawar shah r/o village  
nawagai tehsile Mandan district buner in the panel of respondents.**

**Respectfully sheweth;**

4. That the titled service appeal is pending adjudication before this worthy tribunal which has been fixed for 6/11/2019.i.e for today.
5. That inadvertently the name and address of the captioned respondent was not included in the panel of respondents which was a mere clerical mistake.
6. That the private respondent is a necessary party and her addition in the list of respondents is indispensable for the proper adjudication of the case.

It is therefore kindly prayed that on acceptance of this application the captioned respondent may kindly be added as respondent No 4 with red ink in the panel of respondents and she may be given opportunity for defending her case for the end of justice.

Appellant

Through



Mushtaq Ahmad Khan Alizai

Advocate, office district court

Buner. cell No 03469014199.

Before the service tribunal khyber pukhtoonkhwa Peshawar .

Service appeal No.....2019

Neraz begum SST Bio/chem.....appellant

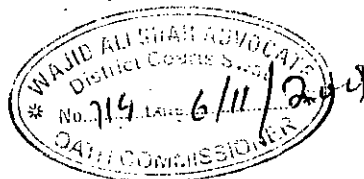
Vs

District Education officer Buner and others.....respondents

**AFFIDIVET**

I Mushtaq Ahmad khan advocate as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of the instant application is correct to the best of my knowledge and belief & nothing has been concealed from this worthy tribunal.

*M. Peeli*  
Deponent



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

**Service Appeal No: 1051/2019**

**Mst: Neraz Begam SST GGHS Makhrar:ai (F) District Buner.....Appelant.**

**VERSUS**

**District Education Officer (F) District Buner& others.....Respondents**

**INDEX**

<b>S/#</b>	<b>Description of document</b>	<b>Annexure</b>	<b>Page No.</b>
1	Departmental comments		1,2,3.
2	Affidavit		4.
3	Transfer order	A	5 Annexure.
4	Appointment order	B	6 to 7.
5	Corrigendum in appointment order	C	8 & 9.

  
**DISTRICT EDUCATION OFFICER**  
**(F) DISTRICT BUNER**

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

**Service Appeal No: 1051**

Neraz Begum SST GGHS MAKHRANAI District Buner.....Appellant

**VERSUS**

District Education officer (female) Buner & Others.....Respondents

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.1,2 &3**

**Respectfully Sheweth:**

The Respondent submits as under:

**PRELIMINARY OBJECTIONS:**

1. That the Appellant has no locus standi to file this instant appeal.
2. That the instant service appeal is badly time barred.
3. That the appellant has concealed material facts from this honorable tribunal.
4. That the instant service appeal is based on malafide intentions to put extra pressure on the respondents.
5. That the appellant has not come to this honorable tribunal with clean hand.
6. That the instant service appeal is against the prevailing policy of transfer and rules.
7. That the instant service appeal has been filed to put extra pressure on the respondent to promote her vested interests.
8. That the appellant has been treated as per law, rules and policy.
9. That the appeal is not maintainable in the present form and shape.
10. That the appeal is not maintainable due to non-joinder of the necessary parties.
11. That the appellant station of duty was the only open nearest station available hence the objections raised are quite baseless and just to grind her own axe.
12. That the impugned transfer orders dated 6/03/2019 is legal/intra vires.
13. That the appellant has completed her normal tenure.

**ON FACTS:**

1. Pertain to the service record of the appellant hence need no comments.
2. Denied: The appellant is transferred to the station which is quiet accessible on daily basis as only by the payment of round about **Rs:15 fare can reached her school** as compared to the appellant previous station of duty
3. Denied: A large number of teachers are serving in far flung areas & it is not possible for government to construct school near every school teacher, it is hallmark of our teachers fraternity that at the time of appointment desires to be appointed anywhere that may be far flung but after appointment don't take any interest in their job but tries their best to occupy the nearest station of duty by hook or by crook.

- 2
4. Denied; School based appointment is no more in existence because of the judgment of the honorable Peshawar High Court and plethora of transfer order issued in this regard by reshuffling a large numbers of teachers.
  5. Denied; Transfer is the power of the competent authority exercised in the interest of public services.
  6. Denied: Transfer order cannot be issued on the whim and wishes of Civil Servants.
  7. Denied; The appellant is a regular Government servant liable to obey the lawful order of the competent authority, The appellant was transferred to GGHS Makhranay which is not a far flung station of her duty as compared to her previous station of duty ( Roundabout 7KM)& approximately 10 to 15 rupees fare is required to reach her destination.
  8. Pertain to record.
  9. Denied; There is nothing illegal on the part of competent authority, because section 10 of the Civil Servant Act 1973 authorizes the competent authority to transfer civil servant under his domain of authority.

**ON GROUNDS:**


- a) That the appellant is a regular civil servant is bound to obey her transfer order and not to involve in frivolous litigation, transfer order issued dated 06/03/2019 is quite legal not tainted by any sort of illegality, which is attached as annexure "A" for ready reference.
- b) Denied; There is no misfeasance, nonfeasance or malfeasance on the part of the competent authority, every action of the competent authority is sanctioned by rules, policy and public interest.
- c) Denied: the appellant has concealed the material fact, actual position is that, that Mst. Norin Bibi was appointed as SST appointment order dated 14/09/2018 attached as annexure "B" and later on corrigendum was done in her appointment order not adjustment or transfer which is attached as annexure "C" for ready reference, furthermore the appellant have no right to question action the action of the competent authority which do not directly deal or effect the appellant.
- d) Denied, There is no such provision which ordain to provide an opportunity of hearing to the civil servant in case of issuing transfer order, the impugn transfer order was issued in the best interest of public services. Rules of Audi altrum partum is observed while taking any adverse action against any public servants.
- e) Denied, actions of the state functionaries are above board, impartial, and sanctioned by law, rules & interest of public service, appeal of the appellant is merely crocodile tears.
- f) The respondents seek the permission of this worthy tribunal to adduce additional grounds at the time of arguments.

**PRAYER;**


**In wake of the above submissions it is requested to the worthy Service Tribunal to dismiss this instant service appeal in favor of the respondent department.**



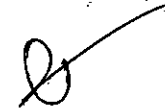
**SECRETARY EBSE KHYBER PAKHTUN KHAWA  
PESHAWAR  
SECRETARY  
Elementary and Secondary Education  
Govt. of Khyber Pakhtunkhwa**



**DISTRICT EDUCATION OFFICER  
(F) DISTRICT BUNER**



**DIRECTOR EBSE KHYBER PAKHTUN KHAWA  
PESHAWAR**



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR**

**Service Appeal No:1051**

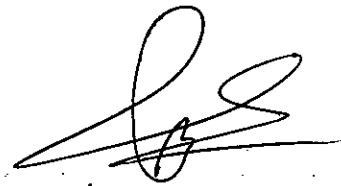
Neraz Begum SST Bio/Chem.....Appellant

**Vs**

District Education Officer(female)Buner& Others.....Respondents

**AFFIDAVIT**

I Mr. Syed Mohsin Ali ADEO Litigation do hereby solemnly affirms and declare on oath that the contents of the instant service appeal is correct to the best of my knowledge and belief, and nothing has been concealed from this honorable tribunal.



Deponent.....

NIC. 15101-8056775-5



5 (20) [Signature]  
OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)  
DISTRICT BUNER  
PHONE & FAX NO. 0939-510366  
EMAIL: deofemalebuner@gmail.com



No. \_\_\_\_\_ / DATED \_\_\_\_\_ /2019

[Signature]  
"A"

**OFFICE ORDER**

In the light of direction of worthy Director E&SE the following officials adjustments were made on need base till further order in the best interest of public service.

S.#	Name of Teacher	Designation	From	To	Remarks
1	TAUHEED	SST (Bio+Chem)	GGHS KUZA NAWAGAI	GGHS SAWARI	Adjustment
2	FAIZA BIBI	SST (Bio+Chem)	GGHS KAS KORONA	GGHS KULYARI	A.V.P
3	NERAZ BEGUM	SST (Bio+Chem)	GGHSS CHINGLAI	GGHS MAKHRANAI	A.V.P

**Note:** If any complication or problem will be created at any stage & time this order will be considered null & void.

(SADIA ILYAS)  
DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER

Endst: No 267-72 Dated: 6/3/2019.

Copy for information to the :-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. District Accounts Officer Buner.
4. District Monitoring Officer Buner.
5. Principals/Head Mistresses Concerned.
6. Officials Concerned.

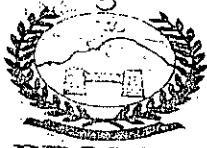
[Signature]  
DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER



Am  
"B"

Buner Female Appointment Order SST Adhoc

Ann B



Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar  
PH No. 091-9225339, 9225345

### APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 18910-1520-64510) @ Rs. 18910/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

#### (SST Bio Chem)

Sr. No	Rollno.	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1.	141000705	Sobia	Hazrat Umer	Bagra	60.60	90	150.60	GGHS Kulyarai
2.	141000590	Toheed	Syed UlMukhtiar	Annawar	67.66	72	139.66	GGHS Kuza Nawagai
3.	341000001	Fatima Bibi	Ubaidulldh	Jowar	67.32	60	127.32	GGHS Anghapur
4.	141000591	Norin Bibi	Bakhtawar Shah	Nawagai	65.01	59	124.01	GGHS Makhraji
5.	141000628	Sada	Javaid Iqbal	Balo Khan	64.41	59	123.41	GGHSS Totalat
6.	141000696	Faiza Bibi	Rab Nawaz Khan	Kalpanai	64.76	55	119.76	GGHS Kusa Korona
7.	141000627	Aasima Bakht	Bakht Roon Shah	Kalpanai	61.76	51	112.76	GGHS Ghazi Kot

#### (SST Maths: Phy:)

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	142000494	Uzma Qazi	Anwar UlHaq	Nawagai	61.44	55	116.44	GGHS Kuza Nawagai
2	142000501	Ruby Begum	Hazrat Rasool	Karapa	66.73	44	110.73	GGHS Karapa
3	142000499	Sabiha Omer	Omer Khan	Bagra	61.15	48	109.15	GGHS Hisar

#### (SST General)

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	144000209	Irum Khan	Anwar Javed	Gokand	49.10	90	139.10	GGHS Kinger Galai
2	144000068	Sada Bahar	Javed Iqbal	Sunigram	70.77	64	134.77	GGHSS Gerraai
3	144000262	Iffat	Syed Shuja UlMulk	Rega	61.98	67	128.98	GGHS Matwani
4	144000178	Shaiста	Matiullah	Narbatawal	61.10	67	128.10	GGHSS Jowar
5	144000185	Munira Farooq	Inayat Ur Rahman	Sura	57.27	58	125.27	GGHS Ghazi Kot
6	144000155	Musarat Rahman	Inayat Ur Rahman	Sura	63.46	60	123.46	GGHS Jowar No.2

Female Appointment Order SST Adhoc

Navalabibi Nadar Khan Pir Baba 01-56 57 121-56 GGHS Buzar

Minority Candidate in SST General @ 3% Quota

Roll No	Name	Father Name	Permanent Address	Academic Marks (Out Of 100)	NTS Marks (Out Of 100)	Total Marks (Out Of 200)	School
140007	Rekhat Kumari	Makand Lal	Soyvati	59.89	57	116.89	GGHS Kulyarai

TERMS & CONDITIONS.

1. NOTA/DA etc is allowed.
2. Change reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year wef 15<sup>th</sup> September, 2018 to 14<sup>th</sup> September 2019.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO (concerned) is issued that her certificates are verified.
8. She should join her post within 15 days of the issuance of this notification. In case of failure to join the post within 15 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. She will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. Her services shall be terminated at any time, in case her performance is found unsatisfactory during her contract period. In case of misconduct, she shall be proceeded under the rules framed from time to time.
12. Her appointment is made on a School based, she will have to serve at the place of posting, and her service is not transferable to any other station.
13. Before handing over charge, once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.
14. Any candidate as overage less than 2 years, their upper age limit less than 2 years as hereby relaxed.
15. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted her appeal, the appointment of the low merit candidate will be withdrawn and adjustment order will be reviewed according to merit.

(Farid Ahmad Khattak)

Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

14/09/2018 Dated Peshawar the

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

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

(8) AH

*(Signature)*  
*(Signature)*



**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,  
0910437, 9210957, 9210468  
Fax 091-9210936  
E-mail [desekpk@yahoo.co.uk](mailto:desekpk@yahoo.co.uk)

**CORRIGENDUM**

Please read the following SSTs (Female) order issued vide this office  
E.No. 107/A-1/SST/E/Adhoc/Appnt: Buner/2018 dated 14-09-2018 and E.No. 10003 dated  
07-10-2018, on their own pay and grade in the interest of public service:-

Name and Designation	Appnt. order of SST	Read	Instead
Mrs. Saida SST (Bio/Chem)	Endst NO 51-22 dated 14-9-2018	GGHS Kulyari	GGHS Makhrenai
Mrs. Saida SST (Bio/Chem)	-do-	GGHS Kuzai Nawagai	GGHS Kulyari
Mrs. Zohra Bibi SST (Bio/Chem)	-do-	GGHS Makhrenai	Nawagai
Mrs. Zohra Bibi SST (Bio/Chem)	Endst No. 51-23 dated 08-10-2018	GGHS Imran Runway Tehkal Opposite Runway Tehkal Payan University Road Peshawar (S.No.6)	Imran Runway Tehkal University (S.No.6)

The terms and conditions mention in the appointment order will intact.  
**(Farid Ahmad Khattak)**

Director, Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst No. 107/A-1/SST/E/Adhoc Appnt: Buner/2018  
Dated Peshawar the 26/9/2018

- Copies forwarded for information and necessary action to the:-
1. District Education Officer (F) Buner & Peshawar
  2. District Accounts Officer Buner & Peshawar
  3. Headmistress concerned
  4. Teacher concerned
  5. P.O. to the Director, E.S.E. Khyber Pakhtunkhwa, Peshawar
  6. M.F.O.

*(Signature)*  
Deputy Director Establishment (F)  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

8

Better copy of page No 8

Amir  
"C"

Bp 7 per copy

Better copy

**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION  
KHYBER PUKHTOON KHWA PESHWAER**

**CORRIGENDUM**

please read the following SSTs (female) order issued vide this office E.No 517-22/A 17/SST/F/Adhoc /Apptt:Buner/2018 dated 14-09-2018 and E/No 4000-5 dated 08-10-2018 on their own pay and grade in the interest of public service;

S No	Name and designation	Apptt; order of SST	Read	Instead
1	Mstsobia SST (bio;chem; )	Endst NO517-22 Dated 14-09-018	GGHSkulyarai	GGHS makharanai
2	MstTaheedSST(bio,chem)	Do	GGHS kuzanawagai	GGHS kulyarai
3	MstNorinBibi SST(bio,chem)	Do	GGHS makhrana	Nawagai
4	Anamiftikhar D/OiftikharJaved	Endst no 4000-5 dated 14-10-2018	Iftikharjaved address Imran foam center opposite Runway tehkalsayan university road peshwar (S.no 6)	Imran foam center runway tehkalsayan (S,no 6)

The terms and conditions mention in the appointment order will intact

(Farid Ahmad Khattak)

Director elementary and secondary education KP Peshawar

Endst No 957580

A-17/SST/F/adhocApptt;Buner 2018

Dated Peshawar the 26/1/2018

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

Service appeal No. 1051 of 2020<sup>19</sup>

Mst. Neraz Begam SST GGHS Makhrarai (F) District Buner. ...Appellant

**VERSUS**

District Education Officer (F) district buner & three others. ..Respondents

*Reply by respondent no. 4 to appeal w/ s 4 of  
service tribunal act filed by petitioner.*

---

**Respectfully Sheweth:**

1. Preliminary legal objections:

(a) That the appellant have no locus standi to file this appeal against respondents.

(b) That this appeal is patently time barred.

(c) That the principal of law of **double jeopardy** is applicable to an instant appeal, as the petitioner has preferred the jurisdiction of the civil court. i.e, Civil Judge II at Buner, bearing suit No. 57/ 1, pending adjudication for the redressal of grievance while impugning the order dated 06-03-2019 which is subjudice also over here before this august tribunal. On this ground too this appeal is not maintainable. (Photo copies of the pending suits are attached and marked as A-1 to A-17).

(d) That the appeal as filed is not maintainable and be dismissed shortly at request of respondent No. 4 besides this the petitioner, wants undue advantage for her malafide from this appeal.

2. Without prejudiced to the above parawise reply to the contents of appeal.

2.1. That the contents of para No. 1 of the appeal are personal and formal, hence need no reply.

2.2. That the contents of para No. 2 of the appeal pertains to the matter of facts to the extents as the appellant belong to village Nawagai and she had her earlier posting at Chinglai (GGHS) and in course thereof she was bound to do the best by virtue of service contract thereof, not to oblige any one. Her posting at Nawagai (GGHS) was neither punishment nor a grace period in her carrier of service. Therefoer this period / span of 3 years does not need to be highlighted as the petitioner benefited from in shape of salary and fringe benefits.

2.3. That the contents of Para No. 3 of appeal is denied as the same are incorrect and untrue. It is submitted that new transfer of appellant from Chinglai (GGHS) to Makhrani (GGHS) has been disputed by appellant with out any cogent reason, the plea of distant station about Makhranai (GGHS) is frivolous, and beside this

*the very order dated: 06-03-2019 adhoc teachers has been transferred to Sawarai (GGHS) which have been alleged over here by the petitioner with only malafide but nothing else.*

2.4. *That the contents of para No. 4 are incorrect and are vehemently denied by the respondents No. 4. It is stated by the respondent No. 4 that actually two vacancies of Boi/ chem were advertised by department of (SST) (F) teachers in Kozy Nawagai (GGHS) and Makhranai (GGHS) respectively, whereas that advertisement should have been for two vacancies of (Bio/Chem) (F) Teacher in Nawagai (GGHS) and Nawagai (GGHS) ie, one each ratio- this error was felt later as a big number of science students were left in Nawagai (GGHS) without science teacher in comparison of that of Makhranai (GGHS). So to cater this need the department had to show the responsibility so to fill the gap with, on the basis of necessity. So the department ie, respondents 1, 2 intervened to get down this issues as they were competent authority only.*

2.5. *That he contents of Para No. 5 of petitioner is also denied for want of misrepresentation on the part of petitioner. The fact in the matter is that respondent No. 4 was appointed on dated, 14-09-2018 in GGHS (Makhranai) and thereafter was adjusted in GGHS (Nawagai), keeping in view the strength of students and their needs on*

priority bases at that point of time. This decision of preference by the respondent No. 1, 2 pertaining to (GGHS) Nawagai was justified and correctly justified by them as a school at center of (Mandun Tehsil) as well as number of students were there at that point of time. So this was the correct decision. It is also important to mention that (GGHS Makhranai) wasn't having any science student in class 9<sup>th</sup> and 10<sup>th</sup>. So the question of malafide of respondent No. 1 and 2, or any involvement of politics in this adjustment does not arise. The respondents No. 1, 2 were not pressurized from any corner, any that were justified to favor the interest of the student. What ever have been done by the department does not show any tilt towards the respondent No. 4. So the above facts as enumerated above reflects the malafide of petitioner who hotly pursue her whims and wishes not public interests. So this malafide make her disentitle for any relief from this august tribunal.

- 2.6. That the contents of para No. 6 are totally denied by answering respondent No. 4. The adjustment policy/ powers of respondents No. 1, 2 are well in order to favor the ends of justice not to defeat the end of justice, so to run the department smoothly. It is necessary to mention that adjustment policy was not for the respondent No. 4 favor or the petitioner dis-favor but policy as for the whole



*promise to run for the needs, which has not been abolished yet.*

*2.7,8,9. That contents of paras No. 7,8,9 are denied for being ambiguous however something additionally, the petitioner have unjustifiably highlighted the school based appointment adjustment in department malafidly to make out the case. Actually transfer is the necessary feature of service and can be judge by the authority responsible for any adjustment to cope with dire need. Adhoc appointee can be adjusted anywhere. School based policy is no more in field.*

*It is therefore requested that this august tribunal may be pleased to dismiss the petitioner with a heavy cost, being maliciously filed as to drag the departments and respondent No. 4 with her malafidly.*

*Skullah*

*Respondent No. 4*

*Mst. Noreen Bibi through attorney by counsel.*

*Dated: 03-02-2020.*

No-57/1

کوئی حاکم نہ ہے۔ وکلاء بو میر بار ہا کے پاس ہیں  
لذا عدالت پر ک موافق 16/01/2020 کو برائے عدالت  
بر درخواست افریقی دعویٰ پیش ہو۔

0-7  
09-01-2020

نقل مضامین  
28-01-2020

GHAJILAM HAMID  
Civil Judge, Jilga District  
Buner at Daggart

معدیہ کی طرف سے کوئی حاکم نہ ہے جبکہ مدعا علیہ نیز افریقی  
مختار اور غائبانہ حاکم۔ وکلاء بو میر بار ہا کے پاس  
ہیں۔ لہذا برائے عدالت بر درخواست افریقی  
مقدمہ موافق 23-01-2020 کو پیش ہو۔

0-8  
16-01-2020

GHAJILAM HAMID  
Civil Judge, Jilga District  
Buner at Daggart

معدیہ کی طرف سے کوئی حاکم نہ ہے۔ مدعا علیہ نیز افریقی مختار  
سید طاہر حاکم۔ برائے عدالت بر درخواست بو میر  
بار ہا کے وکلاء بو میر بار ہا کے پاس ہیں  
مقدمہ موافق 29-01-2020 کو پیش ہو۔

0-9  
23-01-2020

GHAJILAM HAMID  
Civil Judge, Jilga District  
Buner at Daggart

0-13  
04.12.19  
کوئی حافرنہ ہے۔ وکلاء جو نیراز بار آج پرتھما  
ہر ہیں۔ لہذا برائے محبت بردر فرخواست سے نسبت  
شمولیت اور آرڈر 7 رول 11 میں مورف  
12  
019 کو پیش ہو۔

11

GHULAM HAMID  
Judicial Magistrate-III  
Buner at Daggar

0-14  
11.12.19  
کوئی حافرنہ ہے۔ مگر انہم مختار مدعا علیہ نمبر 2 حافرنہ آیا۔  
وکلاء جو نیراز بار آج پرتھما ہر ہیں۔ لہذا برائے

کو پیش ہو۔

11

GHULAM HAMID  
Civil Judge-III  
Buner at Daggar

0-15  
13.12.19  
کوئی حافرنہ ہے۔ آج اس مقدمہ میں کارروائی برائے محبت بردر فرخواست  
ہائے نسبت شمولیت اور آرڈر 7 رول 11 میں مقررہ من مگر وکلاء  
میں آج پرتھما ہر ہیں لہذا من مگر ہائے محبت بردر فرخواست  
ہائے مورف 20.12.19 کو پیش ہو۔

11

GHULAM HAMID  
Judicial Magistrate-III  
Buner at Daggar

08.06  
20.12.19

The plaintiffs, drafts & petitions  
who sought impleadment in the suit  
present through attorneys. Due to  
business of counsel, adjourned  
to 09-01-2020 for arguments on  
petition u/o III rule 11 CPC.

11

F No. 11  
11-2019

a.

Plaintiff through counsel while defendants present through their attorneys. The attorney for the petitioner also present who sought impleadment to this lis. Today reply to impleadment petition received. Copy given to opposite side. The Counsel for defendant No.1 also submitted a petition under Order VII Rule 11 CPC. Its copy handed over to plaintiff counsel. Adjourned to 16-11-19 for reply and arguments on the petitions.

Announced  
12-11-2019

Ghulam Hamid  
CJ / Illaqa Qazi-II, Buner at Daggar  
Civil Judge - Illaqa Qazi  
Buner at Daggar

(9)

آپ کے جواب میں 11/11/19 کو  
16-11-19 کو

0-12  
21.11.19

مقامی عدالت میں۔ - جیٹا کی طرف سے درخواستیں  
مقامی عدالت میں۔ - جیٹا کی طرف سے درخواستیں  
مقامی عدالت میں۔ - جیٹا کی طرف سے درخواستیں  
مقامی عدالت میں۔ - جیٹا کی طرف سے درخواستیں  
مقامی عدالت میں۔ - جیٹا کی طرف سے درخواستیں

GHULAM HAMID  
Civil Judge - Illaqa Qazi  
Buner at Daggar

CIVIL ENGINEERING  
Board of Examiners  
Civil Engineering  
CIVIL ENGINEERING

Handwritten signature

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

CIVIL ENGINEERING  
Board of Examiners  
Civil Engineering  
CIVIL ENGINEERING

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Handwritten text: ۱۱ ۱۲/۱۹

Similarly the defendant No.2 is now a days posted in district Swabi as deputy education Officer male. His permanent address is village Managay tehsil Razar district Swabi. Thus the counsel for plaintiff is directed to provide registered AD Card along with summon forms for the service of these defendants as they are arrayed as defendant in personal capacity. Adjourned to 5-10-019 for the attendance. Nazir of this Court is also directed to inform defendant No.1 through her cells number mentioned above.

**Announced**  
19-09-2019

**Ghulam Hamid**  
Civil Judge/Illaqa Qazi-II,  
Buner at Daggar

نوٹ ریڈر :- آفسر علی صاحب راجت، اتفاقاً بیرہہ سیکشن ایف او  
05-10-019 برائے سابقہ لاوائے مورفہ 15/10/019 کو پیش ہو۔  
نمبر مورٹالیم نمر 02، استماردین اصالٹا حافر۔  
تاریخ پیشی دی گئی۔

07-08: مدعیہ بذریعہ وکیل حافر۔ مدعا علیہ نمر 2 اصالٹا حافر۔ جسٹس مدعا علیہ نمر  
15-10-018 کے ساتھ ان کے ذاتی موبائل نمر 0333-9063577 پر رابطہ کیا۔

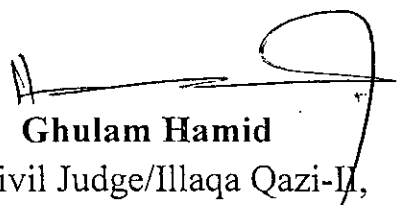
گیا۔ دونوں مدعا علیہم وکالت نامہ اور جوابدہوں کی جمع کرنا کیلئے  
صلحت چاہتے ہیں لہذا صلحت دی جا کر برائے جوابدہوں مورفہ  
22/10/019 کو پیش ہو۔

11  
GHULAM HAMID  
Judicial Magistrate  
Buner at Daggar


- a. None for the plaintiff in attendance. Defendant No.2 present through representative. He submitted his authority letter. The defendant No.1 has been transferred to Peshawar. If the plaintiff has any grievance from the person of defendant No.1 then she submit register AD Card with correct address for defendant No.1 within three days. Thereafter she be summoned for 16.9.18 accordingly. The representative of defendant No.2 is directed to make sure the written reply till date fixed.

**Announced**

30-07-2019

  
**Ghulam Hamid**  
 Civil Judge/Illaqqa Qazi-II,  
 Buner at Daggar

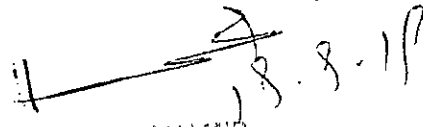
0-06  
 16.09.19  
 دیکھیں سر عدیدہ صاحبہ - مقدمہ نمبر 0-06  
 اور انتظامیہ کے خلاف بڑا سٹی ڈائری کیا گیا ہے۔ جو کہ  
 ضلع بونیر سے ٹرانسفر ہوئے ہیں۔ لہذا وکیل سر عدیدہ کو  
 سرایت کی جاتی ہے کہ سر عدیدہ کا جہد پر درست سٹیڈ  
 انڈر سپر یوم داخل کر کے ان کے نام سے سمنات مورخہ  
 09/09/19 کیے جا رہے ہیں۔

  
 GHULAM HAMID  
 Civil Judge/Illaqqa Qazi-II,  
 Buner at Daggar

**Order No.07**

19-09-2019

- a. The counsel for plaintiff in attendance. As per previous directions he submitted that the defendant No.1 is presently at the disposal of Director Elementary and Secondary Education Khyber Pakhtunkhwa at Peshawar Directorate near Ferdos. Her cell numbers are respectively 0348-1199845, 0313-9168146 and 0333-9063577.

  
 GHULAM HAMID  
 Civil Judge/Illaqqa Qazi-II,  
 Buner at Daggar

0-03  
03-07-019

وکیل مورثی حافظ صاحبہ منجات - اسی کے دربار میں

کے لئے ایک درخواست ہے۔ گنڈا دعویٰ کے لئے درج رہنے سے متعلقہ ہے۔

محکم بنام مورثی علیہ لفظوں سے دعویٰ کے لئے درخواست

میں 07/10/19 کے لئے جاری ہے۔ وکیل مورثیہ کو یہ بات

میں 03 کے لئے درخواستوں کے لئے اندر مورثی علیہ

نہراہ کیسے رہیں لفظ علیہ AD 10-7-19 جمع  
کریں۔

0-04  
10-7-019

مورثیہ بندہ سے وکیل خود حافظ - مورثی علیہ کی طرف اصرار جاری

میں ہے۔ گنڈا دعویٰ کے لئے درخواستوں کو یہ بات

میں 07/30/19 کے لئے بہر حال مورثی علیہ اصرار

جاری ہے۔

GHULAM HANID  
Civil Judge (Single Judge)  
Buner at Dayar



2

14

the court of senior civil judge buner at daggar

Civil suit no.....2019

Neraz Begum d/o khalilur rahman r/o village Nawagai, tehsile Mandanr district buner, presently serving in GGHS Makhranai district buner.....Plaintiff

vs

1. Sadya ilyas Ex DEO district Buner presently serving as OSD in directorate Peshawar.
2. Iftikharul Ghani presently serving as District education officer buner.

Suit for Declaration and mandatory injunction

Respectfully sheweth,

Senior Judge  
3/7/19

1. That the plaintiff is a regular S.S.T (bio/chem) teacher and have efficiently performed her duties in GGHS chinglay to the entire satisfaction of her superiors..
2. That the plaintiff is the bonafide resident of village Nawagai and GGHS chingly is faraway station and not accessible on daily basis in public transport. moreover being an unmarried female teacher, the plaintiff cannot reside in GGHS chingly for her duty purposes.
3. That despite the above mentioned dismal situation, the plaintiff performed her duties for more than 3 years in GGHS chinglay and after completion of her tenure, she filed application before the D.E.O(female) for her transfer to the nearest station (application for transfer attached along with post office receipt)
4. That in the year 2018 posts of SST bio/chem were advertised in GGHS makharani and GGHS koza nawagai through NTS which was purely school based appointment and candidate appointed on it could not be transferred as per rules and conditions of their appointment.
5. That one candidate was appointed vide order dated 14.9.2018 in GGHS Makhranay on Adhoc school based policy and as per rules and afore said policy the above mentioned candidate could not be adjusted in any other school then GGHS Makhranay but the DEO (F) buner (defendant no 1) with malafide intention and under political pressure and influence transferred/adjusted her in the nearest schools i.e GGHS koza Nawagai and GGHS Nawagai in total derogation of law and rules within a short span of time.(impugned appointment and adjustment orders are attached)
6. That vide impugned adjustment order dated 6/3/2019 the Plaintiff was adjusted in GGHS Makhranay despite the fact that she was a regular civil

3

15

(chinglai) and despite the fact the regular post was available in GGHSS Nawagai and the post in GGHS Makhranay was also for aforesaid adhoc appointee but still the authority illegally and malafidely adjusted her in Makhranay and illegally and malafidely retained the adhoc appointee in GGHSS nawagai.

7. That the above mentioned illegality and malafide action was brought into the notice of the defendant no 2 and in the notice of Director E and SE but no action has been taken till date and the defendant no 2 is patronizing and continuing willfully the malafide action of predecessor in office.(application attached).
8. That the Plaintiff again requested the defendant no 2 for cancellation of the impugned unlawful and malafide order where by the adhoc appointee has been retained in GGHS Nawagai instead of GGHS makhranai and malafide order whereby the plaintiff has been transferred to GGHS Makhranay but no heed was paid to the request of the plaintiff.
9. That the actions and inactions (i.e impugned orders of defendant no 1 and retaining and continuing of the impugned orders by the defendant no 2) is the result of malafide actions/omissions, colorable exercise of power, discriminatory treatment and undue favor to the adhoc appointee mentioned in para no 5. moreover The GGHS Kurya have also been illegally filed.
10. That the cause of action accrued to the plaintiffs when the defendants illegally and with malafide intention retained the adhoc appointee in GGHSS Nawagai instead of her due place i.e GGHS Makhranai and when the plaintiff was transferred to GGHS makhrani instead of GGHSS Nawagai by exercising malafide and colorable powers by defendants and the cause of action still subsists.
11. That the cause of action has accrued in district Buner and the plaintiff also resides in buner, hence this honorable court has jurisdiction to entertain the suit.
12. That no court fee is required as per law.
13. That the copies of the plaint have been sent to the respondents according to Nizami Adal regulation.(receipts attached).

**Prayer:**

It is therefore kindly prayed that the actions and inactions of the defendants((i.e impugned orders of defendant no 1 and retaining and continuing of the impugned orders by the defendant no 2 may kindly be declared illegal, malafide and result of colorable exercise of power and authority by the defendant no 1 and 2 and decree of mandatory injunction may also be granted with the effect that The defendants be directed to set  
... .. the adjustment of the candidate in

Sent  
3/7/15

4

18

GGHSS Nawagai may be cancelled and she may be directed to perform her duties in GGHS makhranai as she has been appointed on school based in GGHS Makhranay and the appellant may kindly be transferred to the post of SST bio/chem in GGHSS Nawagai.

Any other relief not specifically prayed for and which this honorable court deems fit in the facts and circumstances of the case may also be granted.

plaintiffs

Through

Mushtaq Ahmad Khan adv

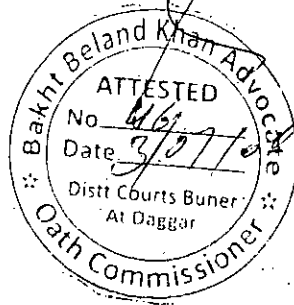
Dated 2/7/2019

**Verification:** verified on oath that the contents of the plaint are true and

Correct to the best of my knowledge and belief and nothing has been

Concealed from this hon,able court.

plaintiffs.



3/17/19

IN THE COURT OF CIVIL JUDGE II

at Daggan Buzar

Suit - Plaintiffs -  
Met-Neva Begum

vs

Defendants - Sadik Ilyas & others -

Application u/o 7 R. 11, C.P.C. Sec 10-C.P.C.

GHULAM HAMID  
Civil Judge, Daggan Buzar  
12-11-11

It is humbly prayed on behalf of the defendants, that this Honorable Court may be pleased to reject the Plaintiff's grounds detailed as follows: -

1) That this Honorable Court lacks

jurisdiction to entertain this suit as jurisdiction has been vested on

Service Tribunal due to its nature

as cleared from contents of Plaintiff

2) That the Plaintiff has availed

the remedy from the (S-T) against the

Defendants. So the copies wherever of

and attached on ready reference

3) That see-10 of C.P.C. may also warrants its application in the circumstances

So arise, in the facts likely arisen herein.

It is therefore Prayed, as ~~to~~ that this Honorable Court may be pleased to reject the Pleint/~~by~~ b/o 7, R 10, R-11 and Section 10 c.p.c. in the best interest of Justice.

Hammer

Advocate -  
for the Defendant - no. 1

Advocate -  
for Defendant - no. 2

Dated - 12-11-19.

OFFICE OF THE DISTRICT EDUCATION OFFICER(F)BUNER BUNER.

CANCELLATION ORDER:

The competent authority is pleased to cancel the transfer order of Miss Norm Ibtisam SST 070118 Mukhranai at S.No 01 issued vide this office Endst No 139-146 dated 04/03/2019 in the interest of public service.

(SADIA ILIAS)  
District Education Officer(F)  
Buner.

No. 446A-48A Dated. 19/3 2019

Copy of the above is forwarded to the;

1. Deputy Commissioner
2. Principal/Head Mistress concerned
3. Teacher Concerned

  
District Education Officer(F)  
Buner.

3	144000262	Iffat	Syed ShujaUlMulk	Rega	61.98	67	12.8.08	GCSS Matwan
1	144000178	Shaista	Matiullah	Narbatawal	61.10	67	12.8.10	GCSS Jwala
5	144000185	Munira Farooq	Inayat Ur Rahman	Sura	57.27	68	12.1.27	GCSS

OFFICE OF THE DISTRICT EDUCATION OFFICER(F) BUNER BUNER

CANCELLATION ORDER:

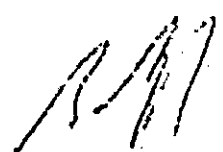
The competent authority is pleased to cancel the transfer order of Miss Noor Bibi SST GCHS Mukhranai at S.No 01 issued vide this office Endst No 139-146 dated 04/03/2019 in the interest of public service.

(SADIA H. YAS)  
District Education Officer(F)  
Buner.

No. 446A-4SA Dated, 19/3 2019

Copy of the above is forwarded to the:

1. Deputy Commissioner
2. Principal/Head Mistress concerned
3. Teacher Concerned



District Education Officer(F)  
Buner.

3	144000262	Hlat	Syed ShujaUlMulk	Rega	61.98	67	13.03	GCHS Matwan
1	144000178	Shaista	Matiullah	Narbatawal	61.10	67	13.10	GCHS Jowan
5	144000185	Munira Farooq	Inayat Ur Rahman	Sura	57.27	68	12.22	GCHS



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)  
DISTRICT BUNER  
PHONE & FAX NO. 0939-510366  
EMAIL: deofemalebuner@gmail.com



No. \_\_\_\_\_ / DATED \_\_\_\_\_ /2019

### OFFICE ORDER

In the light of direction of worthy Director E&SE the following officials adjustments were made on need base till further order in the best interest of public service.

S.#	Name of Teacher	Designation	From	To	Remarks
1	TAUHEED	SST (Bio+Chem)	GGHS KUZA NAWAGAI	GGHS SAWARI	Adjustment
2	FAIZA BIBI	SST (Bio+Chem)	GGHS KAS KORONA	GGHS KULYARI	A.V.P
3	NERAZ BEGUM	SST (Bio+Chem)	GGHS CHINGLAI	GGHS MAKHRANAI	A.V.P

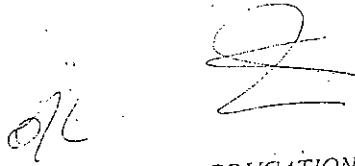
**Note:**

If any complication or problem will be created at any stage & time this order will be considered null & void.

(SADIA ILYAS)  
DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER

Endst: No 267-72 Dated: 6/3/2019.  
Copy for information to the :-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. District Accounts Officer Buner.
4. District Monitoring Officer Buner.
5. Principals/Head Mistresses Concerned.
6. Officials Concerned.

  
DISTRICT EDUCATION OFFICER(F)  
DISTRICT BUNER

3	144000262	Iffat	Syed ShujaUlMulk	Rega	61.98	67	128.98	Ma
4	144000178	Shaista	Matiullah	Narbatawal	61.10	67	128.10	GC
			Amayal	Sura	57.27	68	125.27	Ch
						60	123.40	Low



**Buner Female Appointment Order SST Adhoc**



**Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar  
PH No. 091-9225339, 9225345**

**APPOINTMENT.**

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Secondary School Teacher (SST Bio Chem), (SST Maths Phy), (SST General) School based in BPS-16 (Rs. 18910-1520-64510) @ Rs. 18910/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with effect from the date of their taking over charge :-

Attested  
*[Signature]*  
District Education Officer (F)  
Buner, Distt:

**(SST Bio Chem)**

Sr. No	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1.	141000705	Sobia	Hazrat Umer	Bagra	60.60	90	150.60	GGHS Makhranai
2.	141000590	Toheed	Syed UlMukhtiar	Amnawar	67.66	72	139.66	GGHS Kulyarai
3.	341000001	Fatima Bibi	Ubaidullah	Jowar	67.32	60	127.32	GGHS Anghapur
4.	141000591	Norin Bibi	Bakhtawar Shah	Nawagai	65.01	59	124.01	GGHS Kuza Nawagai
5.	141000628	Sada	Javaid Iqbal	Balo Khan	64.41	59	123.41	GGHSS Totalai
6.	141000696	Faiza Bibi	Rab Nawaz Khan	Kalpanai	64.76	55	119.76	GGHS Kass Koroona
7.	141000617	Asima Bakht	Bakht Room Shah	Kalpanai	61.76	51	112.76	GGHS Ghazi Kot

**(SST Maths: Phy:)**

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	142000494	Uzma Qazi	Anwar Ul Haq	Nawagai	61.44	55	116.44	GGHS Kuza Nawagai
2	142000501	Ruby Begum	Hazrat Rasool	Karapa	66.73	44	110.73	GGHS Karapa
3	142000499	Sabila Omer	Omer Khan	Bagra	61.15	48	109.15	GGHS Hisar

**(SST General)**

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	144000209	Irum Khan	Anwar Javed	Gokand	49.10	90	139.10	GGHS Kinger Galai
2	144000068	Sada Bahar	Javed Iqbal	Sunigram	70.77	64	134.77	GGHSS Gerarai
3	144000262	Iffat	Syed Shuja Ul Mulk	Rega	61.98	67	128.98	GGHS Matwani
4	144000178	Shaista	Matiullah	Narbatawal	61.10	67	128.10	GGHSS Jowar
5	144000185	Munira Farooq	Inayat Ur Rahman	Sura	57.27	68	125.27	GGHS Ghazi Kot
6	144000155	Musarat Rahman	Inayat Ur Rahman	Sura	63.46	60	123.46	GGMS Jowar No.2

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

**Buneer Female Appointment Order SST Adhoc**

2

7	114001276	NayabBibi	Nadar Khan	Pir Babā	64.56	57	121.56	GGHSS Jowar
---	-----------	-----------	------------	----------	-------	----	--------	-------------

**Minority Candidate in SST General @ 3% Quota**

Sr	Rollno	Name	Father Name	Permanent Address	Academic Marks [Out Of 100]	NTS Marks [Out Of 100]	Total Marks [Out Of 200]	School
1	144000277	ReekhaKumari	MakandLal	Sowari	59.89	57	116.89	GGHSS Kulyarai

**TERMS & CONDITIONS.**

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year wef 15<sup>th</sup> September, 2018 to 14<sup>th</sup> September 2019.
4. She should not be handed over charge if she exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (concerned), any one found producing bogus Certificate will be reported to the law enforcing agencies for further action.
6. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn until and unless a certificate to the effect by DEO(concerned) is issued that her certificates are verified
8. She should join her post within 15 days of the issuance of this notification. In case of failure to join the post within 15 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. She will be governed by such rules and regulations as may be issued from time to time by the Govt.
11. Her services shall be terminated at any time, in case her performance is found unsatisfactory during her contract period. In case of misconduct, she shall be preceded under the rules framed from time to time.
12. Her appointment is made on School based, she will have to serve at the place of posting, and her service is not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules. they may not be handed over charge of the post.
14. Any candidate as overage less than 2 years, their upper age limit less than 2 years as hereby relaxed.
15. If any meritorious candidate is deprived from appointment by this order and the competent authority accepted her appeal, the appointment of the low merit candidate will be withdrawn and adjustment order will be reviewed according to merit.

(Farid Ahmad Khattak)

Director

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: District Education Officer (F), Buneer / SST/Adhoc/Appnt: Buneer/2018 Dated Peshawar the 14/09/2018.

Copy forwarded for information and necessary action to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar.
3. District Education Officer(Female) Buneer
4. District Accounts Officer Buneer
5. Official Concerned.
6. PS to the Secretary to Govt: Khyber Pakhtunkhwa E&SE Department.
7. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
8. M/File

Dr. Director (Estab)

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Before the khyber pukhtoonkhwa service tribunal Peshawar.

Rejoinder in Appeal No 1051/2019

Mst neraz begum .....petitioner

Vs

District education officer buner and others.....respondents

**Index**

S NO	Description of documents	Annextures	Pages
1	rejoinder		
2	Affadavit		

Dated: 2 /3/2020

  
Appellant

Through  
Mushtaq ahmad  
khan advocate  
Office at district  
court daggar, buner  
Cell no  
03469014199

Respectfully 1 To 3

Before the khyber pukhtoonkhwa service tribunal Peshawar.

Rejoinder in Appeal No 1051/2019

Mst Neraz begum.....petitioner

Vs

District education officer (f) buner and others.....respondents

**Rejoinder to the comments of respondent no 1 to 3.**

Following replication/rejoinder is submitted on behalf of Appellant:.

**Preliminary objections**

1. Preliminary objection no 1 is incorrect. The respondents has committed an illegality by transferring the private respondent to GGHSS Nawagai in violation of the terms and conditions of her appointment order and transferring of the appellant to GGHS Makhranai despite the availability of regular post in GGHSS Nawagai hence, she has the rightly preferred an appeal before this worthy tribunal for the ventilation of his grievances.
2. Preliminary objection no 2 is without any legal back.
3. No material has been concealed from the honorable court. The objection is without any factual and legal base.
4. The objection is without any legal base hence denied.
5. The appellant has just exercised her lawful rights with bonafide intention against the illigal orders of the respondent hence there is no question of malafide on the part of the appellant.
6. Preliminary objection no 6 is without any legal back.
7. Answer has been given in para no 4.
8. Preliminary objection no 8 is without any legal back.
9. Preliminary objection no 9 is misconceived.
10. Preliminary objection no 2 is without any legal back.
11. As per policy and instructions outlined in esta code for the transfer of female the appellant should have been appointed in GGHSS Nawagai as it was the nearest station to her parent's house as she was regular civil servant and vacancy/post was also lying over there but the respondent transferred the private respondent in violation of law and rules.
12. As per para no 11.
13. Admitted .

**Facts**

1. Para no 1 of the appeal has been accepted by the official respondents hence needs no reply.
2. Para no 2 of the appeal is correct and reply thereto is totally misconceived and beyond the point discussed in that very para.

3. Para no 3 of the appeal is correct and reply thereto is totally misconceived and beyond the point discussed in that very para.
4. Para no 4 of the appeal is correct and reply thereto is without any legal foundation. The respondent could not produce such precedent of the Peshawar high court, hence are trying to mislead the court and defeat the truth.
5. Para no 5 of the appeal is correct and reply thereto is legally unsound.
6. Para no 6 of the appeal is correct.
7. The civil servant is always bound to obey the lawful orders of his/her superiors but is not bound to obey the illegal and malafide orders of his/her superiors. despite the illigal and malafide order of the respondent No 1 she under reservation and compulsion is performing her duties.
8. Para no 8 of the appeal has been admitted by the official respondents.
9. Para no 9 of the appeal is correct and reply thereto is legally unsound and misconceived by the respondents.

#### Grouns

1. Ground no 1 of the appeal is correct and reply thereto is wrong in law and facts.
2. Ground no 2 of the appeal is correct and reply thereto is without any legal and factual base.
3. Ground no 3 of the appeal is correct and reply thereto is without any legal and factual base. detail reply has been given in para no 11 of the preliminary objections.
4. As per the preceding para.
5. Para no 5 of the appeal is correct and reply thereto is misconceived
6. Need no reply.

It is therefore kindly prayed that the appeal of the appellant may kindly be accepted in toto.

Appellant

Through



Mushtaq Ahmad khan advocate

Office district court daggar

Cell no 03469014199

Before the khyber pukhtoonkhwa service tribunal Peshawar.

Rejoinder in Appeal No 1051/2019

Mst neraz begum .....petitioner

Vs

District education officer buner and others.....respondents

**Affidavit**

I neraz begum appellant , do hereby solemnly affirm and declare on oath that the contents of the rejoinder are correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.

*Neraz*  
Deponent.





OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) DISTRICT BUNER  
PHONE & FAX NO. 0939-510366  
EMAIL: [deofemalebuner@gmail.com](mailto:deofemalebuner@gmail.com)



**OFFICE ORDER.**

Incompliance with the Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No. SO (SM) E&SE / 701 / 2020PT /E-Transfer dated 24-08-2021, the following Teachers working against wrong posts in District Buner are hereby adjusted / transfer against actual designation & post in the school mentioned against their names on their own and scale with immediate effect in the best interest of public Service.

S.No	Name & Actual Designation	Working against Wrong Post and School	Adjusted against actual Desig: & Post	Remarks
1	Saceda SST (G)	SST (Gen) GGMS Khanano Dherai	SST (G) at GGMS Badair	A.V.P
2	Nizakat SST (G)	SST (M-P) GGHS Kawga	SST (G) at GGCMS Pandir	A.V.P
3	Suhaila Naz (G)	SST (M-P) at GGHS Dagai	SST (G) at GGMS Sroo	A.V.P
4	Faiza Bibi SST (Bio-Chem)	SST (M-P) at GGHS Kulyarai	SST (Bio-Chem) at Kawga	A.V.P

**NOTE:**

1. No TA/DA is allowed.
2. Charge report should be submitted to all Concerned.

**(SHAZIA NAWAZ)**

DISTRICT EDUCATION OFFICER (F)  
DISTRICT BUNER.

Endst: No. 1971-76 / Dated 12-11 / 2021.

Copy forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer Buner.
3. District Accounts Officer Buner.
4. Budget & Accounts Officer Local Office.
5. Principals / Head Mistresses Concerned.
6. Teachers Concerned.

**DISTRICT EDUCATION OFFICER (F)**  
**DISTRICT BUNER**

DIRECTOR GENERAL  
DISTRICT EDUCATION OFFICER (D)

- 1. Director General
- 2. District Education Officer (D)
- 3. District Education Officer (D)
- 4. District Education Officer (D)
- 5. District Education Officer (D)

Copy forwarded to the District Education Officer (D) for his information.

Date: 11-11-1951

DIRECTOR GENERAL  
DISTRICT EDUCATION OFFICER (D)  
(GENERAL)

- 1. District Education Officer (D)
- 2. District Education Officer (D)

NOTE:

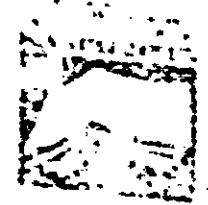
1	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
2	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
3	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
4	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
5	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
6	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
7	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
8	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
9	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.
10	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	221 (110) - District Education Officer (D)	V.A.B.

Copy forwarded to the District Education Officer (D) for his information.

OFFICE ORDER



OFFICE OF THE DIRECTOR GENERAL  
DISTRICT EDUCATION OFFICER (D)  
(GENERAL)







**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 67 /ST

Dated: 12/01 /2021

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

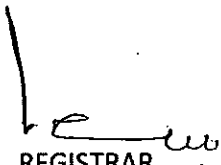
To

The District Education Officer Female,  
Government of Khyber Pakhtunkhwa  
Buner.

Subject: JUDGMENT IN APPEAL NO. 1051/2019 MISS. NERAZ BEGUM.

I am directed to forward herewith a certified copy of Judgement dated 09.12.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR