

FORM OF ORDER SHEET

Court of _____

Appeal No. 306/2024

Date of filing 2	Date of other proceedings with signature of judge 3
---------------------	--

2024/2024

The appeal of Mr. Dilshad Begum resubmitted today by Mr. Imdad Ullah Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on

By the order of Chairman



REGISTRAR

The appeal of Mst. Dilshad Begum received today i.e on 21.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondents no. 1 & 2 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondents.

No. 391 /S.T.

Dt. 21/2 /2024.


21/2/24
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Imdad Ullah Adv.
High Court Swat.

Resubmitted alongwith objections may kindly
be placed before the Honorable Bench, please.
objections. Dated.
Resubmitted.
IMDAD ULLAH ADV. GENL
21/2/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 306 of 2024

Dilshad Begum DM BPS-15 Government Girls Middle School Shinkad, District Swat.

...Appellant

VERSUS

The Secretary Elementary and Secondary Education Government of Khyber Pakhtunkhwa, Peshawar and Others.

...Respondents

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Appellant Through


Imdad Ullah

Advocate Swat

Office: Khan Plaza, Gulshone Chowk,

Mingora Swat, Cell 0333 929 7746

Email: imdadswati@gmail.com

①

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

Service Appeal No. 306 of 2024

*Dilshad Begum DM (BPS-15) Government Girls Middle School
Shinkad, District Swat.*

.....Appellant

VERSUS

- 1. The District Education Officer (Female) District Swat.*
- 2. Javida DM (BPS-15) Government Girls Middle School
Rahim Abad, **Swat***

..... Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974 AGAINST THE OFFICE ORDER ENDST:
NO. 9898-904-P.F/JAVIDA/DM/GGMS SHINKAD
SWAT DATED 14-11-2023, WHEREBY THE
APPELLANT IS TRANSFERRED TO A FAR FLUNG
AREA, FEELING AGGRIEVED THE APPELLANT
FILED A DEPARTMENTAL APPEAL, BUT THE
SAME WAS NOT RESPONDED TO**

(1)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2024

Dilshad Begum DM BPS-15 Government Girls Middle
School Shinkad, District Swat.

...Appellant

VERSUS

1. The Secretary Elementary and Secondary Education Government of Khyber Pakhtunkhwa, Peshawar.
2. The Director Elementary and Secondary Education Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Female) District Swat.
4. Javida DM BPS-15 Government Girls Middle School Rahim Abad.

...Respondents

SERVICE APPEAL UNDER SECTION 4
OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974
AGAINST THE OFFICE ORDER ENDST:
NO. 9898-904-P.F/JAVIDA/DM/GGMS
SHINKAD SWAT DATED 14-11-2023,
WHEREBY THE APPELLANT IS
TRANSFERRED TO A FAR FLUNG
AREA, FEELING AGGRIEVED THE
APPELLANT FILED A
DEPARTMENTAL APPEAL, BUT THE
SAME WAS NOT RESPONDED TO

**DESPITE THE LAPSE OF STATUTORY
PERIOD OF TIME.**

Prayer:

That on acceptance of this service appeal the impugned transfer order may very kindly be cancelled or in alternate the appellant posted at any nearby school keeping in view the medical condition of the appellant.

Respectfully Sheweth:

Facts:

- i. *That the Appellant was appointed as DM BPS-15 vide order Endst: No. 1597-99 dated 05-04-1999. Copy of the order dated 05-04-1999 is enclosed as Annexure "A".*
- ii. *That the Appellant since her appointment has performed her duties to the best of her abilities and with zeal to the satisfaction of the authorities without any complaints till date.*
- iii. *That the Appellant due to her medical conditions has forgone her promotion twice as upon promotion she had to serve at far flung areas, which the Appellant could not afford. Copies of the medical certificates are enclosed as Annexure "B".*
- iv. *That recently the Appellant was transferred vide office order Endst: No. 9898-904/P.F/Javida/DM/GGMS Shinkad Swat*

dated 14-11-2023. Copy of the order dated 14-11-2023 is enclosed as Annexure "C".

- v. That the Appellant was taken by surprise for the reason that firstly the Respondent No. 3 was well in the knowledge of the medical condition of the Appellant and secondly there was complete ban on transfer in light of the ban imposed by the Election Commission of Pakistan. Copy of the relevant Notification is enclosed as Annexure "D".
- vi. That feeling aggrieved of the same the Appellant submitted a departmental appeal for the redressal of her grievances, but the same was not responded to despite the lapse of statutory period of time. Copy of the departmental appeal is enclosed as Annexure "E".
- vii. That still feeling aggrieved and having no other option this Honourable Tribunal is approached for the redressal of the same on the following grounds.

Grounds:

- a. That treatment in accordance with the law is basic right of every citizen, but in case of the Appellant the same has been done away with in a very fanciful manner to the utter detriment of the Appellant.
- b. That the Respondent Department was well in the knowledge of the complete ban, but neither have

they obtained any relaxation from the concerned quarters nor has payed any heed to the ban, which act is nullity in the eyes of law.

- c. That the Respondents have in a very classic, arbitrary and fanciful manner used the authority not vested in them at the time, which neither finds any support from the laws emanating from the commands of the constitution nor is approved by the Apex Court, reflected in plethora of judgments and has now being adopted as a settled legal principal.
- d. That the Appellant has been denied her legitimate expectancy in light of her medical condition, duly brought in the knowledge of the Respondents.

It is, therefore, very respectfully prayed that on acceptance of this service appeal the impugned transfer order may very kindly be cancelled or at least the Appellant adjusted at any other nearby school.

Any other relief deemed appropriate in the circumstances and not specifically prayed for may also very kindly be granted.

Appellant

Dilshad Begum
 Through Counsels,

 Aziz-ur-Rahman

 Imdad Ullah
 Advocates Swat

5

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2024

Dilshad Begum DM BPS-15 Government Girls Middle
School Shinkad, District Swat.

...Appellant

VERSUS

The Secretary Elementary and Secondary Education
Government of Khyber Pakhtunkhwa, Peshawar and
Others.

...Respondents

AFFIDAVIT

It is solemnly stated on Oath that all the contents of
this service appeal are true and correct to the best of my
knowledge and belief and nothing has either been
misstated or kept concealed before this Honourable
Tribunal.

 Deponent

Dilshad Begum



6

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2024

Dilshad Begum DM BPS-15 Government Girls Middle
School Shinkad, District Swat.

...Appellant

VERSUS

The Secretary Elementary and Secondary Education
Government of Khyber Pakhtunkhwa, Peshawar and
Others.

...Respondents

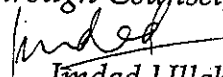
ADDRESSES OF THE PARTIES:

Appellant:

Dilshad Begum DM BPS-15 Government Girls Middle
School Shinkad, District Swat.

Respondents:

1. The Secretary Elementary and Secondary
Education Government of Khyber Pakhtunkhwa,
Peshawar.
2. The Director Elementary and Secondary Education
Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Female) District
Swat.
4. Javida DM BPS-15 Government Girls Middle
School Rahim Abad.

Appellant
Through Counsel,

Imdad Ullah
Advocate Swat

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2024

Dilshad Begum DM BPS-15 Government Girls Middle
School Shinkad, District Swat.

...Appellant

VERSUS

The Secretary Elementary and Secondary Education
Government of Khyber Pakhtunkhwa, Peshawar and
Others.

...Respondents

APPLICATION FOR GRANT OF
INTERIM RELIEF BY WAY OF
SUSPENDING THE OPERATION OF
THE ORDER IMPUGNED.

Respectfully Sheweth:

- i. That the above titled case is pending before this Honourable Tribunal, in which no date of hearing is fixed as yet.
- ii. That the Applicant / Appellant has got prima facie case in her favour.
- iii. That the Applicant / Appellant has neither relinquished the charge nor has assumed charge, due to winter vacations.

iv. That in case the Applicant / Appellant is not granted the interim relief prayed for the Applicant / Appellant will suffer great inconvenience.

It is, therefore, very respectfully prayed that on acceptance of this application the interim relief prayed for may very kindly be granted till the final disposal of the case.

Applicant
Dilshad
Dilshad Begum
Through Counsel,
Imdad
Imdad Ullah
Advocate Swat

Affidavit:

It is solemnly stated on Oath that all the contents of this application are true and correct to the best of my knowledge and belief.

Deponent
Dilshad
Dilshad Begum

ATTESTED



Annexure **A**

OFFICE ORDER NO. _____ DATED DASSU 28/02/1999.

9

OFFICE ORDER.

Consequent upon the selection by Departmental Selection Committee in the light of Test/Interview on 22-02-99, the following DM (Female) Trained/Un-Trained candidates are hereby appointed on Post at the Schools noted against each name in BPS 3/No. 1605-97-1080 and BPS 14/No. 2065-161-4430 (In case of B/2304-LI Binn) Plus usual allowances as one and admissible under the rules w.e.f the date of their taking over charge in the interest of public service.

S.No	Name/Father's Name and Address.	Merit Position	School where appointed.	Remarks.
1.	Nighat Iqbal D/O Muhammad Iqbal r/o Terha Payn Mansehra.	41.04	GGMS.Dassu	Agst:V.Post
2.	Jamila Sadique D/O Muhammad Badeeqe r/o Swat.	39.02	" Pattan	" "
3.	Nasira D/O Shah Jehan r/o Swat	20.03	" Jalkot	" "
4.	Dilshad D/o Badar Khan " Swat	19.09	" Gulibagh.	" "

Handwritten signatures and initials (CTC) over the table.

1. They will governed by the such rules & regulations as may be prescribed by the Govt. from time to time for the category of the Govt. Servant to which they are appointed.
2. Their Services will be liable to termination on One Month notice for either side, in case of resignation without notice, One Month's Pay will be forfeited in lieu of thereof.
3. They should join the post within One Month of the issue of this Order.
4. Charge report should be submitted to all concerned.
5. Their Original Certificates, Degrees should be checked & verified from the concerned Board/University before Handing/Taking of Charge.
6. They are required to produce Health/age certificate from the BHO Kohat.
7. Charge will not be given to the over age/under age candidates.
8. They should shall be probation for a period of 2-Years.
9. Their order will automatically be cancelled, pay will be recovered & deposit in to treasury, action will be taken against them if a candidate found bogus through verification.
10. No TA/DA is allowed to any one.

(GHULAM JALILANI)
DISTRICT EDUCATION OFFICER (W)
SECONDARY EDUCATION KOKHISTAN.

Order No. 1597-99

Dated Kohistan the 05-04/1999

Copy of the above is forwarded for information to the:

1. Director, Secondary Education SPPF Peshawar.
2. District Account Officer Kohistan.
3. Candidates concerned.

Attested
[Signature]
Advocate

[Signature]
DISTRICT EDUCATION OFFICER (W)
SECONDARY EDUCATION

BETTER COPY (9)

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE/FEMALE) SECONDARY EDUCATION KOHISTAN
OFFICE NO _____ / (F)
DATED DASSU THE _____ 1999.

Office order.

Consequent upon the selection by Departmental Selection Committee in the light of Seat/Interview on 22.02.99, the following DM (Female) Trained/Un-trained candidates are hereby appointed on DM Post at the Schools noted against each name in BPS 9 (Rs.1605-97-3060) and BPS 14 (Rs. 206-161-4480) (In case of BA/BSc-II Divn:) Plus usual allowance as due and admissible under the rules w.e.f the date of their

S.No.	Name/Father's Name and address	Merit Position	School where appointed	remarks
1.	Nighat Iqbal D/o Muhammad Iqbal r/o Terha Payn Mansehra.	41.04	GGMS.Dassu	Agst:V.Post
2.	Jamila Sadique D/o Muhammad Badeeqe r/o Swat.	39.02	Jalkot	//
3.	Nasira D/o Shah Jehan r/o Swat	20.03	Gulibagh	//

1. They will governed by the such rules & regulations as may be prescribed by the Govt: and time to time for the category of the Govt: Servant to which
2. Their services will be termination on one month notice for either side. In case of resignation without notice. One month's pay will be forfeited in lieu of thereof.
3. They should join the post with in one month of the issue of their order.
4. Charge report should be submitted to all concerned.
5. Their original certificate, degrees should be checked & verified from the concerned board/university before mending/taking of charge.
6. They are required to produce real age certificate from the DHO Koh;
7. Charge will not be given to the over age/under age candidates.
8. They shall be probation for a period of 2-years.
9. Their order will automatically be considered as cancelled, pay will be Recovered & deposit into treasure, action will be taken against them (if a candidate found bougus through verification).
10. No TA/DA is allowed to any one.

(GHULAM JILANI)
DISTRICT EDUCATION OFFICER (M)
SECONDARY EDUCATION KOHISTAN.

Endst: No. 1597-99/ dated Kohistan the 05.04.199.

Copy of the above is forwarded for information to the: -

1. Director, Secondary education NWFP Peshawar.
2. District Account Officer Kohistan.
3. Candidates concerned.

Attested


Advocate

DISTRICT EDUCATION OFFICER (M)
SECONDARY EDUCATION KOHISTAN.

"B" 10 11



SAIDU GROUP OF TEACHING HOSPITALS
SAIDU SHARIF SWAT
Email: mssthswat@yahoo.com
CASUALTY/TRAUMA UNIT

Rs:10/-

MR No 921785

Printed By: Shahzadrahman

Name: Dilshad Begum S/D/W: W/O HASSAN NAWAB CNIC: 15607040565854

Gender: Female Age: 45 Years Address: FIZABAD Cell: 03459510364

Yearly No: 921785 / 230 Department: Orthopedic Casualty 21-AUG-23 11:53 AM Date:

Complaints:

- BP radiating
to (R) lower.

Rx



Physical Examination:

SLR +ve
BOWSIGN +ve
Lanceaugle +ve

Rx
- Tab zeeqab 75mg
کوتیکون
- Tab Q-bal
1 x 1 - Co 20
- Tab Ovodal
1 x 1 - Co 19

Investigations:

MRI - L4-L5
disc prolapse.

CTC

Provisional Diagnosis:

MEDICAL OFFICER
ORTHOPAEDIC UNIT
Saidu Group of Teaching Hospitals
Saidu Sharif SWAT

Attested

Advocate

Follow up: _____ Doctor Name: _____ Signature: _____

DR. HUSSAIN KHAN

Consultant Orthopaedics & Trauma Surgeon
Senior Registrar Saidu Group Of Teaching Hospital

MBBS (Pak)

FCPS (Orthopaedics & Trauma)

Fellowship in trauma (Punjab)

سوات آرٹھوپیدک کلینک

Clinic:

Roshan Specialized Hospital Swat.

ڈاکٹر حسین خان

کونسلنٹ آرٹھوپیدک اینڈ ٹراوما سرجن
سینئر رجسٹرار سیدو گروپ آف ٹیچنگ ہسپتال
ایم بی بی ایس (پاک)
ایف سی پی ایس (آرٹھوپیدک اینڈ ٹراوما)
فیلوشپ این ٹراوما (پنجاب)

Name Dilshad Begum Age 45 Add. P/206 ad Date 8/8/2022

BP radiating to (R) lower limb.

Numbness
paraesthesia.

SLR +ve

Lamieque +ve.

Rx

Tab Qbal
1x1 - W20

Tab Nuberd forte
1x1 - W14

Cap Ozimep 40mg

دواؤں کی فہرست

Dr

Hussain Khan

Dr. Hussain Khan
MBBS (Pak)
FCPS (Orthopaedic Surgery)
Consultant Orthopaedic Surgery
Roshan Specialized Hospital

Attested

Advocate
Advocate

Contact:

0946-714091-98 , Mob 0345-0219773

دوبارہ معائنہ کیلئے دن بعد شریف لائیں۔

(12)

(2)

DR. HUSSAIN KHAN

Consultant Orthopaedics & Trauma Surgeon
Senior Registrar Saidu Group Of Teaching Hospital

MBBS (Pak)

FCPS (Orthopaedics & Trauma)

Fellowship in trauma (Punjab)

سوات آرٹھوپڈیک کلینک

Clinic:

Roshan Specialized Hospital Swat.

ڈاکٹر حسین خان

کنسلٹنٹ آرٹھوپڈیک ایڈمز ٹراما سرجن
سینئر رجسٹرار سیدو گروپ آف ٹیچنگ ہسپتال
ایم بی بی ایس (پاک)
ایف سی پی ایس (آرٹھوپڈیک ایڈمز ٹراما)
فیلوشپ این ٹراما (پنجاب)

Name Dilshad Begum Age 45 Add Pirabad Date 25/7/2022

UPP with radiations to @ lower limb.
pain @ knee.

SR +ve

L

Tab Tenoflex-P
1x1 — دن 14
Tab Q-bal.
1x0 — دن 20
Tab Zeegab 75mg
1x0 — دن 20

Hussain
Dr. Hussain Khan
MBBS (Pak)
FCPS (Orthopaedic Surgery)
Consultant Orthopaedic Surgery
Roshan Specialized Hospital

CTC

Attested

Jan

Advocate

Contact:
0946-714091-98, Mob 0345-0219773

دوبارہ معائنہ کیلئے _____ دن بعد شریف لائیں۔

Neuro Surgeon (Gold Medalist)

Dr. Mamoon Rashid

MBBS

MS Neurosurgery

(PIMS Hospital Islamabad)



نیوروسرجن (گولڈ میڈلسٹ)

ڈاکٹر مامون رشید

ایم بی بی ایس

ایم ایس نیوروسرجری (پیڑ ہسپتال، اسلام آباد)

Patient's Name:

D. Shah Begum

Age:

43

Gender:

F

Date:

07/07/2019

Clinical Record

Rx

Handwritten notes in the left margin:
SP
Mamoon Rashid
to P.D. Day
Khalid
Pamir
45
MRT
45
consequence of

R

pub. Buxari 2017

(-)

cy. th. Nas. 40

(-)

cy. Teph 40

pl. puzalhu 757

(-)

Attested

Signature

Advocate

Not Valid For Medico Legal Purpose

For Appointment 0349-4610616

ماہر امراض ذہان ہر درد کردہ عرق النساء، قانج، مرگی، ٹھہ درد، سر، کمر کی چوٹ، جوڑوں کا درد اور یادداشت کی کمزوری

خیبر میڈیکل سنٹر، بلتھما، مل سنٹرل ہسپتال، سید شریف، سوات ایم ڈی ممتاز

Anchor 16

(14)

(17)

(15)



**OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
DISTRICT SWAT**

S. JUNG PATEL
Email: deosw@rediffmail.com

(0147) 9241021
Web: www.districteducation.gov.pk

OFFICE ORDER:

Consequent upon the recommendations of the Departmental Transfer Security Committee in its meeting held on 14-11-2023 under the Chairmanship of DEO (F) Swat, competent Authority, the undersigned is pleased to transfer the following DM BPS-15 to the post mentioned against their names on their own pay and scale on the basis of long stay, from the following immediate effect.

Sr	Name of official	Designation / BPS	From	To	Remarks
1	Ishtiaq	DM BPS-15	GGMS Shinkad	GGMS Rajim Ahsud	
2	Ershad Begum	DM BPS-15	GGMS Rajim Ahsud	GGMS Shinkad	Vice S. No. 11 (Long Stay)

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

**DISTRICT EDUCATION OFFICER (F)
SWAT**

Date: 14/11/2023

Order No: 9978-9-4 / P.E. Ishtiaq / DM / GGMS, Shinkad Swat
Copy forwarded for information & necessary action to the:

1. Director E&SE KP, Peshawar.
2. District Controller of Accounts Swat.
3. District Monitoring Officer / EMA, Swat.
4. Budget & Accounts Officer Local Office.
5. DEMIS Cell Local Office.
6. Heads of concerned Schools.
7. Officials Concerned.

S
CIC

**DISTRICT EDUCATION OFFICER (F)
SWAT**

Attested

Advocate
Advocate

OFFICE OF THE
DISTRICT EDUCATION OFFICER (FEMALE)
DISTRICT SWAT.

(0946)9240214

(0946)9240214

Email: deofemale@gmail.com

web: www.femaleedu.pk

OFFICE ORDER:

Consequent upon the recommendations of the Departmental Transfer Security committee in its meeting held on 14-11-2022 under the Chairmanship of DEO (F) Swat competent Authority, the undersigned is pleased to transfer the following DM BPS-15 to the school mentioned against their names on their own pay and scale on the basis of long stage tenure.

S.#	Name of official	Designation / BPS	From	To	Remarks
1	Javida	DM BPS-15	GGMS Shinkad	GGMS Rahim Abad	Vice S. No. 02.
2	Dilshad Begum	DM BPS-15	GGMS Rahim Abad	GGMS Shinkad	Vice S. No. 01 (Long Tenure)

Note:

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

DISTRICT EDUCATION OFFICER (F)
SWAT

Endst: No. 9898-907/PF/Javida/DM/GGMS Shinkad Swat. Dated: 14/11/2023

Copy forwarded for information & Necessary action to the:

1. Director E&SE KP, Peshawar.
2. District Comptroller of Accounts Swat.
3. District Monitoring Officer / EMA, Swat.
4. Budget & Accounts Officer Local Office.
5. DEMIS Cell Local Office.
6. Heads of concerned schools.
7. Officials concerned.

DISTRICT EDUCATION OFFICER (F)
SWAT

Attested

Advocate

ELECTION COMMISSION OF PAKISTAN
NOTIFICATION

Islamabad the 22nd January, 2023

F.No.2(1)/2023-Cord.- WHEREAS, the Provincial Assemblies of Punjab and Khyber Pakhtunhwa under Article 112 of the Constitution of the Islamic Republic of Pakistan stand dissolved on 14th and 18th January, 2023 respectively.

AND WHEREAS, the Election Commission of Pakistan is mandated with the constitutional duty to organize and conduct elections in terms of Article 218(3) of the Constitution and to make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with the law and that corrupt practices are guarded against;

AND WHEREAS, it has become imperative that the Election Commission shall take all necessary steps under the Constitution and prevalent law for smooth conduct of General Elections to the Provincial Assemblies of Punjab and Khyber Pakhtunhwa.

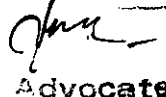
NOW THEREFORE, in exercise of the powers conferred upon it under Articles 218(3), 220 of the Constitution of the Islamic Republic of Pakistan, Sections 4, 5, 8(c) read with Section 230 of the Elections Act, 2017 and as supported by the Workers' Party case through Akhtar Hussain Advocate, General Secretary and 6 others Versus Federal of Pakistan and 2 others reported in PLD 2012 SC 681, and all the other powers enabling it in that behalf, the Election Commission of Pakistan, to ensure transparent election and to provide a level playing field for all contesting candidates and political parties, hereby directs the Caretaker Governments of Punjab and Khyber Pakhtunhwa:-

- (a) To assist the Election Commission to hold elections in accordance with law as provided under section 230(1)(b) of the Elections Act, 2017.
- (b) To ensure the compliance of all the notifications, directives and the provisions as laid down in Section 230 of the Act *ibid*.
- (c) Not to post or transfer any public official after the issuance of this notification within and to / from Punjab & Khyber Pakhtunhwa without prior approval in writing of the Election Commission as laid down in Clause 2(f) of Section 230 of the Elections Act, 2017.
- (d) Ensure that all kinds of recruitments in any Ministry, Division, Department or Institution under the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunhwa are banned with immediate effect, except recruitments by the Provincial Public Service Commissions and those government organizations where test / interviews have already been conducted before this day.
- (e) Not to announce / execute any kind of Development Schemes in Punjab and Khyber Pakhtunhwa Provinces except those which are ongoing and approved before the issuance of this notification. Moreover, the Provincial Governments and Local Governments of Punjab and Khyber Pakhtunhwa shall not issue tenders of such schemes till culmination of General Elections of both Assemblies.

Contd...Page-2



Attested


Advocate

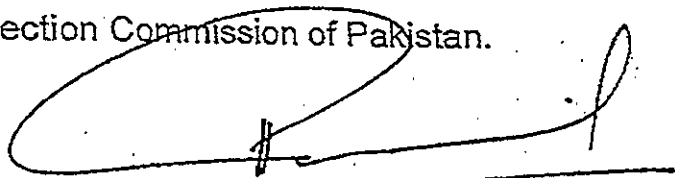
16

2

-2-

- (f) All development funds relating to Local Government institutions of Punjab and Khyber Pakhtunkhwa and Cantonment Boards falling in the jurisdiction of Punjab and Khyber Pakhtunkhwa shall stand frozen with immediate effect till announcement of results of the said General Elections.
- (g) To ensure immediate termination of services of all heads of the institutions appointed on political basis and to send their lists to the Commission forthwith.
- (h) To ensure vacation of the government residential facilities from Ex-Chief Ministers and their advisors, Ex-Provincial Ministers and Ex-Members of the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa, besides ensuring withdrawal of official vehicles from them. Furthermore, the dignitaries shall be provided security / protocol as per their entitlement and any extra deployment of security / protocol be withdrawn from them forthwith.
- (i) The Caretaker Governments shall perform their functions and attend to day-to-day matters which are necessary to run the affairs of the Provinces in accordance with law.
- (j) The Chief Minister or a Minister or any other member of Caretaker Governments shall, within three days from the date of assumption of office, submit to the Commission, a statement of assets and liabilities including assets and liabilities of his spouse and dependent children as on the preceding 30th day of June on Form B.

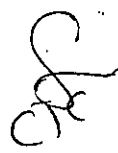
This issues with the approval of Election Commission of Pakistan.




(Omar Hamid Khan)

Secretary

Election Commission of Pakistan



Attested



Advocate

Copy forwarded for information to the:

- (1) Secretary to the President, Aiwan-e-Sadr, Islamabad.
- (2) Secretary to the Prime Minister, Prime Minister's Secretariat, Islamabad.
- (3) Secretary, Ministry of Parliamentary Affairs, Govt. of Pakistan, Islamabad.
- (4) Secretary, Ministry of Interior, Government of Pakistan, Islamabad.
- (5) Secretary, Ministry of Planning, Development and Reforms, Government of Pakistan, Islamabad. (for implementation and Circulation to all relevant Departments)
- (6) Secretary, Senate Secretariat, Islamabad.
- (7) Secretary, National Assembly of Pakistan, Islamabad.
- (8) Secretary, Ministry of Defence, Government of Pakistan, Rawalpindi.
- (9) Secretary, Establishment Division, Government of Pakistan, Islamabad. (for implementation and Circulation to all concerned)
- (10) Principal Secretary to the Governor, Punjab, Lahore.
- (11) Principal Secretary to Chief Minister of Punjab, Lahore.
- (12) Chief Secretary, Government of Punjab, Lahore.
- (13) Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar. } For implementation and Circulation to all subordinate Departments
- (14) Registrar, Supreme Court of Pakistan, Islamabad.
- (15) Registrar, Lahore High Court, Lahore.
- (16) Registrar, Peshawar High Court, Peshawar.
- (17) Provincial Election Commissioner Punjab, Lahore.
- (18) Provincial Election Commissioner Khyber Pakhtunkhwa, Peshawar.
- (19) Inspector General of Police, Punjab, Lahore.
- (20) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

II. Copy also forwarded to the:

- (1) Director General (Law)
- (2) Director General (IT- Policy & Planning)
- (3) Additional Director General (Training)
- (4) Additional Director General (GSI)
- (5) Additional Director General (Elections-II)
- (6) Principal Staff Officer to Hon'ble CEC
- (7) Director to Hon'ble CEC
- (8) Director (Elector Rolls)
- (9) Director (MIS)
- (10) Director (Political Finance)
- (11) Director (MCO)
- (12) Deputy Director (Budget)
- (13) Deputy Director (Election-I & II)
- (14) Deputy Director (Confid.)
- (15) Deputy Director (Political Finance)
- (16) Deputy Director (Training)
- (17) Deputy Director (Web)
- (18) Deputy Director (Law)
- (19) PS to Hon'ble Members - I, II, III & IV.
- (20) Staff Officer to Secretary
- (21) Assistant Director (Monitoring)
- (22) PS to Additional Secretary (Admn)
- (23) JPA to Special Secretary (ECP)

ECP Secretariat, Islamabad.

Attested

[Signature]
Advocate

[Signature]

[Signature]
(Shahid Iqbal)
Additional Director General
(Elections)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block "A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9233588

No. SO(MC)E&SED/7-1/2022/PT/Instructions
Dated Peshawar the January 14th 2022

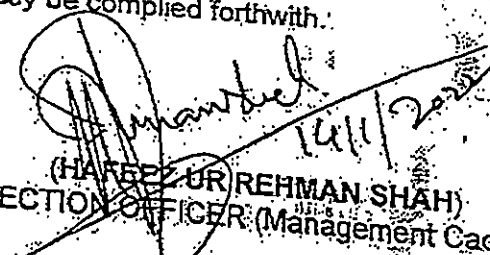
To

1. Director,
Elementary & Secondary Education, Khyber Pakhtunkhwa
2. All District Education Officers (Male & Female),
Khyber Pakhtunkhwa.

Subject: **BAN ON POSTING/TRANSFERS TO THE NEWLY UPGRADED SCHOOLS
OF KHYBER PAKHTUNKHWA.**

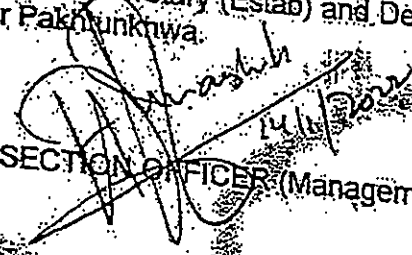
I am directed to refer to the subject noted above and to state that the Competent Authority has been pleased to impose ban on all kind of posting / transfers to the newly upgraded / newly established schools of Khyber Pakhtunkhwa till the completion of recruitment process / recommendations of selectees of Khyber Pakhtunkhwa Public Service Commission.

- 2- The above instructions shall strictly be complied forthwith.



(HAFEEZ UR) REHMAN SHAH
SECTION OFFICER (Management Cadre)

Ends of even No. & Date
CC to the:-

1. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
2. Director EMIS E&SE Department for coordination and similar necessary action.
3. All Section Officers E&SE Department, Khyber Pakhtunkhwa.
4. PAs to Special Secretary (Estab), Addl. Secretary (Estab) and Deputy Secretary (Estab) E&SE Department, Khyber Pakhtunkhwa.


SECTION OFFICER (Management Cadre)

CFC

Attested

Advocate

محکمہ جناب ڈائریکٹریٹ E & SE خیبر پختونخواہ پشاور

مسماة دلشاد بیگم DM BPS-15 زوجہ حسن نواب سکنہ واپڈا کالونی سیدو شریف حال فیض آباد تحصیل بابوزئی ضلع سوات۔۔۔۔۔ سائلہ/اپیلانٹہ

بنام

(1) کلرک متعینہ ڈسٹرکٹ ایجوکیشن آفس بمقام ضلع سوات

(2) DEO (زنانه) ڈسٹرکٹ ایجوکیشن آفس بمقام گلندہ ضلع سوات

(3) محکمہ جناب ڈائریکٹریٹ E & SE خیبر پختونخواہ پشاور۔۔۔۔۔ ریسپانڈنس

عنوان:- محکمہ اہل بندس مراد کہ مسئول الہیم / ریسپانڈنس نے غیر قانونی و غیر شرعی طور پر

سائلہ/اپیلانٹ کے پوسٹ DM BPS-15 گورنمنٹ گرلز ہائی سکول، رحیم آباد ضلع سوات سے

سورسہ 2023-11-14 کو روئے حکم نمبری 904-9898

PF/Javeda/DM/GGMS/SHINKAD SWAT کو گورنمنٹ گرلز ہائی سکول شینکاد تدارک

کتابت ہے جو کہ از روئے قانون غلط، غیر قانونی، بے بنیاد، کالعدم اور سراسر سیاسی بنیاد پر صادر کیا گیا ہے۔

بے بنیاد سائلہ کے حقوق، برکالعدم اور غیر موثر قرار دیا جا کر منسوخ کرنے کے احکامات صادر فرمائے جائے۔

391

جناب عالی! سائلہ حسب ذیل عرض رساں ہے۔

1- یہ کہ سائلہ عرصہ دراز سے DM BPS-15 پوسٹ پر استاء سے تعینات ہو کر باقاعدہ بطور پرائی ڈیوٹی سرانجام دے رہی ہے۔

2- یہ کہ سائلہ کے سیناریو کے بنیاد پر تین دفعہ پرموشن کے احکامات جاری کئے گئے ہیں جو کہ سائلہ نے

بوجہ Un Avoidable cirucmstances، اور شدید میڈیکل بنیاد پر پرموشن لینے سے

انکار کیا ہے اور DM-BPS 15 پوسٹ پر باقاعدہ طور پر اپنی ڈیوٹی اور فرائض منصبی دے رہی ہے

3- نیز واضح رہے کہ مسئول الہیم اور باقی محکمہ مذکورہ پرموشن احکامات سے خوب باخبر ہیں جو کہ سب سے

Advocate

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۳۔ یہ کہ مسئول الہیم نے مورخہ 14-11-2023 کو بروئے حکم نمبری 9898-904

PF/Javeda/DM/GGMS/SHINKAD SWAT من سائلہ کا تبادلہ

DM-BPS 15 گورنمنٹ گرلز مڈل سکول رحیم آباد سے گورنمنٹ گرلز مڈل سکول شنگڈ حکم

/تبادلہ جاری کیا ہے جو کہ از روئے قانون کا عدم، غیر قانونی، غیر شرعی ہے جو کہ مزید ایکشن کمیشن

آف پاکستان کے نوٹیفیکیشن محررہ 22-01-2023 اور حکومت خیبر پختونخواہ برائے ایلیمنٹری

اینڈ سیکنڈری ایجوکیشن کے جاری کردہ نوٹیفیکیشن نمبری SO(MC)E &

SED/7-1/2022/PT/Instructions مورخہ 14-01-2022 سے صاف عیاں

ہے کہ ایجوکیشن ڈپارٹمنٹ کے پوسٹنگ اور ٹرانسفر پر قطعی طور پر Bane / بین کیا گیا ہے۔ بدیں

وجہ حکم مورخہ 14-11-2023 کو بروئے حکم نمبری 9898-904

PF/Javeda/DM/GGMS/SHINKAD SWAT غیر قانونی قرار دیا جا کر

منسوخ کرنے کے احکامات صادر فرمایا جائے۔ (نقولات، حکم تبادلہ، ایکشن کمیشن، حکومت خیبر

پختونخواہ لف درخواست ہذا ہیں)۔

۴۔ یہ کہ مذکورہ بالا تبادلہ مورخہ 14-11-2023 کو بروئے حکم نمبری 9898-904

PF/Javeda/DM/GGMS/SHINKAD SWAT کو Long Tenure

کے بنیاد پر جاری کیا گیا ہے حالانکہ از روئے قانون Easta code, Rules,

Policies, Acts, Laws, provisions, ایجوکیشن ڈپارٹمنٹ نے ایسے کوئی قانون

موجود نہ ہیں جس کو بنیاد بنا کر مذکورہ تبادلہ بحق سائلہ صادر کیا جائے۔

۵۔ یہ کہ سائلہ بوجہ شدید بیماری میں عرصہ دراز سے مبتلا ہے بدیں وجہ کئی بار پروموشن سے انکاری ہوئی

ہے۔ نیز حال ہی میں بھی سائلہ بیماری میں مبتلا ہے اور گورنمنٹ گرلز مڈل سکول رحیم آباد سائلہ کو

Easy accessible ہے اور گورنمنٹ گرلز مڈل سکول شنگڈ جس کو سائلہ کے تبادلہ ہوئی ہے

کافی دور ہے اور سائلہ ایک بیمار عورت ہے جس کیساتھ ہمراہ کوئی دیکھ بھال کیلئے نہیں جاسکتی اور

جس کو بوجہ بیماری ضرورت ہوتی ہے اور زیادہ سفر بھی سائلہ کیلئے بوجہ بیماری نقصان دہ ہے اور مذکورہ

تبادلہ کیوجہ سے سائلہ کو کافی نقصان رسائی اور ناقابل تلافی نقصان پہنچنے کا اندیشہ ہے۔ نیز سائلہ کی

Attested

Advocate

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محکمہ جناب ڈائریکٹر ایٹ E & SE خیبر پختونخواہ پشاور

مسماة دلشاد بیگم DM BPS-15 زوجہ حسن نواب سکند واپڈا کالونی سیدو
شریف حال فیض آباد تحصیل بابوزئی ضلع سوات۔۔۔۔۔ سائلہ/ایپلانٹ

نام

(1) کلرک متعینڈ سٹرکٹ ایجوکیشن آفس بمقام ضلع سوات

(2) DEO (زنانه) ڈسٹرکٹ ایجوکیشن آفیسر بمقام گلکدہ ضلع سوات

(3) محکمہ جناب ڈائریکٹر ایٹ E & SE خیبر پختونخواہ پشاور
ریسپانڈنٹس

عنوان:- محکمہ اہل بندر، مراو کہ مسئول الہیم / ریسپانڈنٹس نے غیر قانونی و غیر شرعی طور پر

سائلہ/ایپلانٹ کے پوسٹ DM BPS-15 گورنمنٹ گرلز ہائی اسکول، رحیم آباد ضلع سوات سے

مورنہ 2023-11-14 کو روئے حکم نمبری 904-9898

PF/Javeda/DM/GGMS/SHINKAD SWAT کو گورنمنٹ گرلز ہائی اسکول شینکاد تدارک

کیا گیا ہے جو کہ از روئے قانون غلط و غیر قانونی، بے بنیاد، کالعدم اور سراسر سیاسی بنیاد پر صادر کیا گیا ہے۔

بندہ اس سائلہ کے حقوق بر کالعدم اور غیر موثر قرار دیا جا کر منسوخ کرنے کے احکامات صادر فرمائے جائے۔

391

جناب عالی! سائلہ حسب ذیل عرض رساں ہے۔

1- یہ کہ سائلہ عرصہ دراز سے DM BPS-15 پوسٹ پر استاء سے تعینات ہو کر باقاعدہ طور پر اپنی
ڈیوٹی سرانجام دے رہی ہے۔

یہ کہ سائلہ کے سیناریو کے بنیاد پر تین دفعہ پروموشن کے احکامات جاری کئے گئے ہیں جو کہ سائلہ نے

بوجہ Un Avoidable cirumstances اور شدید میڈیکل بنیاد پر پروموشن لینے سے

انکار کیا ہے اور DM- BPS 15 پوسٹ پر باقاعدہ طور پر اپنی ڈیوٹی اور فرائض منصبی دے رہی ہے

نیز واضح رہے کہ مسئول الہیم اور باقی محکمہ مذکورہ پروموشن احکامات سے خوب باخبر ہیں جو کہ معنی ہے

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Advocate

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بیماری کا مکمل ریکارڈ پہلے بھی مسئول الہیم کے پاس موجود ہیں اور درخواست ہذا کیساتھ بھی لف کیا جاتا ہے (میڈیکل دستاویزات لف درخواست ہذا ہیں)۔

یہ کہ حکمانہ اپیل ہذا میں کوئی قانونی امر مانع نہ ہے اور قواعد و ضوابط، قانون کی روشنی میں سائلہ کے حق

میں مورخہ 2023-11-14 کو بروئے حکم نمبری 904-9898

PF/Javeda/DM/GGMS/SHINKAD SWAT منسوخ کیا جا کر سائلہ کو

گورنمنٹ گرلز ہائی اسکول رحیم آباد پر Stay دینے کے احکامات صادر فرمایا جائے۔

لہذا بحالات بالا استدعا ہے کہ بمنظوری حکمانہ اپیل ہذا سائلہ کا اپیل

حسب استدعا منظور کیا جا کر سائلہ کے حق میں حکم مذکورہ بالا منسوخ

کیا جا کر سائلہ کو گورنمنٹ گرلز ہائی اسکول رحیم آباد سوات پر Stay

دینے کے احکامات صادر فرمایا جائے۔

حرف

مسماة دلشاد بیگم 15 DM-BPS

14-11-2023.



المترقوم

Attested

Advocate

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بار کونسل نمبر:	132619
بار ایسوسی ایشن نمبر:	
رابطہ نمبر:	0333-9297746
ای میل ایڈریس:	

ڈسٹرکٹ بار ایسوسی ایشن سوات

بعدالت جناب:

منجانب:	دعویٰ اور درخواست:
رہبر ایڈووکیٹ	کوٹلی
دلشاد بیگم	علت نمبر:
بنام	مورخہ:
ایچ این وٹا	جرم:
	تھانہ:

باعت تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام کیس کوٹلی کے لیے **حزب اتحاد اسلام پاکستان** کے مقرر کردہ اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ اور درخواست برائے سرسبزگی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء پیروی کرنے کا مختار ہوگا۔ نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہمارے یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداخت منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہرجانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے،

لہذا نکالت نامہ لکھ دیا کہ سندر ہے

کے لئے منظور ہے۔

مقام **سرحدی ٹریبونل** کے لیے **کوٹلی**

امدادیٹ ڈیکٹ اسٹخظ:

19/2/2024

المقوم:

عسکر مراد علی