

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1491/2019

Date of Institution ... 06.11.2019

Date of Decision ... 29.07.2020

Mst. Asfia Ameen,
SDEO (F), Tall Hangu. ... (Appellant)

VERSUS

The Chief Secretary, Khyber Pakhtunkhwa, Peshawar and four
others respondents.

... (Respondents)

MR. MUHAMMAD ASIF YOUSAFZAI,
Advocate --- For appellant.

MR. ZIAULLAH,
Deputy District Attorney --- For respondents.

MUHAMMAD JAMAL KHAN --- **MEMBER (Judicial)**
HAMID FAROOQ DURRANI --- **CHAIRMAN**

JUDGMENT:

MUHAMMAD JAMAL KHAN, MEMBER:- By virtue of the
instant appeal submitted under Section-4 of the Services Tribunal
Act, 1974, the impugned order dated 09.08.2019 passed by the
Government of Khyber Pakhtunkhwa, Elementary & Secondary
Education Department through Notification No. SO(S/F)E&SED/4-
16-2019 Adjustment/MC, dated Peshawar the, August 9th, 2019
whereby appellant was transferred from the post of SDEO (F)
Kohat to SDEO (F) Tall Hangu alongwith the order dated
25.10.2019 on the strength of which departmental appeal of the
appellant was rejected, have been assailed.

2. It has been averred by the appellant that both the impugned orders referred to above may be rendered ineffective and may please be set-aside to her extent, that the appellant belong to Management Cadre and was promoted as ASDEO (BPS-16) to SDEO (BPS-17) and was posted as SDEO (F) Kohat through Notification No. SO(SM)E&SED/3-2/2018/promotion of ASDEOs (BS-16) dated 21.02.2019, performed her duties to the whole satisfaction of her officers and no complaint in this regard was filed against her during performing as SDEO (F) Kohat.

3. That without completing of her normal tenure as SDEO (F) Kohat, the appellant was transferred from the post of SDEO (F) Kohat to SDEO (F) Tall Hangu just after six months vide notification dated 09.08.2019, being aggrieved therefrom the aforesaid order was challenged through departmental appeal on 21.08.2019 which was rejected on 25.10.2019 for no ground. In the circumstances the appellant has no other adequate remedy except to file the instant appeal in this august Tribunal for redressal of her grievance.

4. Respondents were summoned, on attendance the contentions raised by the appellant were controverted through the submission of their respective reply wherein certain legal and factual objections were raised, inter-alia, cause of action, limitation, concealment of material facts etc.

5. We have heard the arguments of the learned counsel for the appellant and the learned Deputy District Attorney for the

respondents and gone through the record with their valuable assistance.

6. The arguments of the learned counsel for the appellant mainly focused on the ground of premature transfer against the public interest on the one hand and in contravention of the posting transfer policy on the other. It was not only in violation of the rules on the subject but also against the principles laid down by the august apex court of the country and in this regard he placed reliance on 1991 SCMR 2320. He emphasized that tenure of civil servant cannot be subjected to the whims and wishes of a competent authority.

7. On the other hand learned counsel for private respondent argued that transfer policy is just guidelines and no penal consequences have been provided when it is violated. He referred to Section-10 of the Civil Servants Act, 1973, that every civil servant shall be liable to serve anywhere within or outside the province in any post under the Federal Government or any Provincial Government or Local Authority or a Corporation or a body setup or established by any government. In the circumstances whether any malafide could be attributed to the authority he posed the question?

8. The learned Deputy District Attorney for the respondents submitted that a civil servant have no vested right of posting and transfer to a place of her choice and it cannot be subjected to her personal whims and wishes. The impugned order is a general

transfer order whereby so many other civil servants were transferred in the public interest and this very order has been passed in accordance with law.

9. It is an established fact on the surface of record that by virtue of notification bearing No. SO(SM)E&SED/3-2/2018/promotion of ASDEOs (BS-16) dated 21.02.2019 appellant was promoted from the post of ASDEO (BPS-16) to the post of SDEO (F) (BPS-17) Kohat, on assuming the charge of her new assignments she rendered her duties nevertheless, she was transferred within a period of six months by virtue of the order passed by the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Department dated 09th August 2019 without completion of her normal term of tenure.

10. According to the then Government of NWFP Establishment Department Regulation Wing Posting/Transfer Policy of the Provincial Government has been promulgated wherein it has been provided by rule-iv that normal tenure of posting is to be three years. By the tenets of this very policy while making reference to its rule (xiv) it has been provided that Government servants including District Government employees feeling aggrieved due to the orders of posting/transfer of the authorities may seek remedy from the next higher authority/the appointing authority as the case may be, through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against

posting/transfer order could be exercised only in the following cases

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

It is evident from the bare perusal of the rules provided by the posting transfer policy that it should be strictly in accordance with public interest which shall be a paramount consideration, on the record on file no urgency or exigencies whatsoever has been shown or any plausible reason has been indicated which were grounds for consideration of effecting premature transfer of the appellant. Appellant must have a chance/opportunity of serving the nation, she must have continued with the services without undue interruption for better delivery and for safeguarding of public interest of the society at large. Safety of tenure is *in quo* non for best delivery of services. It is incumbent upon authority that for effecting of premature transfer of a civil servant cogent and plausible reasons have to be given. Since no such compelling reasons have been shown to be a rationale behind transfer and posting therefore, by doing so it has certainly infringed the respective rights of the appellant and it impairs the credibility and sanctity of the very order impugned herein in the instant appeal, and we are afraid that it may come within the ambit of mischief. An order of the nature in hand virtually tantamounts to putting the civil servant in undue difficulty which could have a negative repercussion directly affecting her mental and cognitive faculties

in which she could not perform according to the best of her abilities and proclivities therefore, proper guarantee rather a bull work has been provided in the form of cannon of rules if it stand violated, it would inevitably render it a nullity in the eyes of law. A sustainable rule in vogue has to be followed consistently across the board without any sort of discrimination and bonafide of it must be apparent on the surface of record so that the respective rights of each and every one of them are protected by proper safeguard. Reliance in this regard is placed on 2011 PLC (C.S) 1305, 2011 PLC (C.S) 993 and 2012 PLC (C.S) 187.

11. In response to the arguments put forth by the learned counsel representing the private respondent it has been provided when the ordinary tenure for a posting has been specified in the law or rules made thereunder such tenure must be respected and could not be varied except for compelling reasons which should be recorded in writing and is judicially reviewable reliance in this regard is placed on citation (h) as reported in PLD 2013 Supreme Court 195. It is also on record that soon after the posting transfer of the appellant to the new station she has assumed the charge of her post if there was any complaint against the appellant it should have been thoroughly enquired and in case of establishment of her fault she could have been proceeded in accordance with law and rules on the subject.

12. There is no disagreement with the proposition that every civil servant shall be liable to serve anywhere within or outside the

province, in any post under the Federal Government, or any Provincial Government, or Local Authorities, or a Corporation, or body setup or established by any such government. Here it is appropriate to point out that the posting transfer policy has been formulated under the guidelines of the very enactments and the rules on the subject, adherence to its tenets is mandatory, the violation of which would definitely give rise to a right to the affected civil servant.

13. For what has been discussed in the foregoing paras, we accept the instant appeal by setting-aside the impugned orders dated 09.08.2019 and 25.10.2019 to the extent of the appellant passed by the competent authority, with the direction that the appellant shall complete her remaining tenure at the given place (Kohat) as envisaged by the transfer policy where after the matter could be dealt with in accordance with law. File be consigned to the record room.


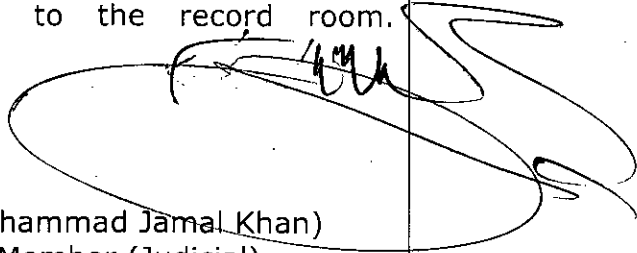


(HAMID FAROOQ DURRANI)
Chairman



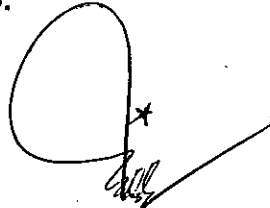
(MUHAMMAD JAMAL KHAN)
Member (Judicial)

ANNOUNCED
29.07.2020

S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	29.07.2020	<p><u>Present.</u></p> <p>Mr. Muhammad Asif Yousafzai, ... For appellant Advocate</p> <p>Mr. Ziaullah, Deputy District Attorney ... For respondents</p> <p>Vide our detailed judgment, we accept the instant appeal by setting-aside the impugned orders dated 09.08.2019 and 25.10.2019 to the extent of the appellant passed by the competent authority, with the direction that the appellant shall complete her remaining tenure at the given place (Kohat) as envisaged by the transfer policy where after the matter could be dealt with in accordance with law. File be consigned to the record room.</p> <p style="text-align: center;">  (Hamid Farooq Durrani) Chairman </p> <p style="text-align: right;">  (Muhammad Jamal Khan) Member (Judicial) </p> <p><u>ANNOUNCED</u> 29.07.2020</p>

10.03.2020

Counsel for the appellant present
Muhammad Jan, DDA alongwith Mr. Khan Muhammad,
Assistant for official respondents and counsel for private
respondent No.5 present. Learned counsel for the
appellant submitted rejoinder which is placed on file.
Learned counsel for the appellant seeks adjournment.
Adjourned. To come up for arguments on 03.04.2020
before D.B.



Member



Member

03.04.2020

*Due to public holiday on account
of COVID-19, the case is adjourned.
To come up for same on 30.6.2020.*



30.06.2020

Due to COVID-19, the case is adjourned to 17.07.2020
for the same.

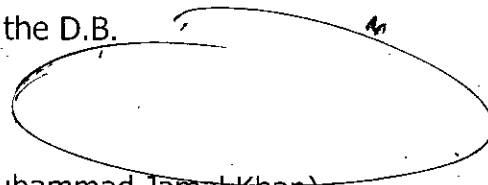


Reader

17.07.2020

Appellant in person and Asstt. AG alongwith Atiqur
Raham, ADEO for the respondents present.

Former requests for adjournment due to indisposition of
her learned counsel. Adjourned to 29.07.2020 for arguments
before the D.B.



(Muhammad Jamal Khan)
Member



Chairman

24.12.2019

Appellant in person and Addl: AG alongwith Mr. Waheed Gul, ADEO for official respondents no. 1 to 4 and counsel for private respondent no.5 present. Written reply on behalf of respondent no.1 to 4 submitted which is placed on file. Learned counsel for private respondent no.5 seeks time. Last opportunity granted to private respondent no.5. To come up for written reply of respondent no.5 on 07.01.2020 before S.B.


Member

07.01.2020


Appellant in person, Addl. AG alongwith Waheed Gul, ADEO for respondents No. 1 to 4 and junior to counsel for respondent No. 5 present.

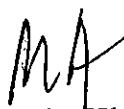
Reply/comments on behalf of respondent No. 5 has been furnished. Placed on record. The appeal is assigned to D.B for arguments on 20.01.2020. The appellant may furnish rejoinder, within 10 days, if so advised.


Chairman

20.01.2020

Due to general strike on the call of the Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Adjourned to 10.03.2020 for further proceedings before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

27.11.2019

Appellant alongwith counsel, Muhammad Waqas Shah, Assistant for respondent No. 4 alongwith Addl. AG for official respondents present. Mr. Irfanullah, Advocate is also present for respondent No. 5 and submitted Wakalatnama in his favour which is placed on record.

Official as well as private respondents request for time to furnish their respective reply/comments. Adjourned to 11.12.2019 on which date the requisite reply/comments shall positively be furnished.

Chairman 

11.12.2019

Appellant in person and Addl. AG alongwith Waheed Gul, ADEO for official respondents and junior to counsel for respondent No. 5 present.

Respondents seek further time to submit their respective reply/comments. Adjourned to 24.12.2019 on which date the requisite reply/comments shall positively be submitted.

Chairman 

1491/2019

12.11.2019

Appellant alongwith counsel present.

On 21.02.2019 the appellant was promoted as SDEO (Female) BPS-17 through a notification and was posted at Kohat. However, on 09.08.2019 another notification was issued, whereby, the service of appellant was transferred as SDEO (Female) Tall District Hangu. It is the contention of learned counsel that the impugned transfer order dated 09.08.2019 was in clear derogation of posting/transfer policy of the Provincial Government, wherein, Para-IV provides for the normal tenure of posting of a civil servant to be two years at stations which are neither unattractive nor hard areas. Learned counsel also referred to a circular dated 27.02.2013 wherein the Establishment Department Government of Khyber Pakhtunkhwa had reiterated that the ordinary tenure for a posting must be respected and cannot be varied, except for compelling reasons. The impugned transfer order is, therefore, not sustainable, it was added.

In view of available record and the arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 27.11.2019 before S.B.

Appellant Deposited
Security & Process Fee

12/11

Alongwith the appeal there is an application for suspension of operation of impugned notification dated 09.08.2019. Notice of the application be also given to the respondents for the date fixed.

Chairman



12.11.2019

Appellant alongwith counsel present.

On 21.02.2019 the appellant was promoted as SDEO (Female) BPS-17 through a notification and was posted at Kohat. However, on 09.08.2019 another notification was issued, whereby, the service of appellant was transferred as SDEO (Female) Tall District Hangu. It is the contention of learned counsel that the impugned transfer order dated 09.08.2019 was in clear derogation of posting/transfer policy of the Provincial Government, wherein, ^{provides for} Para-IV the normal tenure of posting of a civil servant ~~is noted~~ ^{two} to be ~~three~~ years at stations which are neither unattractive nor hard areas. Learned counsel also referred to a circular dated 27.02.2013 wherein the Establishment Department Government of Khyber Pakhtunkhwa had reiterated that the ordinary tenure for a posting must be respected and cannot be varied, except for compelling reasons. The impugned transfer order is, therefore, not sustainable, it was added.

In view of available record and the arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 27.11.2019 before S.B.

Alongwith the appeal there is an application for suspension of operation of impugned notification dated 09.08.2019. Notice of the application be also given to the respondents for the date fixed.

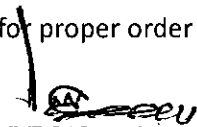

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1491/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/11/2019	<p>The appeal of Mst. Asfia Ameen presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please:</p> <p style="text-align: right;"> REGISTRAR 6/11/19</p>
2-	11/11/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/11/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1491 /2019

Asfia Ameen

V/S

Chief Secretary & Others

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04	Copy of notification dated 09.08.2019	B	12-13
05	Copies departmental appeal and rejection order dated 25.10.2019	C&D	14-15
06	Copies of posting transfer policy and circular dated 27.02.2013	E&F	16-24
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APPELLANT

THROUGH:

M. Asif Yousafzai
**M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT**

Taimur Ali Khan
**(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT**

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

①

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1491 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1567

Dated 06-11-2019

Mst. Asfia Ameen,
SDEO (F), Tall Hangu.

(APPELLANT)

VERSUS

1. The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. The District Education Officer (Female), Kohat.
5. Mst. Meher-un-Nisa, SDEO (F) Kohat.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 09.08.2019, WHEREBY THE APPELLANT WAS PREMATURELY TRANSFERRED FROM THE POST OF SDEO (FEMALE) KOHAT TO SDEO (FEMALE) TALL HANGU AND THE AGAINST THE ORDER DATED 25.10.2019, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED FOR NO GOOD GROUNDS.

Filed to-day

Registrar

6/11/19

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE IMPUGNED TRANSFER NOTIFICATION DATED 09.08.2019 TO THE EXTENT OF THE APPELLANT AND REJECTION ORDER DATED 25.10.2019 MAY KINDLY BE SET ASIDE AND THE RESPONDENT DEPTT: MAY FURTHER PLEASE BE DIRECTED NOT TO TRANSFER THE APPELLANT PREMATURELY AND IN VIOLATION OF POSTING/TRANSFER POLICY AND CIRCULAR DATED 27.12.2013. ANY OTHER REMEDY WHICH THIS AUGUST

TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant belong to Management Cadre and promoted from ASDEO (BPS-16) to SDEO (BPS-17) and posted as SDEO (Female) Kohat vide notification dated 21.02.2019 and performed her duty with the entire satisfaction of her superiors and no complaint has been filed against her during her performance as SDEO (Female) Kohat. **(Copy of notification dated 21.02.2019 is attached as Annexure-A)**
2. That without completing her normal tenure at SDEO (Female) Kohat, the appellant was transferred from SDEO (Female) Kohat to SDEO (Female) Tall Hangu just after 6 months vide notification dated 09.08.2019. **(Copy of notification dated 09.08.2019 is attached as Annexure-B)**
3. That the appellant being aggrieved from the order dated 09.08.2019 filed departmental appeal on 21.08.2019, which was rejected on 25.10.2019 for no ground. **(Copies departmental appeal and rejection order dated 25.10.2019 are attached as Annexure-C&D)**
4. That the appellant has no other remedy except to file the instant appeal in this august Tribunal for redressal of her grievances on the following grounds amongst the others.

GROUND:

- A) That the notifications dated 09.08.2019 and rejection order dated 25.10.2019 are against the law, facts, norms of justice, premature and violation of posting transfer policy and circular dated 27.02.2013, therefore, not tenable and liable to be set aside to the extent of the appellant.
- B) That the impugned order dated notifications dated 09.08.2019 was passed in violation of posting transfer/policy and circular based on ✓ Anita Turab case dated 27.02.2013, therefore, the impugned notifications are liable to be set aside to the extent of the appellant on this ground alone. **(Copies of posting transfer policy and circular dated 27.02.2013 are attached as Annexure-E&F)**
- C) The impugned transfer orders is premature as the appellant has not completed her tenure as SDEO (F) Kohat, therefore, the impugned transfer order is liable to be set aside to the extent of the appellant.

- D) That in passing of impugned transfer order, no exigencies or public interest was shown by the respondent, but just to adjust blue eyed person on the post of appellatant.
- E) That according to the appellatant, the reason of her transfer was a complaint, which was filed by retired PSHT Talat Naz, that the appellatant along with other official has taken Rs.5000/ by each official as bribe for finalization her pension case in which inquiry was conducted, however, in inquiry, allegation was not proved against the appellatant. **(Copies of complaint and inquiry report is attached as Annexure-G&H)**
- F) That according to posting/transfer policy, that posting/transfer orders of all the officers up to BS-19 except the Heads of the Attached Departments irrespective of the grade will be notified by the concerned Administrative Departments with the prior approval of the Competent Authority obtained on the Summary, but in the case of the appellatant, no prior approval of Summary for transfer was obtained, which is violation of posting/transfer policy.
- G) That the appellatant seeks permission to advance others grounds and proofs at the time of hearing.

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

Asfia Ameen

APPELLANT
Asfia Ameen

THROUGH:

M. Asif Yousafzai

M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT

Noman Ali Bukhri

NOMAN ALI BUKHRI
ADVOCATE HIGH COURT

Taimur Ali Khan

(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

(ASAD MAHMOOD)
ADVOCATE HIGH COURT

4

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2019

Asfia Ameen

V/S

Chief Secretary & Others

**APPLICATION FOR SUSPENDING THE
OPERATION OF NOTIFICATIONS DATED
09.08.2019 TO THE EXTENT OF THE
APPELLANT TILL THE DISPOSAL OF
MAIN SERVICE APPEAL.**

RESPECTFULLY SHEWETH:

- 1) That the appellant has filed an appeal against the notifications dated 09.08.2019, whereby the appellant was premature transferred, along with this application in this august Service Tribunal in which no date is fixed so for.
- 2) That impugned transfer notifications dated 09.08.2019 was premature and in violation of posting transfer policy and circular dated 27.02.2013, therefore liable to be suspended.
- 3) That the appellant has a good prima facie case and all the three ingredients are in favour of the appellant.
- 4) That the grounds of main appeal may also be considered as integral part of this application.

5

It is therefore most humbly prayed that the operation of the notifications dated 09.08.2019 to the extent of the appellant may kindly be suspended till the decision of main appeal.

APPELLANT
THROUGH:
M. Asif
M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT
&
Taimur Ali Khan
(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT

AFFIDAVIT

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

Taimur Ali Khan
DEPONENT



A 6

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

Dated Peshawar the February 21, 2019

NOTIFICATION

NO.SO/SMDE&SED/3-2/2018/Promotion of ASDEOs (BS-16) to SDEOs (BS-17): Consequent upon the recommendation of Departmental Promotion Committee, the Competent Authority/Chief Secretary Khyber Pakhtunkhwa is pleased to promote the following Seventy Eight (78) Assistant Sub-Divisional Education Officers/ Assistant District Education Officers (BS-16) to the post of Sub-Divisional Education Officers/ Assistant Directors (BS-17) (Management Cadre) in the Elementary & Secondary Education Department on regular basis.

2. On their promotion they are posted against the post as mentioned against each, with immediate effect:

Sr	Name of Officer	Father Name	Posted as	Remarks
FEMALE				
1)	Mst. Nizakat Tubussum	Attaullah	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
2)	Mst. Meher Sani	Sikandar Khan	SDEO (F) BS-17 Khanpur Haripur	V.S#77
3)	Mst. Faheem Afshan	Mir Dad Khan	SDEO (F) BS-17 Judba Torghar	A.V.P
4)	Mst. Farhat Yasmeen	Ghulam Yaseen	SDEO (F) BS-17 Tank	A.V.P
5)	Mst. Kalsoom Begum	Shahnawaz Khan	SDEO (F) BS-17 Barikot Swat	A.V.P
6)	Mst. Samina Ifrikhar	Ifrikhar Ahmad	SDEO (F) BS-17 Puran Shangla	V.S#88
7)	Mst. Zahida Khanum	Haq Nawaz Chohan	SDEO (F) BS-17 Lakki Marwat	V.S#76
8)	Mst. Naila Nuz	Ali Gohar	SDEO (F) BS-17 Topi Swabi	A.V.P
9)	Mst. Bibi Haleema Sadia	Muhammad Nasim	SDEO (F) BS-17 Domel Bannu	A.V.P
10)	Mst. Sofia Bano	Shamshad Ali	SDEO (F) BS-17 Lahore Swabi	A.V.P
11)	Mst. Gul Farzana	Nawaz Khan	SDEO (F) BS-17 Torkhow Malkhow Chitral	A.V.P
12)	Mst. Shagufta Jabeen	Muflid Dad Khan	SDEO (F) BS-17 Ghazi Haripur	V.S#78
13)	Mst. Samia Ahmad	Bashir Ahmad Paracha	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
14)	Mst. Tahira Jabeen	Master Ghulam Rasool	SDEO (F) BS-17 Ogi Manshra	A.V.P
15)	Mst. Nadia Begum	Inayatullah	SDEO (F) BS-17 Bakka Khel Bannu	A.V.P

21-02-19

ed

GOVERNMENT OF KHYBER PAKHTUNKHWA
 CLERKSTAFF AND RECORDARY EDUCATION DEPARTMENT
 Block-A Opposite MPA's Hostel, Civil Secretariat Peshawar
 Phone: 091-9210480, Fax: 091-9211419



16)	Mrs. Samra Bashir	Muhammad Hashir	SDEO (F) Hassanza Toghbar	V.S#100
17)	Mrs. Nasira Jabeen	Syed Israr Hussain	SDEO (F) BS-17 Lower Tamaul Abkhatbad	A.V.P
18)	Mrs. Forza Parveen	Shaukatullah	SDEO (F) Khwazabehla Swat	A.V.P
19)	Mrs. Bibi Ayesha Naz	Qazi Muhammad Nawaz	SDEO (F) BS-17 Alai Harigram	V.S#86
20)	Mrs. Sabira Ambreen	Ghulam Zikrya	SDEO (F) BS-17 Lal Qila Dir Lower	V.S#89
21)	Mrs. Syeda Nasra Azam	Syed Ghulam Iqbal Shah	SDEO (F) BS-17 Jehangira Nowshera	A.V.P
22)	Mrs. Noor Ruhai Yasmin	Adnan Khan	SDEO (F) BS-17 Lachi Kohat	V.S#101
23)	Mrs. Asfia Ameen	Amin ul Haq	SDEO (Female) BS-17 Kohat	V.S#98
24)	Mrs. Nancy Begum	Sher Bahadar	SDEO (F) BS-17 Swabi	A.V.P
25)	Mrs. Nasim Bukhari	Magbool Shah Bukhari	SDEO (F) BS-17 Nowshera	Already occupied
26)	Mrs. Gul Kuj	Feroz Khan	SDEO (F) BS-17 Town-II Peshawar	V.S#73
27)	Mrs. Shahida Parveen	Mir Azam Khan	SDEO (F) BS-17 Town-IV Peshawar	V.S#1
28)	Mrs. Hira Jabeen	Wali Aman Khan	SDEO (F) BS-17 Balla Manshra	V.S#79
29)	Mrs. Nageena Bibi	Fazal Ahmad	SDEO (F) BS-17 Havelian Abbottabad	V.S#82
30)	Mrs. Surriya Taj	Muhammad Taj Khan	SDEO (F) BS-17 Banagram	V.S#81
31)	Mrs. Sajida Sakhi	Muhammad Sakhi	SDEO (F) BS-17 Darband Manshra	A.V.P
32)	Mrs. Saeeda Bano	Kala Khan	SDEO (F) BS-17 Daggar Buner	A.V.P
33)	Mrs. Shabana Bibi	Saifullah Khan	SDEO (F) BS-17 Tall Hangu	A.V.P
34)	Mrs. Shamshad Bibi	Gul Dar Ali Khan	SDEO (F) BS-17 Munda Dir Lower	V.S#90
35)	Mrs. Musarat Jamal	Sultan Nadir Khan	SDEO (F) BS-17 Booni Chitral	A.V.P
36)	Mrs. Farhat Yasmeen	Gul Abbas Khan	SDEO (F) BS-17 Karak	A.V.P
37)	Mrs. Malak Toja	Muhammad Usman	SDEO (F) BS-17 Mardan	V.S#74
38)	Mrs. Arifa Bibi	Afsar Ali	SDEO (F) BS-17 Sheringal Dir Upper	A.V.P
39)	Mrs. Mehrun Nisa	Payu Dar Khan	SDEO (F) BS-17 Hangu	A.V.P
40)	Mrs. Adeela Rami	Muhammad Nawaz Khan	SDEO (F) BS-17 Balakot Manshra	A.V.P

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(8)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone: 091-9210480, Fax # 091-9211401

41)	Mst. Sonia Nawaz Baloch	Shah Nawaz Baloch	Services placed at the disposal of Directorate of E&SE for further posting as AD	A.V.P
42)	Mst. Shamim Akhtar	Malik Jun	SDEO (F) BS-17 Khull Dir Lower	V.S#91
43)	Mst. Hanifa Falook	Syed Falook	SDEO (F) BS-17 Banda Daud Shah Karak	A.V.P
44)	Mst. Maryam Rasheed	Rasheed Ahmad	SDEO (F) BS-17 Palho Nowshera	A.V.P
45)	Mst. Naheed Fazal	Fazou Rehman	SDEO (F) BS-17 Abbottabad	V.S#84
46)	Mst. Fozia Azam	Azam Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD	---
47)	Mst. Nazia Anjum	Abdul Rahim	SDEO (F) BS-17 Palas Kohistan	V.S#83
48)	Mst. Anisa Jamsheed	Jamshed Abbassi	SDEO (F) BS-17 Lota Abbottabad	A.V.P
49)	Mst. Maryam Aman	Aman Ullah Khan	SDEO (F) BS-17 Babuzai Swat	V.S#102
50)	Mst. Nazima Shaheen	Khan Zaman	SDEO (F) BS-17 Gopra Buner	V.S#93
51)	Mst. Shazia Bibi	Muhammad Ishraf	SDEO (F) BS-17 Mandu Buner	A.V.P
52)	Mst. Shaheen Bibi	Muhammad Aslam	SDEO (F) BS-17 Besham Shanghu	V.S#95
53)	Mst. Najma Niaz	Azad Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD	---
54)	Mst. Bibi Arifa	Syed Muhammad Younas Shah	SDEO (F) BS-17 Kandare Torghar	A.V.P
55)	Mst. Shabnum Bibi	Amir Nawaz Khan	SDEO (F) BS-17 Adenzai Dir Lower	V.S#92
56)	Mst. Shahmaz Begum	Qamar Zaman	SDEO (F) BS-17 Takht-e-Nusrati Karak	Already occupied
57)	Mst. Bibi Sanam	Raja Melbuob	SDEO (F) BS-17 Khadukhel Buner	V.S#94
58)	Mst. Zeenat Begum	Sahibullah	SDEO (F) BS-17 Shahqadar Charsadda	V.S#90
59)	Mst. Nusrat Parveen	Abdul Qadar	SDEO (Female) BS-17 Torghar	A.V.P
60)	Mst. Nayyar Sultana	Muhammad Rafiq	SDEO (F) Churbagh Swat	V.S#103
61)	Mst. Shehla Naz	Sahibzada Saradar Ali	SDEO (F) BS-17 Wari Dir Upper	A.V.P
62)	Mst. Rizwana Pari	Shahduraz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---



GOVERNMENT OF KHYBER PAKHTUNKHWA

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

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MALE				
63)	Mr. Qaiser Khan	Muhammad Nawaz Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
64)	Mr. Sharafuddin	Gul Nadar Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
65)	Mr. Imtiaz Khan	Gul Zaman Khan	SDEO (Male) Dir Upper	A.V.P
66)	Muhammad Khitab	Gulab	SDEO (Male) Wari Dir Upper	A.V.P
67)	Mr. Bakhtzaida	Mahm Gul	SDEO (Male) Larjam Dir Upper	A.V.P
68)	Mr. Zia ur Rehman	Said Rehman	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
69)	Mr. Ihtisham ul Haq	Fazal Haq	SDEO (Male) Kalkot Dir Upper	A.V.P
70)	Muhammad Saleem	Ghulam Sarwar	SDEO (Male) BS-17 Kohistan	A.V.P
71)	Mr. Sikandar Irfan	Faiz Ullah Khan	Services placed at the disposal of Directorate of E&SE for further posting as AD.	---
72)	Mr. Abdul-Hafiz	Abdur Rashid	SDEO (Male) Chakisar Shungla	A.V.P

CONSEQUENTIAL TRANSFER

S#	Name of officer	Present place	Adjusted as	Remarks
73)	Mst. Firasat Mumtaz HM (BS-17)	working as SDEO (F) Town-II Peshawar	HM BS-17 GGHS Sinezo Shah Chursadda	A.V.P
74)	Mst. Rana Attaullah HM (BS-17)	working as SDEO (F) Mardan	HM BS-17 GGHS Katta Khat Mardan	A.V.P
75)	Mst. Shaheen Alam SS English (BS-17)	working as SDEO (F) Swabi	SS English BS-17 GGHS Pabini Swabi	A.V.P
76)	Mst. Tujza Abasi SS Pak Study (BS-17)	working as SDEO (F) Lakki Marwat	SS Pak Study (BS-17) S.K Bala Bannu	A.V.P
77)	Mst. Hiat Younis SS H/Civics (BS-17)	working as SDEO (F) Khanpur Haripur	SS H/Civics BS-17 GGHS Kalabat Township Haripur	A.V.P
78)	Noreen Ayaz SS Biology BS-17	working as SDEO (F) Ghazi Haripur	SS Biology BS-17 GGHS Ogi Mansehra	A.V.P
79)	Mst. Shazia Bibi SS Biology (BS-17)	working as SDEO (F) Baffa Mansehra	SS Biology BS-17 GGHS Tarangri Bala Mansehra	A.V.P
80)	Mst. Tuhira Gohar SST BS-16	working as SDEO (F) Oghi Mansehra	Services placed at the disposal of DEO (F) Mansehra for further posting	---
81)	Mst. Asma Shaheen HM (BS-17)	working as SDEO (F) Battagram	HM BS-17 GGHS Butto Bandi Mansehra	A.V.P

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GOVERNMENT OF KHYBER PAKHTUNKHWA

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

82)	Mst. Yasmin Aziz HM (BS-17)	working as SDEO (F) Havelian Abbottabad	HM BS-17 GGHS Khanaspur Ayubia Abbottabad	A.V.P
83)	Mr. Shamsul Hadi SST (BS-16)	working as SDEO (F) Palas Kohistan	Services placed at the disposal of DEO (M) Kohistan for further adjustment	---
84)	Mst. Ayesha Saeed SDEO (F) Abbottabad	SDEO (F) Abbottabad	DDEO (F) Abbottabad OPS	A.V.P
85)	Mst. Jannat Khatoon SS Islamiat (BS-17)	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHS Shakardara Kohat	A.V.P
86)	Mr. Masood Khan, HM (BS-17)	Working as SDEO (F) Alai Battagram	HM (BS-17) GHS Banna Battagram	A.V.P
87)	Mst. Noreen Saba, ASDEO (BS-16)	working as SDEO (F) Tank	Service place at the disposal of Directorate of E&SE for further posting	---
88)	Mst. Shahi Gulam, SST (BS-16)	working as SDEO (F) Puran Shangla	Service place at the disposal of DEO (F) Shangla for further posting	---
89)	Mr. Gul Bacha, SS Islamiat (BS-17)	working as SDEO (F) Lal Qila Dir Lower	SS Islamiat (BS-17) GHSS Rehanpur Dir Lower	A.V.P
90)	Mr. Anwar Khan, ASDEO (BS-16)	working as SDEO (F) Munda Dir Lower	Service placed at the disposal of Directorate of E&SE for further posting	---
91)	Mst. Yasmin Akhtar SST (BS-16)	working as SDEO (F) Khall Dir Lower	Service placed at the disposal of DEO (F) Dir Lower	---
92)	Mst. Shakila Bano HM (BS-17)	working as SDEO (F) Adenzai Dir Lower	HM (BS-17) GGHS Inzaro Dir Lower	A.V.P
93)	Mr. Muhammad Zail, SS Islamiat (BS-17)	working as SDEO (F) Gagra Buner	SS Islamiat (BS-17) GHSS Gagra Buner	A.V.P
94)	Mr. Khush Khawas, SS Maths (BS-17)	working as SDEO (F) Khadukhel Buner	SS Maths (BS-17) GHSS Churgoshto Buner	A.V.P
95)	Mst. Ghazala, Parveen, SST (BS- 16)	Working as SDEO (F) Besham Shangla	Service placed at the disposal of DEO (F) Shangla for further posting	---
96)	Mst. Shaista ASDEO (BS-16)	working as SDEO (F) Shabqadar Charsadda	Service placed at the disposal of Directorate of E&SE for further posting	---
97)	Mr. Fuzli Haq ASDEO (BS-16)	working as SDEO (F) Dassu Kohistan	Service placed at the disposal of Directorate of E&SE for further posting	---
98)	Mst. Hasrat Zuhra, SDEO (BS-17)	SDEO (F) BS-17 Kohat	SDEO (Female) BS-17 Dassu Kohistan	V.S497

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GOVERNMENT OF KHYBER PAKHTUNKHWA

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

99)	Mr. Raees Khan, SDEO (BS-17)	Awaiting posting	SDEO (BS-17) Male Dagar Buner A.V.P	A.V.P
100)	Mr. Faiz-ur-Rehman, HM (BS-17)	Working as SDEO (F) Hussanzai Torghar	HM (BS-17) GHS Chausair Manshra	A.V.P
101)	Mst. Junnat Khatoon SS Islamiat BS-17	working as SDEO (F) Lachi Kohat	SS Islamiat (BS-17) GGHS Shakardara Kohat	A.V.P
102)	Mst. Perveen Akhtar H/M BS-17	working as SDEO (F) Babozni Swat	Principal (BS-18) GGHS Fateh Pur Swat	A.V.P
103)	Mst. Zakia ASDEO (F) BS-16	working as SDEO (F) Churbagh Swat	Services placed at the disposal of Directorate of E&SE for further posting	---
104)	Mr. Muhammad Azam, DDEO (BS-18)	DDEO (Male) BS-18) Battagram	Services placed at the disposal of Directorate of E&SE	---
105)	Mr. Raja Babu Jehangir, SDEO (BS-17)	Working as DDEO (Male) Upper Kohistan	DDEO (Male) Battagram in OPS	V.S#104
106)	Mr. Raees-ur-Rehman, SDEO (BS-17)	Under transfer as SDEO (Male) (BS-17) Kohistan	Retained as SDEO (Male) Judba Torghar to avoid litigation in the HPIC Abbottabad, caused by the w/p against the previous order of Mr Raees-ur-Rehman	---
107)	Mr. Raja Sheraz Ahmad, HM (BS-17)	Working as SDEO (BS-17) Judba Torghar	DDLO (Male) Upper Kohistan in OPS	V.S#105

3. In terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with rule-15(1) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) rules, 1989 the above named officers, on their promotion, shall be on probation for a period of one year extendable for further one year as per rules.

SECRETARY
E&SE Department
Khyber Pakhtunkhwa

Endst: of even No. & Date :-

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, and hereby directed to furnish the proposal of posting/adjustment in r/o the Teaching Cadre officers working against the post of Management Cadre vide S# 1, 13, 41, 46, 53, 62, 63, 64, 68 & 71 for further posting in pursuance of the above adjustment.
3. District Education Officers (Male & Female) Concerned.



GOVERNMENT OF KHYBER PAKHTUNKHWA
SECRETARY AND
Chief Executive Officer, Public Service Commission
Civil

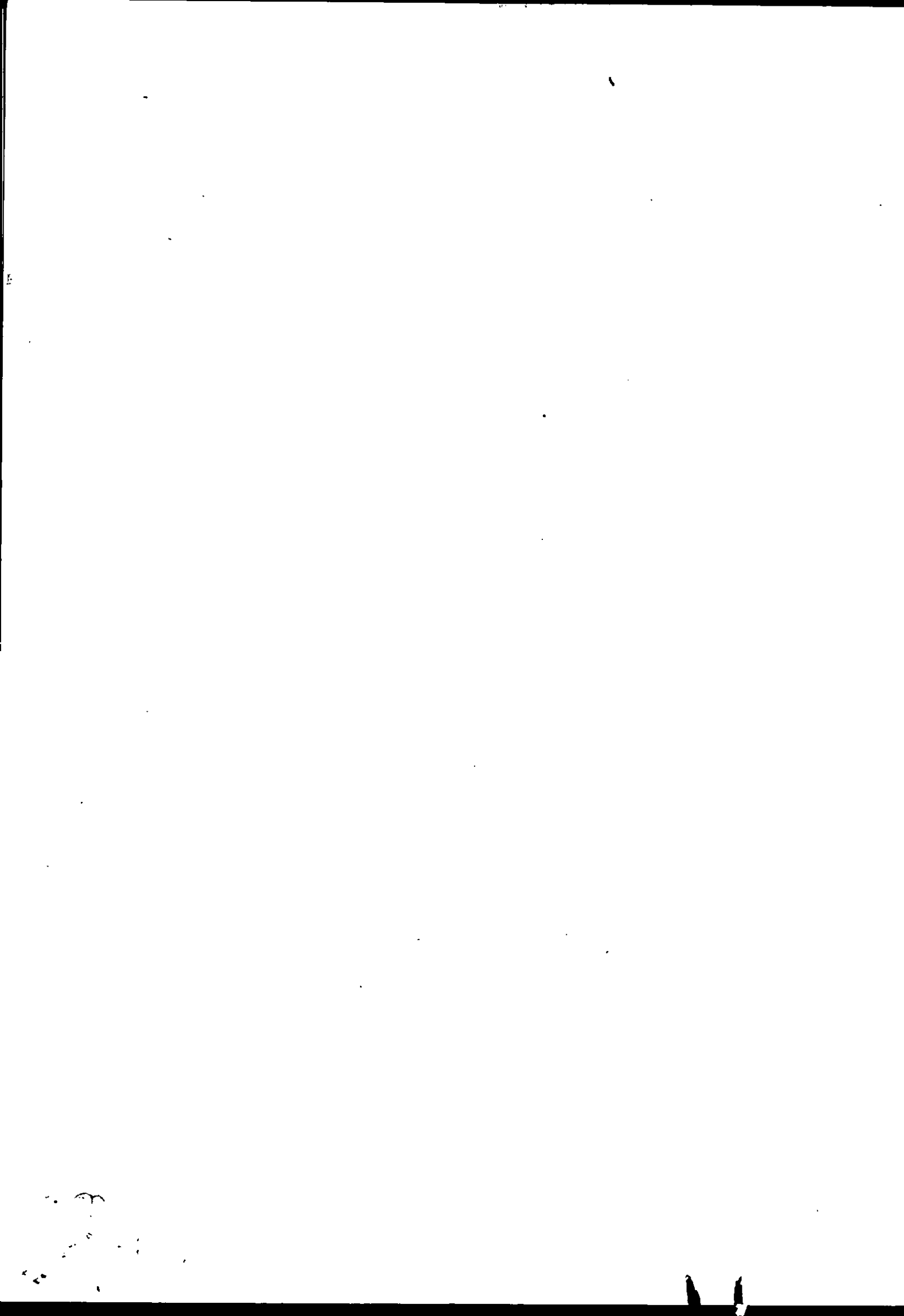
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August 2019.

NOTIFICATION

No. SO(S/P)E&SI/14-16/2019 Adjustment/MC: Consequent
Competent Authority the following Management Cadre Assistant
Sub-Divisional Education Officers (Female) of E&S/D are hereby *adjusted to the mentioned*
posts, with immediate effect

S#	Name of Officers	Adjustment Station	Remarks
1	Mst. Maryam Rashid SDEO (F) Nowshera	SDEO (F) Town-I Peshawar	AVP
2	Mst. Arifa Bibi, SDEO (F) Sherongal Du Upper	SDEO (F) Turkho Mulk Chitral	AVP
3	Mst. Zubaida Khanum, ASDEO (F) Chitral	SDEO (F) Droshi Chitral	AVP (own pay & scale)
4	Mst. Musarrat Jamal, SDEO (F) Turkho Mulkhow Chitral	SDEO (F) Chitral	AVP
5	Mst. Khadija Bibi, ASDEO (F) Mardan	SDEO (F) Takht Bhai Mardan	Vice Sr. No. 39 (own pay & scale)
6	Mst. Samina Irtikhar, SDEO (F) Shangla	SDEO (F) Katalang Mardan	AVP
7	Mst. Shahnaz Ihsan, ASDEO (F) Mardan	SDEO (F) Rustam Mardan	AVP (own pay & scale)
8	Mst. Dil Raj, ASDEO (F) Swabi	SDEO (F) Razzar Swabi	AVP (own pay & scale)
9	Mst. Shagufta Jabeen, SDEO (F) Daggar Bunir	SDEO (F) Chota Lahore Swabi	Vice Sr. No. 36
10	Mst. Zakia Raza, ASDEO (F) Swat	SDEO (F) Babozai Swat	AVP (own pay & scale)
11	Mst. Fazilat, ASDEO (F) Swat	SDEO (F) Barikot Swat	AVP (own pay & scale)
12	Mst. Saima Bibi, ASDEO (F) Babozai Swat	SDEO (F) Behrain Swat	AVP (own pay & scale)
13	Mst. Naheed Akhtar, ASDEO (F) Swat	SDEO (F) Kabal Swat	AVP (own pay & scale)
14	Mst. Rukhisana Naz, ASDEO (F) Swat	SDEO (F) Matta Swat	Vice Sr. No. 35 (own pay & scale)
15	Mst. Safia, ASDEO (F) Batkhela Malakand	SDEO (F) Batkhela Malakand	AVP (own pay & scale)
16	Mst. Arifa, SDEO (F) Torghar	SDEO (F) Mansehra	AVP
17	Mst. Sabrina Ambreen, SDEO (F) Lal Qilla Dir Lower	SDEO (F) Domail Bannu	Vice Sr. No. 20
18	Mst. Nayyar Sultana, SDEO (F) Charbugh Swat	SDEO (F) Daraban Kulan D.I.Khan	AVP



GOVERNMENT OF KHEBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block "A" Opposite MPA House, Civil Secretariat, Peshawar

Dated, Peshawar the, August 9th, 2019

NOTIFICATION


NO.SO(S/F)E&SED/4-16-2019 Adjustment/MC; Consequent upon approval of the Sub-Divisional Authority, the following Management Cadre, Assistant Sub-Division Education officers on posts, with immediate effect.

S#	Name of officers	Adjustment station	Remarks
1.	Mst. Maryam Rashid SDO (F) Noshera	SDEO (F) Town-1 Peshawar	AVP
2.	Mst. Arifa Bibi. SDEO(F) Sheringal Dirupper	SDEO (F) Turkho Mulkhow Chitral	Vice Sr. No. 4
3.	Mst. Zubaida khanum ASDEO (F) Chitral	SDEO (F) Drosh Chitral	AVP (Own pay & Scale)
4.	Mst. MusarRat Jamal. SDEO(F).Turkho Mulkhow chitral	SDEO (F) Chitral	AVP
5.	Mst. Khudija Bibi.ASDEO(F) Mardan	SDEO (F) Takht Bhai Mardan	Vice Sr. No. 39 (own pay & scale)
6.	Mst.Samina Iftikhar, SDEO (F) Shangla	SDEO (F) Katlang Mardan	AVP
7.	Mst.Shahnaz Ihsan, ASDEO (F) Mardan	SDEO (F) Rustam Mardan	AVP (own pay & scale)
8.	Mst. Dil Raj, ASDEO Razzar (F) Swabai	SDEO (F) Razar Swabi	AVP (own pay & scale)
9.	Mst. Shagufta Jabeen, SDEO (F) Daggar bunir	SDEO (F) Chota Lahore Swabi	Vice Sr. No. 36
10	Mst. Zakia Raza, ASDEO (F) Swat	SDEO (F) BabuZai Swat	AVP (own pay & scale)
11	Mst. Fazilat, ASDEO (F) Swat	SDEO (F) Barikot Swat	AVP (own pay & scale)
12	Mst. Saima Bibi, ASDEO Babozai(F) Swat	SDEO (F) Behran Swat	AVP (own pay & scale)
13	Mst. Naheed Akhtar, ASDEO (F) Swat	SDEO (F) Kabal Swat	AVP (own pay & scale)
14	Mst. Rukhsana Naz, ASDEO (F) swat	SDEO (F) Matta Swat	Vice Sr. No. 35 (own pay & scale)
15	Mst. Safia, ASDEO (F) Batkhela Malakand	SDEO (F) Batkhela Malakand	AVP (own pay & scale)
16	Mst. Arifa, SDEO (F) Torghar	SDEO (F) Mansehra	AVP
17	Mst. Sabreen, SDEO (F) Lal Qilla Dir Lower	SDEO (F) Domel Bannu	Vice Sr. No. 20
18	Mst. Nayyar Sultana, SDEO (F) Charbagh Swat	SDEO (F) Daraban Kalan D.I.Khan	AVP


Assistant

19	Mst. Sonia Nawaz Baloch, SDEO (F) Mandar Bura	SDEO (F) Paharipora	
20	Mst. Saima Bashir, SDEO (F) Domail Banna	SDEO (F) Khatke D/O	
21	Mst. Farhat Yasmin, SDEO (F) Tank	SDEO (F) D.I Khan	
22	Mst. Shamsul Bibi, SDEO (F) Munda Di Lower	SDEO (F) Tank	
23	Mst. Nasim Begum, ASDEO (F) Balambat Di Lower	SDEO (F) Balambat Dir I	
24	Mst. Yasmin Akhtar, ASDEO (F) Khall Dir Lower	SDEO (F) Khall Dir Lower	
25	Mst. Ayesha, ASDEO (F) Shangla Alpuri	SDEO (F) Alpuri Shangla	
26	Mst. Shaista, ASDEO (F) Shabqadar Charsadda	SDEO (F) Shabqadar Charsadda	
27	Mst. Zeenat Bibi, SDEO (F) Shabqadar Charsadda	SDEO (F) Charsadda	Vice Sr. No. 27 pay & scale AVP
28	Mst. Shehla Naz, SDEO (F) Wari Dir Upper	SDEO (F) Tangi Charsadda	AVP
29	Mst. Nazia Anjum (MC-BS-17) services at the disposal of Directorate of E&SE	SDEO (F) Pabbi Nowshera	AVP
30	Mst. Nasira Naseem, ASDEO (F) Palas Kohistan	SDEO (F) Kolai Pallas Kohistan	Vice Sr. No. 34 (pay & scale)
31	Mst. Maryum Aman, SDEO (F) Malakand	Assistant Director, Directorate of E&SE	Vice Sr. No. 35
32	Mst. Asfia Amin, SDEO (F) Kohat	SDEO (F) Tall Hangu	Vice Sr. No. 33
33	Mst. Meher-un-Nisa, SDEO (F) Tall Hangu	SDEO (F) Kohat	Vice Sr. No. 32
CONSEQUENTIAL TRANSFERS			
34	Mr. Shams-ul-Hadi, IIM (BS-17) working as SDEO (F) Kolai Pallas Kohistan	Services placed at the disposal of Directorate of E&SE	
35	Mst. Zahida Begum, SST working as SDEO (F) Matta Swat	Services placed at the disposal of Directorate of E&SE	
36	Mst. Shaheen Begum, SS (BS-17) working as SDEO (F) Chota Lahore Swabi	Services placed at the disposal of Directorate of E&SE	
37	Mr. Shah Nazar, SDEO (F) Patten Kohistan	Services placed at the disposal of Directorate of E&SE	
38	Mst. Shahnaz Akhtar, IIM (BS-17) working as Assistant Director, Directorate of E&SE	Services placed at the disposal of Directorate of E&SE	
39	Mst. Rana Atta Ullah, Headmistress (BS-17) SDEO (F) Takht Bhai Mardan	Services placed at the disposal of Directorate of E&SE	

19	Mst. Sonia Nawaz Baloch, SDEO (F) Mandar Bunir	SDEO (F) Paharpura, D.I.Khan	AVP
20	Mst. Siama Bashir, SDEO (F) Domail Bannu	SDEO (F) Kulachi D.I.Khan	AVP
21	Mst. Farhat Yasmin, SDEO (F) Tank	SDEO (F) D.I.Khan	AVP
22	Mst. Shamshad Bibi, ASDEO (F) Munda Dir Lower	SDEO (F) Tank	AVP
23	Mst. Nasim Begam, ASDEO (F) Balambat Dir Lower	SDEO (F) Balambat Dir Lower	AVP (own pay & scale)
24	Mst. Yasmin Akhtar, ASDEO (F) Khall Dir Lower	SDEO (F) Khal Dir Lower	AVP (own pay & scale)
25	Mst. Ayesha, ASDEO Alpuri (F) Shangla	SDEO (F) Alpuri Shangla	AVP (own pay & scale)
26	Mst. Shaista, ASDEO (F) Shabqadar Charsadda	SDEO (F) Shabqadar Charsadda	Vice Sr. No. 27 (own pay & scale)
27	Mst. Zeenat Bibi, SDEO (F) Shabqadar Charsadda	SDEO (F) Charsadda	AVP
28	Mst. Shehla Naz, SDEO (F) Wari Dir Upper	SDEO (F) Tangi Charsadda	AVP
29	Mst. Nazia Anjum (MC-BS-17) services at the disposals of Directorate of E&SE	SDEO (F) Pabbi Nowshera	AVP
30	Mst. Nasira Naseem, ASDEO (F) Palas Kohistan	SDEO (F) Kolai Palas Kohistan	Vice Sr. No. 34 (own pay & scale)
31	Mst. Maryum Aman, SDEO (F) Malakand	Assistant Director Directorate of E&SE	Vice Sr. No. 38
32	Mst. Asfia Amin, SDEO (F) Kohat.	SDEO (F) Tall Hangu	Vice Sr. No. 33
33	Mst. Meher-un-Nisa, SDEO (F) Tall Hangu	SDEO (F) Kohat	Vice Sr. No.32
CONSEQUENTIAL TRANSFERS			
34	Mr. Shams-ul-Hadi, HM (BS-17) working as SDEO (F) Kolai Pallas Kohistan	Services placed at the disposal of Directorate of E&SE	-
35	Mst. Zahida Begum, SST working as SDEO (F) Matta Swat	Services placed at the disposal of Directorate of E&SE	-
36	Mst. Shaheen Begum, SS (BS-17) working as SDEO (F) Chota Lahore Swabi	Services placed at the disposal of Directorate of E&SE	-
37	Mst. Shah Nazar, SDEO (F) Patten Kohistan	Services placed at the disposal of Directorate of E&SE	-
38	Mr. Shahnaz Akhtar, HM (BP-17) working as Assistant Director, Directorate of E&SE	Services placed at the disposal of Directorate of E&SE	-
39	Mst. Rana Atta Ullah, Headmistress (BPS-17) SDEO (F) Takht Bhai Mardan.	Services placed at the disposal of Directorate of E&SE	-


 A. B. S. J.

To

C (14)

The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Through: Proper Channel

Subject: APPEAL FOR CANCELLATION OF TRANSFER ORDER

Respected Sir,

With respect and humble submission I beg to say that I have been transferred from Kohat to SDEO (Female) Thall Hangu far-flung area as SDEO (Female) Kohat 100 Km away from my Home vide your good office Notification No: SO(S/F) E&SED-4-16/2019/ Adjustment MIC Dated Peshawar the 09.08.2019 in compliance of which I submissively submitted my arrival report for duty to aforesaid station.

Respected sir I may kindly be excused to invite your kind attention to prescribed rules of posting/transfer/appointment 1989 rules, in which it is laid down that a civil servant should complete his/her normal tenure of 03 years in each station but I have not yet completed my normal tenure and took over charge as SDEO(Female) Kohat on 06th March 2019 and without any fault and without completion of my tenure I have been transferred as I perform my duty with diligent devotion and entire satisfaction of my superior and make endeavor to amicably to facilitate the teacher community as well.

Esteemed Sir, the complicity I found myself in, I seal myself courageous enough to approach to your so kind and benevolence self that my transfer order thus issued, may kindly be cancelled as I have little kids, not yet school going have no one to look after them, enabling me to heave sigh of relief.

Thanking you in anticipation.

SO (S/F)

Pl. process and put up for appeal

Yours obediently

Appropriate order of w/secretary

Asfia Ameen
SDEO (Female) Kohat under transferred as SDEO (Female) Thall Hangu

20/8/19

[Handwritten signature]
21/8/19

C/O

Mr. Nadeem sb.
Chief of section
f/Edu: P&D Deptt

w/secretary

20/8/19

Page No. (14) - A

To

The Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa

Through Proper Channel

Subject **APPEAL FOR CANCELLATION OF TRANSFER ORDER**

Respected Sir,

With respect and humble submission I beg to say that I have been transferred from Kohat to SDEO (Female) Thall Hangu far-flung area as SDEO (Female) Kohat Km away from my Home vide your good office Notification No. SO (S/F) E&SED-4-16/2019/Adjustment /MC Dated Peshawar the 09.08.2019 in compliance of which I submissively submitted my arrival report for duty to aforesaid station.

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Thanking you in anticipation.

-sd

Yours obediently

-sd-

Asfia Ameen

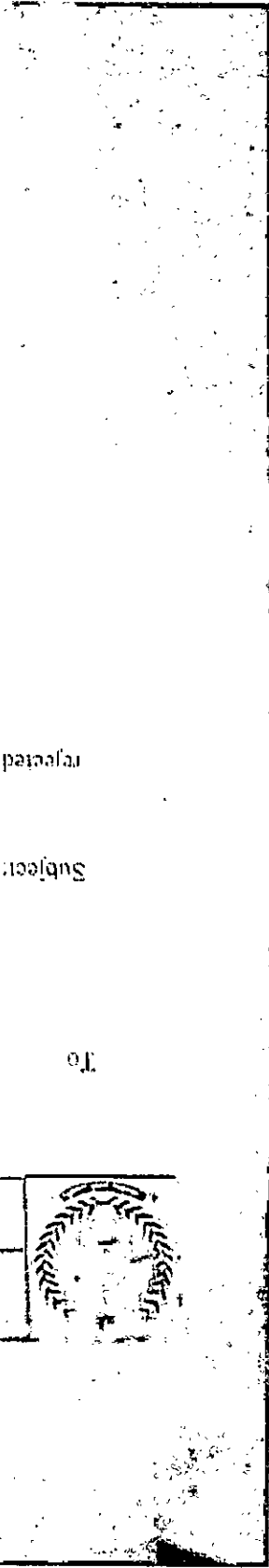
SDEO (Female)

Transferred as SDEO (Female)

Thall Hangu

Attested

~~Attested~~



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT



Block "A" Civil Secretariat, Peshawar

NO.50 (S/F) F&SEID 16/Aslita Amin.
Dated Peshawar, the 25-10-2019

To

Mrs. Aslita Amin,
SDE(O) Tball,
District Hangu.

Subject: Appeal for cancellation of transfer order

I am directed to refer to the subject noted above and to state that your appeal is
rejected being devoid of merit.

AK-17
SECTION OFFICER (S/F)
25/10/19

15



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

(E)
16

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants.
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.
- vi) While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-II/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.

1. Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD), 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules.

2. Added vide Urdu circular letter No: SOR-VI(E&AD)1-4/2003, dated 21-09-2004

ATTESTED

- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

(xi)

Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
 DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

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

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

Added vide Urdu circular letter No: SOR-VI (E&AD)/I-4/2005, dated 9-9-2005.

ATTESTED

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

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

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

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

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

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

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

ATTESTED

[Handwritten Signature]

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

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

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

.....

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.
{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

.....

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

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

SPECIMEN NOTIFICATION.

GOVERNMENT OF NWFP
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

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

CHIEF SECRETARY
GOVERNMENT OF NWFP

Endst. No. and date even.

Copy forwarded

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

ATTESTED



5.

(NAME)
SECTION OFFICER
Administrative Department

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

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the NWFP Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest, subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

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

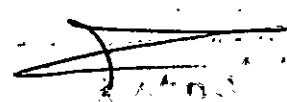
I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.
{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008}

.....
According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.
{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005}

.....
The Chief Minister NWFP has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;

ATTESTED



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- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No; SOR-VI/E&AD/1-4/2003, dated 86-2004.
Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2005.}

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

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

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

.....

The competent authority has decided that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the NWFP Govt Servants (Conduct) Rules 1987 shall be proceeded against under the NWFP Removal from Service (Special Powers) Ordinance 2000. As required under the NWFP Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

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

.....

PLACEMENT POLICY.

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

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
ii) The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.
iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the

¹ Placement Policy has been made part of the posting/transfer policy vide Urdu circular No.SOR-VI(E&AD)1-4/06, dt 9-2-2007

ATTACHED


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99

officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:

- a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
 - vi) The Normal tenure of posting as already provided in the policy would be ensured;
 - vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
 - viii) No participant will decline/represent against his/her posting.

ATTESTED

ATTESTED



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

Environment Department
 Govt. of Khyber Pakhtunkhwa
 Secy/Env. No. 22/2013
 Dated 28/2/2013

23

To
S. Javed

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

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

Sir,

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

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

DS
SO
4/3

mayam

S. Javed
AS
AS

SO Lic / SO Est
5/3

ATTESTED

ATTESTED

[Signature]

(iii) **Illegal Orders:** Civil Servants owe their first and foremost allegiance to the law and the constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule based norms; instead, in such situations, they must record their opinion and, if necessary, dissent.

(iv) **OSD:** Officers should not be posted as OSD except for compelling reasons, which must be recorded in writing. If at all an officer is to be posted as OSD, such posting should not exceed 03 months. If there is a disciplinary inquiry going on against him/her such inquiry must be completed at the earliest. The officer on special duty may be posted against a post of his/her equivalent pay scale/grade within 03 months of his/her order as OSD.

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

Yours faithfully,

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

Encl: as above.

A copy is forwarded to:-

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

najam
SECTION OFFICER (REG-VI)

[Handwritten signature]



OFFICE OF THE
PRINCIPAL GGHS BABRI BANDA/ENQUIRY OFFICER
KOHAT

6
25

No. 56-571

DATED 19/07/2019


To


Asfia Amin
SDEO (F) Kohat
Sher Nawab Ex-Supdt SDEO (F) Kohat
Now Supdt O/O DEO (F) Karak

Subject: **ENQUIRY**

Memo:

Reference DEO (F) Kohat Letter No.9287-88/A-12/P.File dated 18.07.2019.
You are hereby informed to present in DEO (F) Kohat office on 22.07.2019 at 10:00
am regarding enquiry against you, as application lodged by Mst. Tilat PSHT GGPS No.2 Sherkot
Kohat.

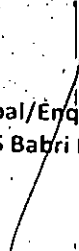

Principal/Enquiry Officer
GGHS Babri Banda


Principal/Enquiry Officer
GGHS Behzadi Kohat


Encl: Even No. & Date.

Copy of the above is forwarded to:

1. Secretary E&SE Khyber Pakhtunkhwa Peshawar.
2. Director E&SE Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Kohat.


Principal/Enquiry Officer
GGHS Babri Banda


Principal/Enquiry Officer
GGHS Behzadi Kohat


A. A. A.

Attended

Name: Munsarraf Iqbal
Designation: Principal
GHSS Babri Banda Kohat

Signature
2. Enquiry officer

Name: Munsarraf Iqbal
Designation: Principal
GHSS Babri Banda Kohat

Signature
1. Enquiry officer

findings are being forwarded for necessary action please.

through first, Talat Naz failed to produce solid evidence to prove her allegations
of a complaint cannot be turned down without taking any action.

the date of progress of the pension case has been mentioned and attached with the
statement report of Miss Asfia Amin and Muhammad Yaqub.

Furthermore, they stated that the pension case of Mst Talat Naz PSHT BS-15 GPPS No. 2
Sherkot was processed from S.D.E.O office to D.E.O (F) office from 8-3-2019.

Further of their (OATH TAKING) are Attached with their enquiry statements.
These allegations are without any authentic substantial evidence.

They declared solemnly that these allegations of taking bribery are baseless.

No. 2 Sherkot.

The accused Muhammad Yaqub, Sher Nawab, Asfia Amin and Abdul Rauf strongly denied the
allegations of taking bribery. They stated that they are innocent.

When Talat Naz was enquired about substantial evidence/witness she stated that being poor,
she is helpless widow. "My son Muhammad Saglam is my witness."

They demanded twenty thousand rupees for the completion and expedition of pension case.
According to her statement she personally gave five thousand rupees to each of them.

Mst Asfia Amin and Mr Abdul Rauf regarding her pension case.
On 29/03/2019 to Sd/et Muhammad Yaqub, she met Muhammad, Yaqub, Sher Nawab,

Talat Naz PSHT BS-15 stated that she submitted her retirement/pension case
to her written statement (Answer to the questionnaire).

Mst Talat Naz PSHT BS-15 (P&D) Kohat Abdul Rauf BS-16

Mst Talat Naz PSHT BS-15 (P&D) Kohat Abdul Rauf BS-16

Mst Talat Naz PSHT BS-15 (P&D) Kohat Abdul Rauf BS-16

Mst Talat Naz PSHT BS-15 (P&D) Kohat Abdul Rauf BS-16

against the officials name.
The report against Mst Talat Naz PSHT BS-15 School No. 2 Sherkot lodged case of allegations of taking

report of allegation of taking bribery for the expedition of retirement
of Mst Talat Naz PSHT BS-15 school No. 2 Sherkot.

Dated 25/08/2019

Enquiry Report to the District Education Officer (F) Exsided Kohat

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VAKALAT NAMA

NO. _____/2019

IN THE COURT OF KP Service Tribunal, Peshawar

Alfa Ameer (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Chief Secretary & others (Respondent)
(Defendant)

I/We, Alfa Ameer

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

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

Dated _____/20

Alfa Ameer
(CLIENT)




ACCEPTED

Taimur Ali Khan
Advocate High Court

M. Asif Yousafzai
M. ASIF YOUSAFZAI
Advocate Supreme Court
Peshawar.
B.C NO# 10-7327
CNIC # 17301-5106574-3

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

قیمت 50 روپے	27124			
ایڈوکیٹ:		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل / ایسوسی ایشن نمبر:				
رابطہ نمبر:				

بعد اٹ جناب: مہر محمد سروس ٹریڈنگ کمپنی

دعویٰ:	مخائب:
علت نمبر:	50 No. 15
مورخہ:	تیسرا اگست 2019
جرم:	بنام
تھانہ:	ہیف سکیلڈ ڈیپارٹمنٹ

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 آن مقام سروس ٹریڈنگ کمپنی کے لیے مرحوم اسرار احمد صاحب کے وارثوں کی طرف سے مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث 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 نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے 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

المرقوم: 27-11-2019

مقام پشاور سروس ٹریڈنگ کمپنی کے لیے منظور ہے۔

Accepted

Accepted

Mehruan Nisa
 SDEO (F) Kohat
 Net - Mchur - un - Nisa
 14203 - 1988278-4

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR
SERVICE APPEAL NO. 1491/2019

Mst Asfia Ameen SDEO(Female) Thall Hangu..... APPELLANT

V/S

DISTT EDUCATION OFFICER (MALE) KOHAT & OTHER..... RESPONDENTS

Parawise comments on behalf of Respondent No: 1 to 4

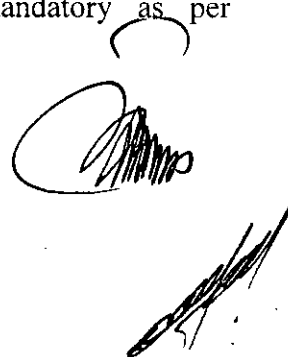
Respectfully Sheweth

Preliminary objections:

1. That the appellant has got no cause of action locus standi.
2. That the instant Service appeal is badly time barred.
3. That the appellant has concealed material facts from the Hon'able Tribunal in the instant service appeal.
4. That the instant service appeal is against the relevant provisions of law.
5. That the appellant has not come to this Hon'able Tribunal with clean hands.
6. That the instant appeal is liable to be dismissed for mis-joinder & non-joinder of the necessary parties to the present appeal.
7. That the appellant is estopped by his own conduct to file the instant appeal.
8. That the instant service appeal is not maintainable in the present form & circumstances of the case.

FACTS

1. Partially agreed to the extent that the appellant is from the Management cadre and was promoted from ASDEO (Female) BPS-16 to SDEO (Female) BPS-17 and was posted as an SDEO (Female) Kohat. However she had miserably failed to perform her duty with the entire satisfaction of her superiors. She has been transferred vide impugned general transfer order in accordance with section 10 of Civil Servant Act 1973 in the public interest.
2. Misleading. The competent authority has issued routine general transfer order of majority of the SDEOs throughout the Province. The appellant was also transfer in the General transfer order, "Completion of tenure in general transfer order is not mandatory as per practice/precedents.
3. Pertain to record.
4. No comments



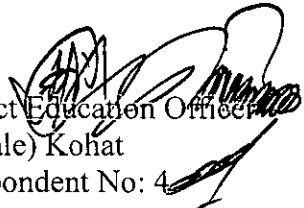
GROUNDS

- A. Denied. Both the transfer order of the appellant and rejection of her departmental Appeal are not contrary top the law, facts, norms of justice and the same are neither premature nor violation of posting transfer policy etc. Hence the transfer order of the appellant is perfectly tenable and is not liable to be set aside.
- B. Denied. The transfer order of the appellant is issued as per rules/transfer policy, presently in vogue.
- C. Denied. Completion of tenure is not mandatory is "General Transfer orders", Hence the impugned transfer order is not liable to be set aside to the extent of the appellant.
- D. Denied. The impugned transfer order is issued solely in the public interest. It is incorrect that the successor of the appellant is a blue eyed person of any of the respondents.
- E. Denied. The transfer order of the appellant was solely issued in the public interest, However it is correct that an Ex-PSHT Mrs. Talat Naz has leveled allegation against the appellant and her cronies for taking bribes for finalization of her pension case. However she has been transferred in the public interest and not on the basis of complaints.
- F. Denied. All the codal formalities were duly completed before issuing of the transfer order of the appellant, as per rules, regulations and policy, presently in vogue.
- G. The respondents seek permission to adduce some other grounds and proofs at the time of hearing.

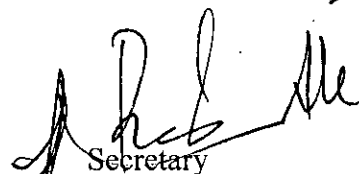
It is therefore most humbly prayed that the appeal of the appellant may kindly be dismissed with cost.



Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
Respondent No: 3



District Education Officer
(Female) Kohat
Respondent No: 4



Secretary
Elem. & Secondary Education Department
Government of Khyber Pakhtunkhwa
Peshawar
(Respondent No: 1 & 2)

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR
SERVICE APPEAL NO. 1491/2019

Mst Asfia Ameen SDEO(Female) Thall Hangu..... APPELLANT

V/S

DISTT EDUCATION OFFICER (FEMALE) KOHAT & OTHER..... RESPONDENTS

Parawise comments on behalf of Respondent No: 1 to 4,

Affidavit

I, Haziq ur Rehman District Education Officer (Female) Kohat do hereby solemnly affirm and declare on oath that the contents of the accompanying Parawise comments are true and correct to the best of my knowledge and belief and nothing has been concealed withheld from this Honourable court.

Deponent

HAZIQ UR REHMAN
DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT

①

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

In Service Appeal No. 1491/2019

Mst. Asifa Amin. **Appellant.**

Versus

Chief Secretary KP and others..... Respondents.

Para-Wise Reply on behalf of Respondent No.5

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

1. That the Appeal in hand is based on malafide, beside, appellant has got no cause of action to file the subject appeal.
2. That the Appellant has concealed material facts from this Hon'ble Tribunal and she has been transferred by the competent authority while exercising power under Section 10 of the KP Civil Servants Act, 1973 on account of non-satisfactory performance and probably some serious allegation of taking bribe.
3. That the Appellant has not approached to this Hon'ble Tribunal with clean hands, hence, the appeal in hands outright rejection.
4. That the answering defendants had only complied the transfer order in the public interest.

On Facts:-

1. Para-1 of the Appeal is correct that appellant and the answering respondents have been promoted from ADEO (Female) to SDEO (Female) of the same order upon the recommendation of DPC by the competent authority and rest had no concern with the answering defendant.

2

2. That in reply to para-2, it is humbly submitted that appellant was the only one who had challenged the routine transfer order belong to the management cadre keeping in view Section-10 of the KP Civil Servants Act, 1973 which in clear terms held that every Civil Servants is liable to Serve anywhere transferred by the competent authority.
3. Matter of record and not related to answering respondent.
4. As submitted that appellant has got no cause of action to challenge the routine transfer order issued by the competent authority in the public interest.

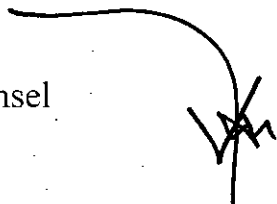
GROUND:

All the grounds were evasively attended, hence needs no reply, however, the competent authority alone is the best judge to monitor the performance on the basis of which routine/general transfer order is issued. The Appellant has got no substance to file the instant appeal.

It is, therefore, requested that this Honorable Tribunal may graciously be rejected the appeal with cost.

Your humble petitioner

Through Counsel


(FARMAN ULLAH KHATTAK)
Advocate Supreme Court of
Pakistan at Peshawar.

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

In Service Appeal No. 1491/2019

Mst. Asifa Amin.Appellant.

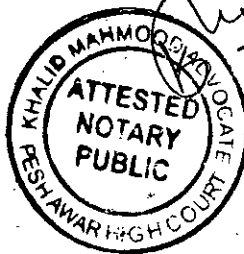
Versus

Chief Secretary KP and others.....Respondents.

Para-Wise Reply on behalf of Respondent No.5

AFFIDAVIT

I, Mst. Mehar un Nisa SDEO (Female) Kohat , do hereby solemnly declare and affirm on oath that the contents of this Reply are true and correct to the best of my knowledge and instruction of my client and that nothing has been concealed from this Honorable Tribunal.



Mehar un Nisa
7-1-2020

Deponent.

Mehar un Nisa
14203-1988 278-4

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1491/2019

Asfia Ameen

VS

Education Deptt:

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

RESPECTFULLY SHEWETH:

Preliminary Objections:

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

FACTS:

1. First portion of para 1 is admitted correct, hence no comments, while the rest of para is incorrect as the appellant performed her duty with best of her ability and capability in this respect DEO Female Kohat appreciate her work as SDEO Kohat which is evident from the Efficiency Certificate issued to her by the concerned DEO (F) Kohat and the respondents department did not provide any proof regarding her poor performance. Moreover no one can be transferred as punishment. It is pertinent to mention here that the DEO (Male) who has given affidavit on the rejoinder about the poor performance has not assigned the additional charge of DEO (Female) Kohat at the time of the passing impugned transfer order of the appellant then how can he judge the poor Performance of the appellant? **(Copy of efficiency certificate is attached as Annexure-R-1)**
2. Incorrect. The appellant was transferred without completing her normal tenure which is violation of posting transfer policy.
3. Admitted correct as the service record of the appellant is present with the department.
4. No comments, endorsed by the respondents that the contents of para 4 is correct.

GROUND:

- A. Incorrect. The impugned order dated 09.08.2019 and rejection order 25.10.2019 are against the law, rules norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B. Incorrect. The appellant was transferred without completing her normal tenure which is violation of posting transfer policy.
- C. Incorrect. While para C of the appeal is correct.
- D. Incorrect. While para D of the appeal is correct.
- E. Incorrect. The appellant was transferred without completing her normal tenure, which is violation of posting transfer policy. Moreover the inquiry was conducted of taking bribes for finalization of pension case of Ex-PHST Ms. Talat Naz, in which allegation were not proofed against the appellant and that inquiry report is already attached with the main appeal.
- F. Incorrect as per posting transfer policy the approval of summary is mandatory before transfer order but no such summary was approved from the competent authority before the transfer of the appellant therefore the impugned order is liable to set-aside on this ground alone.
- G. Legal.

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


APPELLANT

Through:

M.ASIF YOUSAFZAI
ADVOCATE SUPREME COURT
&
(TAIMUR ALI KAHN)
ADVOCATE HIGH COURT

AFFIDAVIT


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


DEPONENT

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
KOHAT

EFFICIENCY CERTIFICATE

Certified that Mist. Asfia Amin D/O Ameen ul Haq is working as SDEO(Female) Kohat. She is one of the competitive, devoted and punctual officer of this office. She has a capability of contemplate the circumstances and adopt the positive strategies with good promising skills. Her communication with officers and subordinates is very healthy and matchless. She has gained considerable experience in her relevant field. She is an honest, punctual, hardworking, cooperative and having good sense of responsibility. Her performance has always been to the entire satisfaction of the management.


District Education Officer
(Female) Kohat

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2526/ST

Dated 18/08 2020

To


The Secretary E&SE,
Government of Khyber Pakhtunkhwa,
PESHAWAR.

Subject: -

JUDGMENT IN APPEAL NO. 1491/2019, MS. ASFIA AMEEN.

I am directed to forward herewith a certified copy of Judgement dated 29.07.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.