

1364/2015

09.11.2017


Counsel for the appellant, Mr. Kabeerullah Khattak, Addl. AG alongwith Muhammad Saeed, SS for the official respondents and private respondent No. 4 in person present.

Learned AAG submitted before the Tribunal that an application was submitted by the department in this appeal according to which the present appellant has been transferred to ASDEO(M) Circle Matta on 10.03.2016 during pendency of the appeal and this appeal has become infructuous.

The learned counsel for the appellant also admitted this position and is of the view that the appellant would avail his legal remedy available to him against the fresh order.

In view of the above, this appeal is disposed of on becoming infructuous. File be consigned to the record room.


Member



Chairman
Camp Court, Swat

ANNOUNCED
09.11.2017

04.04.2017

Clerk of the counsel for appellant present. Mr. Muhammad Saeed, Subject Specialist alongwith Mr. Muhammad Zubair, Senior Government Pleader for official respondents No. 1 to 3 and private respondent No. 4 in person also present. It was observed that vide order sheet dated 06.04.2016 written reply was submitted but the same was inadvertently maintained in the said order sheet and written reply was not submitted. Today respondents No. 1 to 4 submitted written reply. The same is placed on record. To come up for rejoinder and arguments on 07.08.2017 before D.B at Camp Court Swat.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

07.08.2017

Clerk of counsel for the appellant and Mr. Muhammad Zubair, District Attorney alongwith Muhammad Saeed, SS for the respondents present. Seeks adjournment as counsel for the appellant is not in attendance due to death of his relative. Adjourned. To come up for arguments on 9.11.2017 before the DB at camp court, Swat.


Member


Chairman
Camp court, Swat

1364/15

05.09.2016

Clerk of counsel for the appellant and Mr. Muihammad Zubair, Sr.GP along with Shafiqur Rahman, ADO for the respondents present. Seeks adjourned due to strike of the bar. To come up for rejoinder and final hearing before the D.B on 05.12..2016 at camp court, Swat.




Member



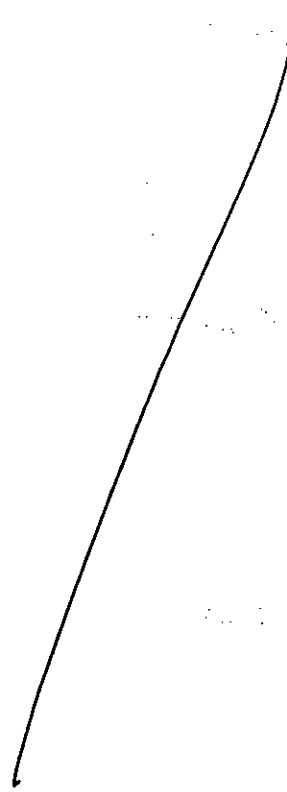
Chairman
Camp Court, Swat

07.12.2016

Counsel for the appellant and Mr. Shafiqur Rahman, ADO alongwith Mr. Muhammad Zubair, Sr.GP for respondents present. Due to non-submission of rejoinder and incomplete bench arguments could not be heard. To come up for rejoinder and final hearing on 04.4.2017 before D.B at camp court, Swat.


Chairman

Camp court, Swat



13.01.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as SST (General) when transferred and posted as ASDEO (M) Circle Mingora vide order dated 27.2.2015. That vide impugned order dated 26.8.2015 private respondent No.4, Sardar Ali, SST(Science Group) was posted against the said post of ASDEO (M) Circle Mingora despite the fact that he was not eligible to be appointed as per instructions contained in letters dated 29.1.2002 and 27.10.2009 but to accommodate the said private respondent appellant prematurely transferred there-from where-against he preferred departmental appeal on 31.8.2015 which was not respondent and hence the instant service appeal on 7.12.2015.

Appellant Deposited
Security & Process Fee

That the impugned transfer order is violative of rules and as such liable to be set aside.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 6.4.2016 before S.B at Camp Court Swat.

Chairman
Camp Court Swat

06.04.2016



Counsel for the appellant and Mr. Muhammad Saeed, S.S alongwith Mr. Abdul Qadir, GP for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 05.09.2016 at Camp Court, Swat.

Chairman
Camp Court, Swat.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1364/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07.12.2015	<p>The appeal of Mr. Muhammad Gul presented today by Mr. Aziz-ur-Rehman Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2		<p>This case is entrusted to Touring Bench Swat for preliminary hearing to be put up thereon <u>13-1-15</u>.</p> <p> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1364 of 2015

Mohammad Gul SST General working as ASDEO (M) Circle Mingora Swat
Presently posted as SST at Government High School Totano Bandai District
Swat.

...Appellant

Versus

Government Of Khyber Pakhtunkhwa Through Secretary Elementary and
Secondary Education, Peshawar and others.

.... Respondents

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1	Memo of Appeal	--	1 to 5
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4	Copy of the order dated 27-2-2015	A	8
5	Copy of the Notification dated 23-7-2015	B	9-11
6	Copy of the letter dated 27-10-2009	C	12
7	Copy of the Memo dated 29-1-2002	D	13
8	Copy of the order dated 26-08-2015	E	14
9	Copy of the departmental appeal	F	15-16
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Aziz-ur-Rahman
Advocate, High Court Swat.
Office, Gulshan Chowk Khan Plaza,
G.T. Road Mingora Swat.
Cell # 0333-9297746

①

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

Service Appeal No. 1364 -M of 2015

Mohammad Gul SST General working as ASDEO(M)
Circle Mingora Swat, presently posted as SST at
Government High School Totano Bandai, District Swat.

...Appellant

VERSUS

F.W.F. Province
Service Tribunal
Diary No. 1423
dated 07-12-2015

1. The Government of Khyber Pakhtunkhwa through
Secretary Elementary and Secondary Education,
Peshawar.
2. Director Secretary Elementary and Secondary
Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Swat at Gulkada
4. Sardar Ali SST Science at GHS Chithor, presently
as ASDEO (M) Circle Mingora, District Swat.

...Respondents

APPEAL UNDER SECTION 4 OF
THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974
AGAINST THE ORDER OF
RESPONDENT NO. 2, WHO VIDE
NOTIFICATION ENDST NO. 4464-
66/F.NO. 436/VOL-13/ADEO (M)
TRANSFER DATED PESHAWAR
THE 26-08-2015, TRANSFERRED
THE APPELLANT AGAINST THE
LAW, RULES AND POLICY
HENCE THE SAME IS LIABLE TO
BE SET ASIDE AND AGAINST
WHICH THE APPELLANT
PREFERRED A DEPARTMENTAL

Registered
2/12/15

APPEAL TO THE RESPONDENT
NO. 1 WHICH IS STILL NOT
RESPONDED TO DESPITE THE
LAPSE OF MANDATORY PERIOD
OF TIME.

Prayer:

That on acceptance of this appeal the order impugned i.e. Notification Endst No. 4464-66/F.No. 436/Vol-13/ADEO (M) transfer dated Peshawar the 26-08-2015 may very kindly be set aside and the appellant let to perform his duties as ASDEO (M) from the date of issuance of the same with all back benefits.

Respectfully Sheweth:

Facts:

- i. That the appellant is SET (General) duly posted as ASDEO (Male) Circle Mingora since ~~27-2-2015~~ Copy of the order is enclosed as Annexure "A".
- ii. That the respondent No.3 vide his Notification No. 6872-79 dated 23-7-2015 promoted the respondent No.4 from the post of PST to that of SST-II (PHY:MATHS) BPS-16 and was adjusted at GHS Chithor against the vacant post of Science Teacher. Copy of the order is enclosed as Annexure "B".
- iii. That the respondent No.2, in violation of the Provincial Government circular letter No. SO (S) E and SE/2009/Misc dated 27-10-2009 read with memo No. SO (S) 4-5/2002 dated 17-1-2002 of the

provincial Government, circulated by the respondent No. 2 himself, posted the respondent No. 4 in place of the appellant despite the fact that the respondent No. 4 being SST-II (PHY:MATHS) and not eligible for the post. Copy of the circular letter dated 27-10-2009 is enclosed as annexure "C" along with better copy, copy of the memo dated 19-1-2002 is enclosed as annexure "D" and that of the posting order is enclosed as "E", respectively.

- iv. That neither the respondent No.2 is competent to override the policy of the Government nor to issue an order for which he is not competent. Hence, the order is absolutely without lawful authority and consequently the respondent No.4 would be **holding a public office wrongly.**
- v. That feeling aggrieved from the impugned order / Notification, as he was transferred prematurely without any reasons, the appellant preferred a departmental appeal, which is still lying pending despite the lapse of mandatory period of time, hence this appeal on the following grounds. Copy of the appeal is enclosed as Annexure "F".

Grounds:

- a. That the due course of law is to not post an SST-II (PHY:MATHS) against the post meant for SST General. Consequently the impugned order is against the law and as such the super structure built thereupon would crumble down to the earth,

4

for the reason that a thing must be done in the manner prescribed by law or not to be done at all.

- b. That on 23-7-2015 the respondent No. 4 was properly adjusted at the GHS Chitor as SST II, but after a very short tenure of one month, posting him out of his proper place to an improper post and that too without any reason is not sustainable in the eyes of law.
- c. That the policy and reiteration by the Government for its adherence is clear and the respondent No.2 and 3 are bound to perform their duties and exercise their powers within the scope of the law. It is also policy of the Provincial Government that in the normal course the employees shall complete their normal tenure.
- d. That in light of the afore mentioned letters/policy of the Provincial Government the respondent No. 4 would be holding the public office wrongly on two scores, (i) that an order for which the respondent No. 2 and 3 have no lawful authority would still be complied with and (ii) when the respondent No. 4 himself is not eligible.
- e. That the authorities have not shown any reason, whatsoever, for the premature transfer of the appellant, which is against the law, rules and policy of the Government.

It is, therefore, very respectfully prayed that on acceptance of this appeal the impugned order may very kindly be set aside leaving the appellant

and the respondent No. 4 to hold their offices prior to the issuance of the impugned order.

Any other relief deemed appropriate in the circumstances may also very kindly be granted.

~~Appellant~~
~~Muhammad Gul~~

Through Counsels,
eg Aziz-ur-Rahman

Imdad Imdad Ullah
Advocates Swat

(6)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ -M of 2015

Mohammad Gul SST General working as ASDEO(M)
Circle Mingora Swat, presently posted as SST at
Government High School Totano Bandai, District Swat.

...Appellant

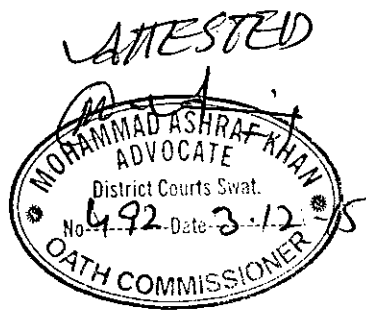
VERSUS

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

...Respondents

AFFIDAVIT

I Muhammad Gul solemnly state on Oath that all
the contents of this appeal are true and correct to the best
of my knowledge and belief and nothing has either been
kept concealed or misstated thereto.



Deponent

Muhammad Gul

Identified By:

Aziz-ur-Rahman

Advocate Swat

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ -M of 2015

Mohammad Gul SST General working as ASDEO(M)
Circle Mingora Swat, presently posted as SST at
Government High School Totano Bandai, District Swat.

...Appellant

VERSUS

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

...Respondents

ADDRESSES OF THE PARTIES

Appellant:

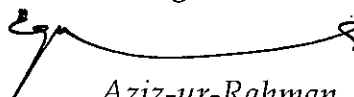
Mohammad Gul SST General working as ASDEO(M) Circle
Mingora Swat, presently posted as SST at Government High
School Totano Bandai, District Swat.

Respondents:

1. The Government of Khyber Pakhtunkhwa through
Secretary Elementary and Secondary Education,
Peshawar.
2. Director Secretary Elementary and Secondary
Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Swat at Gulkada
4. Sardar Ali SST Science at GHS Chithor, presently
as ASDEO (M) Circle Mingora, District Swat.

Appellant

Through Counsel,



Aziz-ur-Rahman

Advocate Swat

(8)

A. Hussain

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA.

NOTIFICATION

The following transfers/posting are hereby ordered in their own pay & BPS in the interest of public service with immediate effect subject to the following terms & conditions:-

S#	Name/designation & address	Where posted as	Remarks
1	Mr. Iltaf Hussain ASDEO (M) Circle Mingora Swat.	ADEO (Sports) DEO (M) Swat.	Vice S.No.2
2	Muhammad Gul SST working against the post of ADEO (Sports) DEO (M) Swat.	ASDEO (M) Circle Mingora Swat.	Vice S.No.1

TERMS & CONDITIONS.

1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.
3. The order of the SST at S.No.2 above (teaching cadre) will be effective subject to the conditions that they will give an undertaking/affidavit on legal paper/stamp paper to DEO (M) Swat to the effect not to claim seniority of Management cadre.
4. His seniority will be intact in teaching cadre as per rules. He will not affect the promotion of any incumbent of that cadre.
5. The terms & conditions mentioned in his appointment orders as SST teaching cadre will intact.
6. He will not claim any kind of absorption in management cadre.

Endst: No. 4542-47 / F. No. 436/Vol-02/ADEO (M) transfers.

DIRECTOR

Dated Peshawar the 27/2/2015

Copy of the above is to the:-

1. District Education Officer (M) Swat.
2. District Accounts Officer Swat.
3. SDEO (M) Swat.
4. Officials concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

ATTESTED

[Signature]

ADVOCATE



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)

Swat

(Cell # 0946 9240209-228)

Annexure B

NOTIFICATION.

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the notification Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his Office Endst: No.965-71/File No.2/Promotion SST BPS-16 dated Peshawar the 03.07.2015 and No.3745-52 F.No.2/Promotion SST B-16 dated 15.07.2015 Government of the Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification No.SO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance department Endorsement NO.SO(FR)/FD/10-22 N(E)/2010 Dated 16.07.2012, the following Male S.CT,PSHT/SPST/PST,S.DM,S.AT,STT are hereby promoted to the post of SST BPS-16 (10000-800-34000)plus usual allowances as admissible under the rules on regular basis and school based under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further they are adjusted in the school noted against their name against the newly upgraded Senior S.DM BPS-16 Posts in the interest of public service.

A. SST-I (Bio-Chem)

S#	Name of Teacher	Present place of duty in	School where adjusted in B-16	Remarks
1	Mr.Fazal Ghaffar S.CT	GHS,Shawar	GHS,Sijbanr	Against SST-I vacant post
2	Mr.Fazal Subhan S.CT	GHSS,Mingora	GHSS,Mingora	-do-
3	Mr.Khandan S.CT	GHS,Chamtalai	GHS,Tarogay	-do-
4	Mr.Ihsanullah SPST	GPS,Gul Kada	GHS,Amankot	-do-
5	Mr.Haider Ali SPST	GPS,Totano Bandai	GHS,Totano Bandai	-do-
6	Mr.Fazal Akbar SPST	GPS,Deran Patay Matta	GHS,Barawal	-do-
7	Mr.Javed Mian SPST	GPS,Ossar	GHS,Sher Palam	-do-
8	Mr.Nasarullah Khan SPST	GPS,Totano Bandai	GHS,Kanju	-do-
9	Mr.Sher Alam Khan SPST	GPS,Mashi Banda	GHS,Nazar Abad	-do-
10	Mr.Attallah SPST	GPS,Tangbanr	GHS,Sakhra	-do-
11	Mr.Rahmat Qayum SPST	GPS,Mirjanai	GHS,Sirsennai	-do-
12	Mr.Muhammad Fayoon PSHT	GPS,Sharif Abad Kabal	GHSS,Kabal	-do-

B. SST-II (PHY: MATHS)

13	Mr.Habibullah Khan S.CT	GHS,Tall	GHS,Taran	Against SST-II vacant post
14	Mr.Mahboob Ali Shah S.CT	GHSS,Kabal	GHSS,Kabal	-do-
15	Mr.Fazal Wadood S.CT	GHS,Kas Shingrai	GHS,Ser	-do-
16	Mr.Ihsanullah S.CT	GHS,No.4 Mingbora	GHS,No.4 Mingora	-do-
17	Mr.Muhammad Khan S.CT	GHS,Manai	GHS,Asharay	-do-
18	Mr.Gul Faraz Khan S.CT	GHS,Deolai	GHS,Deolai	-do-
19	Mr.Khalid Khan S.CT	GHS,No.3 Mingora	GHS,No.3 Mingorta	-do-
20	Mr.Bashir Ahmad S.CT	GHS,Nazar Abad	GHS,Sher Palam	-do-
21	Mr.Inayatullah SPST	GPS,Ganorai	GHS,No.3 Mingora	-do-

Page 1 of 3

ATTESTED
Muhammad
ADVOCATE

Attested
[Signature]
Advocate

22	Mr.Samiullah SPST	GPS,Shah Dehrai	GHS,Shah Dehrai	-do-
23	Mr.Fayaz Ahmad SPST	GPS,Sinpora	GHS,Shawar	-do-
24	Mr.Muhammad Javed SPST	GPS,Sinpora	GHS,Labat	-do-
25	Mr.Niaz Ahmad SPST	GPS,Ditpanai	GHS,Matta	-do-
26	Mr.Naeem Anwar Shah SPST	GPS,Nasrat	GHS,Shalhand	-do-
27	Mr.Ghani Akbar D.M	GHS,Baboo	GHSS,Kalam	-do-
28	Mr.Anwar Ali S.CT	GHSS,Barikot	GHS,Kanju	-do-
29	Mr.Taj Bacha SPST	GPS,Gadi Kabal	GHS,Shah Dehrai	-do-
30	Mr.Muhammad Saleem SPST	GPS,No.1 Odigram	GHS,Amankot	-do-
31	Mr.Hidayatur Rahman SPST	GPS,Barikot	GHS,No.3 Mingora	-do-
32	Mr.Ihsanullah SPST	GPS,Kandowgay	GHS,Asala	-do-
33	Mr.Sardar Ali SPST	GPS,Tindodag	GHS,Chitawar	-do-
34	Mr.Muhammad Khan SPST	GPS,Enzar Kolalai	GHS,Sakhra	-do-
C. SST (GENERAL)				
35	Mr.Muhammad Zarin Farooqi S.CT	GCMHS,Wadudia	GCMHS,Wadudia	Vice M.Amin SST proceeding on retiring w.e.f 1/8/2015.
36	Mr.Iftikhar Ahmad S.CT	GHSS,Mingora	GH,Parrai	Against vacant SST(G) Post
37	Mr.Syed Khurshid Ali S.CT	GHS,No.3 Mingra	GHS,Dardyal	-do-
38	Mr.Umar Ali S.CT	GHS,Islampur	GMS,Azad Banda	-do-
39	Mr.Muhammad Saleem Khan S.CT	GHSS,Mingora	GMS,Areen	-do-
40	Mr.Jamshid Khan S.CT	GHS,Chail	GHS,Chail	-do-
41	Mr.Shamsul Wahab PSHT	GPS,Totano Bandai	GHS,Totano Bandai	-do-
42	Mr.Abdul Shakoor PSHT	GPS,Sirsennai	GPS,Tall	-do-
43	Mr.Bahri Karam PSHT	GPS,No.3 Mingora	GHS,Kidam	-do-
44	Mr.Muhammad Ishaq S.DM	GHS,Totano Bandai	GHS,Qalagay	-do-
45	Mr.Sultan Muhammad SAT	GHSS,Charbagh	GHS,Banjct	-do-
46	Mr.Muhammad Ishaq S.TT	GHS,Qambar	GHSS,Shamozai	-do-
47	Mr.Haroon Bacha S.CT	GHS,Matta	GHS,Gat Shawar	-do-
48	Mr.Ghawas Ali Khan S.CT	GHS,Bamakhela	GMS,Peochar	-do-
49	Mr.Hazrat Hussain S.CT	GHSS,Mingora	GHS,Sakhra	-do-
50	Mr.Toti Rahman S.CT	GHS,No.1 Mingora	GHS,Dardyal	-do-
51	Mr.Muhammad Yaqoob Khan S.CT	GHS,Balogram	GHS,Khazana	-do-
52	Mr.Fazal Wadood S.CT	GHS,Bandai	GHS,Bandai	-do-
53	Mr.Azizullah S.CT	GHS,Ningolai	GMS,Bafar	-do-
54	Mr.Hidayatullah S.CT	GHS,Matta	GHS,Shawar	-do-
55	Mr.Hamayun S.CT	GHSS,Mingora	GMS,Balokalay	-do-
56	Mr.Muhammad Amin PSHT	GPS,Serai Barikot	GHS,Manai	-do-
57	Mr.Fazal Ahad PSHT	GPS,Tall	GHS,Tall	-do-
58	Mr.Ihsanullah PSHT	GPS,Tango Shalpin	GHS,Ashoran	-do-
59	Mr.Shafiqur Rahman PSHT	GPS,No.1 Toha	GMS,KooMalam Jaba	-do-
60	Mr.Nadar Khan PSHT	GPS,Sarkhana	GHS,Kidam	-do-

ATTESTED

Attested

Mudat
ADVOCATE

Advocate

61	Mr. Nisar Ahmad PSHT	GPS, Aligrama	GHS, Laikot	-do-
62	Mr. Pashmin S. DM	GHS, Tarogay	GHS, Topsin	-do-
63	Mr. Fazal Malik S. TF	GHSS, Chamtalai	GHS, Shalpin	-do-
64	Mr. Liaqat Ali S. Qari	GHS, Shin	GMS, Anakar	-do-

TERMS & CONDIATION.

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt:
3. Their Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed time to time.
4. Charge report should be submitted to all concerned in duplicate.
5. Their Inter-Se-seniority on lower post will remain intact.
6. No.TA/DA is allowed for joining his duty.
7. They will give an under taking to be recorded in their Service Book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

**(Prof. MUHAMMAD UZAIR ALI)
DISTRICT EDUCATION OFFICER (MALE)
SWAT GUL KADA**

Endst No: 6872 - 79


dated: 23/07/2015.

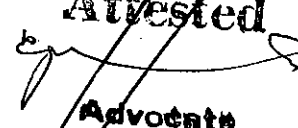
Copy of the above is forwarded for information & necessary action to: -

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Comptroller of Account Swat.
3. The Deputy DEO (M) local Office.
4. The Principal/Head Master Concerned.
5. The Supdt: Secy: local Office.
6. The B&AO local Office.
7. The Candidates concerned.
8. PA to DEO Local Office.


**DISTRICT EDUCATION OFFICER (MALE)
SWAT GUL KADA**

ATTESTED


ADVOCATE

Attested

Advocate

The Director, PITE, Peshawar
The Director, Curriculum & Teachers Education NWFP, Abbottabad
The Director of Education, FATA Peshawar
The Director of Intermediate & Secondary Education in NWFP

(11)

(12)

(13)

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with better copy

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FROM: F.T.B

FAX NO. : 0092 0912593685 * Oct. 28 2009 05:18AM P1

Annexure "C"

IMMEDIATE / BY FAX



GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
No. SO (S) E&SE/2009/Misc
Dated Peshawar the 27-10-2009

*Most immediately
accord to*

1. *Bykalam*
2. *Azim Khan*
3. *H. A. Khan*
4. *A. S. Khan*
5. *A. S. Khan*
6. *Handwritten*
7. *Handwritten*

1. The Director, Elementary & Secondary Education, Peshawar.
2. The Director, PITE, Peshawar.
3. The Director, Curriculum & Teachers Education NWFP, Abbottabad.
4. The Director of Education, FATA Peshawar.
5. All the Chairmen Board of Intermediate & Secondary Education in NWFP.
6. All Executive District Officers (E&SE) in NWFP.

WRONG POSTING

I am directed to refer to the subject noted above and to state that all the teachers/officers in BS-17 and below who are working in their own pay and scale against higher posts may be posted out by the EDOs/Agency Education Officers and their superiors on their original posts/scales/subjects. Detail of these transfers may be submitted to the Directorate E&SE and this Department immediately.

2. I am further directed to request that proposal (s) in case of officers in BS-18 and above posted against higher posts in their own pay and scale/wrong positions, may be submitted to this department latest by 31-10-2009 for its further processing.

3. It is once again re-iterated that the instructions already issued regarding posting/transfer of Subject Specialists and SETs (Science) may be implemented in letter and spirit and they may be posted against their original posts and relevant subjects accordingly.

ATTESTED

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ADVOCATE

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(SYED AHMED KHAN)
SECTION OFFICER (SCHOOLS)

CC:

1. PS to Minister for Education (E&SE) NWFP.
2. PS to Secretary/Special Secretary & PAs to AS/DSA E&SE Department.

Attested
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Advocate

SECTION OFFICER (SCHOOLS)

Better copy of Page No. 12

IMMEDIATE / BY FAX

GOVERNMENT OF NWFP
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

No. SO (S) E&SE/2009/Misc

Dated Peshawar the 27-10-2009

1. The Director, Elementary & Secondary Education, Peshawar.
2. The Director, PITE, Peshawar.
3. The Director, Curriculum & Teachers Education NWFP, Abbottabad.
4. The Director of Education, FATA Peshawar.
5. All the Chairmen Board of Intermediate & Secondary Education in NWFP.
6. All Executive District Officers (E&SE) in NWFP.

WRONG POSTING

1. I am directed to refer to the subject noted above and to state that all the teachers/officers in BS-17 and below who are working in their own pay scale against higher posts may be posted out by the EDOs/Agency Education Officers and adjusted on their original posts/scales/subjects. Details of these transfers may be intimated to the Directorate E&SE and this Department immediately.

2. I am further directed to request that proposal (s) in case of officers in BS-18 and above posted against higher posts in their own pay and scale/wrong positions, may be submitted to this department latest by 31-10-2009 for its further processing.

3. It is once again re-iterated that the instructions already issued regarding posting/transfer of Subject Specialists and SETs (Science) may be implemented in letter and spirit and they may be posted against their original posts and relevant subjects accordingly.

--sd--

(SYED AHMED KHAN)

SECTION OFFICER (SCHOOLS)

CC:

1. PS to Minister for Education (E&SE) NWFP.
2. PS to Secretary/Special Secretary & PAs to AS/DSA E&SE Department.

SECTION OFFICER (SCHOOLS)


ATTESTED

Inded

ADVOCATE

Attested

[Signature]
Advocate

Annexure 0  
13

MOST IMMEDIATE.

A copy of Memo:No. SO(S)4-5/2002 dated 17.1.2002, received from Section Officer(S) Govt: of NWFP; Schools & Literacy Department, Addressed to this office and copy thereof endorsed to all concerned of even No. and date.

SUBJECT:- TRANSFER OF SET(SCIENCE) MALE/FEMALE FROM MIDDLE SCHOOLS AND DISTRICT/TEHSIL OFFICES TO HIGH SCHOOLS.
.....

I am directed to refer to the subject noted above and to state that it has come to the notice of the Competent Authority that a large number of SETS(Science) are working as Head Master/Head Mistress in Government Middle Schools as well as Assistant District Officers(Male/Female) Education in the offices which have no beneficial effect on the Education system. The real objectives behind their induction is apparently defeated to the students particular science students of the High Schools are not taking any help owing to the posting of Science Teachers against irregular position.

2. I am therefore directed to request that in future this practice should be banned forthwith and all the Executive District Officers(Education) in NWFP be directed to immediately transfer all those Science SETS(Male/Female) who are working in Middle Schools and in the District Tehsil Offices to High Schools as well as to avail their services on rational grounds.

3. This Department may also be informed accordingly.


Sd/-
(S. MUBARIK SHAH)
SECTION OFFICER(SCHOOLS)

OFFICE OF THE DIRECTOR SECONDARY EDUCATION N.W.F.P., PESHAWAR.


Endst:No. 3217-55 /O-1/II-AG/Vol-2/GS. Dated Peshawar the 29-1 /2002.

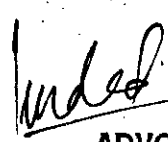
Copy of the above is forwarded for 77/Action & strict compliance to:-

1. The Deputy Directress Local Directorate.
2. The Deputy Directors -do-
3. All the Executive District Officers Literacy/Education in N.W.F.P.
4. Registrar Departmental Examination, Education Department, NWFP, Peshawar.
5. Section Officer(Schools) Govt: of NWFP, Schools & Literacy Department w/r to his letter No. referred to above for information.
6. All the Assistant Directors Local Directorate .
7. Superintendents Establishment I & II Local Directorate.
8. P.A. to Director Secondary Education NWFP, Peshawar w/r to his Diary No.343 dated 22.1.2002 for information.


DEPUTY DIRECTOR SECONDARY
EDUCATION NWFP, PESHAWAR.

ATTESTED

Attested

Advocate


ADVOCATE

Annexure "E"
[Signature]

14

[Signature]

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA.

NOTIFICATION

The following transfers/posting are hereby ordered in their own pay & BPS in the interest of public service with immediate effect subject to the following terms & conditions:-

S#	Name/designation & address	Where posted as	Remarks
1	Muhammadi Gul SST working as ASDEO (M) Circle Mingora Swat.	His services placed at the disposal of DEO (M) Swat.	For further posting against vacant post of SST
2	Mr. Sardar Ali SST GHS Chitor District Swat.	ASDEO (M) Circle Mingora District Swat.	Vice S.No.1

TERMS & CONDITIONS.

1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.
3. The order of the above named SST at S.No.2 (teaching cadre) will be effective subject to the conditions that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (M) Swat to the effect not to claim seniority of Management cadre.
4. His seniority will be intact in teaching cadre as per rules. He will not affect the promotion of any incumbent of that cadre.
5. The terms & conditions mentioned in his appointment orders as SST teaching cadre will intact.
6. He will not claim any kind of absorption in management cadre.

Endst: No. 4464-66 /F. No. 436/Vol-13/ADEO (M) transfers.

DIRECTOR

Dated Peshawar the 26/8 2015

Copy of the above is to the:-

1. District Education Officer (M) Swat.
2. District Accounts Officer Swat.
3. SDEO (M) Swat.
4. Principal GHS Chitor District Swat.
5. Officials concerned.
6. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
7. Master File.

Deputy Director (Estab)
Elementary & Secondary Education KP
[Signature]
26/8/15

ATTESTED

[Signature]

ADVOCATE

Attested

[Signature]
Advocate

BEFORE THE SECRETARY ELEMENTARY & SECONDARY EDUCATION KPK
PESHAWAR.

MUHAMMAD GUL SST(GENERAL)
WORKING AS ASDEO(M) CIRCLE MINGORA

.....(PETITIONER)

**APPEAL AGAINST THE IMPUGNED NOTIFICATION UNDER ENDSTT;NO. 4464-66
/F.NO.436/VOL-13/ADEO(M) TRANSFER DATED 26/8/2015 OF THE DIRECTOR
ELEMENTARY & SECONDARY EDUCATION KPK PESHAWAR**

PRAYER.

IN THE LIGHT OF PROVINCIAL GOVERNMENT CIRCULAR LETTER NO.SO(S) E&SE/2009/Misc dated 27/10/2009 read with Memo; No.SO(S) 4-5/2002 dated 17/1/2002, THE IMPUGNED NOTIFICATION NO.& DATE AS MENTIONED ABOVE MAY DECLARED ILLEGAL, VIOLATIVE OF THE POLICY AND WITHOUT JURISDICTION AND MAY VERY KINDLY BE SET ASIDE.

Respected Sir,

The Petitioner submits as under:

FACTS

1. That the Petitioner is SST(General) dully posted as ASDEO(M) Circle Mingora since 1/3/2015.
2. That Respondent, Mr.Sardar Ali SST(Science-II) of Physics & Maths has recently promoted to SST (Science-II) vide DEO(M) Swat office order No.6872-79 dated 23/7/2015 (Copy appended as **Annexure-A**) from the post of PST and adjusted at GHS Chitawar swat against the vacant post of science teacher.
3. That Provincial Government Circular letter Memo;No. NO.SO(S) E&SE/2009/Misc dated 27/10/2009 read with Memo; No. SO(S) 4-5/2002 dated 17/1/2002, circulated by the Director E&SE KPK Peshawar with the instructions that the science Teacher may be posted against their original post accordingly (Copy appended as **annexure B& C**).
4. That despite the facts and prevailing rules and Provincial Government Notifications, respondent, Mr.Sardar Ali SST(Science-II) GHS Chitawar has been posted as ASDEO(M) Circle Mingora in place of the Petitioner Vide Directorate Notification under Endstt;No. **NO. 4464-66 /F.NO.436/VOL-13/ADEO(M) TRANSFER DATED 26/8/2015** (Copy appended as **annexure-D**)
5. That the case falls within the domain of the fitness in the eyes of law, therefore, only remedy available with the Petitioner is, to approach to your good self on the following grounds:

GROUND

- a. That the impugned notification as mentioned above is against the prevailing policy, notifications and rules as mentioned above,
- b. That the due course of law is to not post as SST-II (Physics & Maths) against the post meant for SST General as well as ASDEO/ Administrative posts.
- c. That on 23/7/2015 the Respondent, Mr.Sardar Ali SST-II(Science Teacher) was properly adjusted at the present school/post ie SST-II, GHS Chitawar but after a very short tenure of one month, posting him out of his proper place to an improper post and that too without

ATTESTED

Wadeed

ADVOCATE

any reason is not sustainable in the eyes of law and the prevailing rules and policy.

- d. That in the light of the afore mentioned letter/policies of the Provincial Government, Respondent Mr.Sardar Ali SST-II (Science) GHS Chitawar would be holding the public office wrongly which is the clear violation of rules and laws pertaining to the posting/transfer.

It is, therefore, humbly prayed that the impugned notification /order may very graciously be set aside and any other relief deemed appropriate in the circumstances may also be granted.

INTRIEM RELIEF

It is further prayed that till the final disposal of the instant appeal, operation of the impugned notification /order, Endstt;No. 4464-66 dated 26/8/2015 may be very kindly suspended.

PETITIONER

[Handwritten signature]
31/8/2015

MUHAMMAD GUL
SST(GENERAL)/ASDEO
CIRCLE MINGORA
UNDER THE DISPOSAL OF THE
DEO(M) SWAT VIDE
NOTIFICATION NO;AND DATE
AS MENTIONED ABOVE
*CELL; NO/03108046477

ATTESTED

[Handwritten signature]
ADVOCATE

١٧ بعدالت ضد سرسٹریٹونیل کلب و دیگر ایک کوئی سہواہ

کورٹ فیس قیمت ایک روپیہ

مورخہ 2 دسمبر 1922ء منجانب ایس/انڈ
مقدمہ محمد علی بنام حکومت و غیر

دعویٰ سرسٹریٹونیل
جرم باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام سرسٹریٹونیل کلب کے ایس/انڈ/منجانب ایس/انڈ کے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل احتیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا ایے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

المرقوم ۵۲ ماہ دسمبر 1922ء

العبد گ واہ شاہ العبد

Attested and Accepted by

سرسٹریٹونیل کلب کوئی سہواہ کے لئے منظور ہے

محمد لند



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

CAMP COURT AT SWAT

SERVICE APPEAL No.1364/2015

Muhammad Gul SST GHS Totano Bandai DISTRICT SWAT

.... Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa & Others

..... Respondents

SUBJECT: - APPLICATION

RESPECT FULLY SHEWETH

PRELIMINARY OBJECTIONS

1- The appellant has no locus standi /no cause of actions to file the instant appeal against the respondents, as the appellant has been transferred from the post of SST (G) GHS Totano Bandai Swat and posted as ASDEO (M) Matta Swat on 10-3-2016 by the respondent No.2 (copy of the office order and arrival report are attached as Annex A & B.

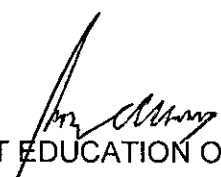
2- The appellant has filed the instant appeal on malafide motives.

3- The instant appeal is not maintainable in the present form as clarified in Para 1. Of the preliminary objections.

FACTUAL OBJECTIONS

1. That the appellant has filed the instant appeal against his transfer order from the post of ASDEO circle Mingora to GHS Totano Bandai District Swat dated 26-8-2015 passed by Respondent No.2
2. That the appellant has been transferred from SST (G) GHS Totano Bandai Swat and posted as ASDEO Circle Matta on 10-3-2016.by the respondent No.2.presently the appellant is working as ASDEO Matta Swat and The grievances of the appellant in the instant service appeal have been redressed by the respondent No.2 (office order already attached as Annex A & B.

In view of the above facts and circumstances, this Honorable Tribunal may very graciously be pleased to dismiss the present appeal with cost in favor of Respondents.


DISTRICT EDUCATION OFFICER
(MALE) DISTRICT SWAT

Annex-A

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA; PESHAWAR.

OFFICE ORDER.

The following postings/transfers are hereby ordered in their own pay & BPS in the larger interest of public service with immediate effect.

S#	Name/Designation & Address	Where adjusted as	Remarks
1	Mr. Abdul Aziz Shaheen SST working against the post of ASDEO (M) Circle Matta Swat.	His placed at the disposal of DE&SE Khyber Pakhtunkhwa	For further posting Against V/Post of SST
2	Muhammad Gul SST GHS, Totano Bandai Swat.	ASDEO (M) Circle Matta District Swat.	Vice S:No.1

Note:-

1. Charge report should be sent to all concerned.
2. NO TA/DA etc are allowed.
3. The terms & conditions mentioned in the appointment order of S.No.2 as SST Teaching cadre will intact.

DIRECTOR

Endst: No. 2307-4 /F.No.436/Vol-20/ADEOs (M) Transfers.

Dated Peshawar the 10/3/2016

Copy of the above is forwarded to the:-

1. District Education Officer (M) Swat.
2. District Accounts Officer Swat.
3. Principal GHS concerned.
4. Officials concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa Peshawar.
6. Master File.

10/3/16
Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa

Service Appeal NO 1364/15

Annex-B

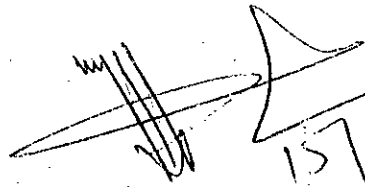


The District Education officer
Male swat at Gulkada.

Subject: ARRIVAL REPORT.

Respected Sir,

It is requested that I have been transfer vide Director Elementary & Secondary Education K.Pakhtunkhwa Peshawer Endst: No 2202-4/F.No 436/Vol-20/ASDEOs(M) transfer dated peshawer the 10/03/2016 as ASDEO (M) Circle Matta District Swat. I hereby submit my arrival report for duty on 15/03/2016.


15/3/2016

MUHAMMAD GUL
ASDEO(M) PRIMARY CIRCLE MATTA SWAT.

Service Appeal No: 1364/2015

Muhammad Gul SST(G) working as ASDEO(M) Mingora Swat, presently posted as SST GHS Totano Bandai District Swat.Appellant.

VERSUS

Secretary (E&SE)Department, Khyber Pakhtunkhwa & others.Respondents

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No:1-3

Respectfully Sheweth :-

The Respondents submit as under :-

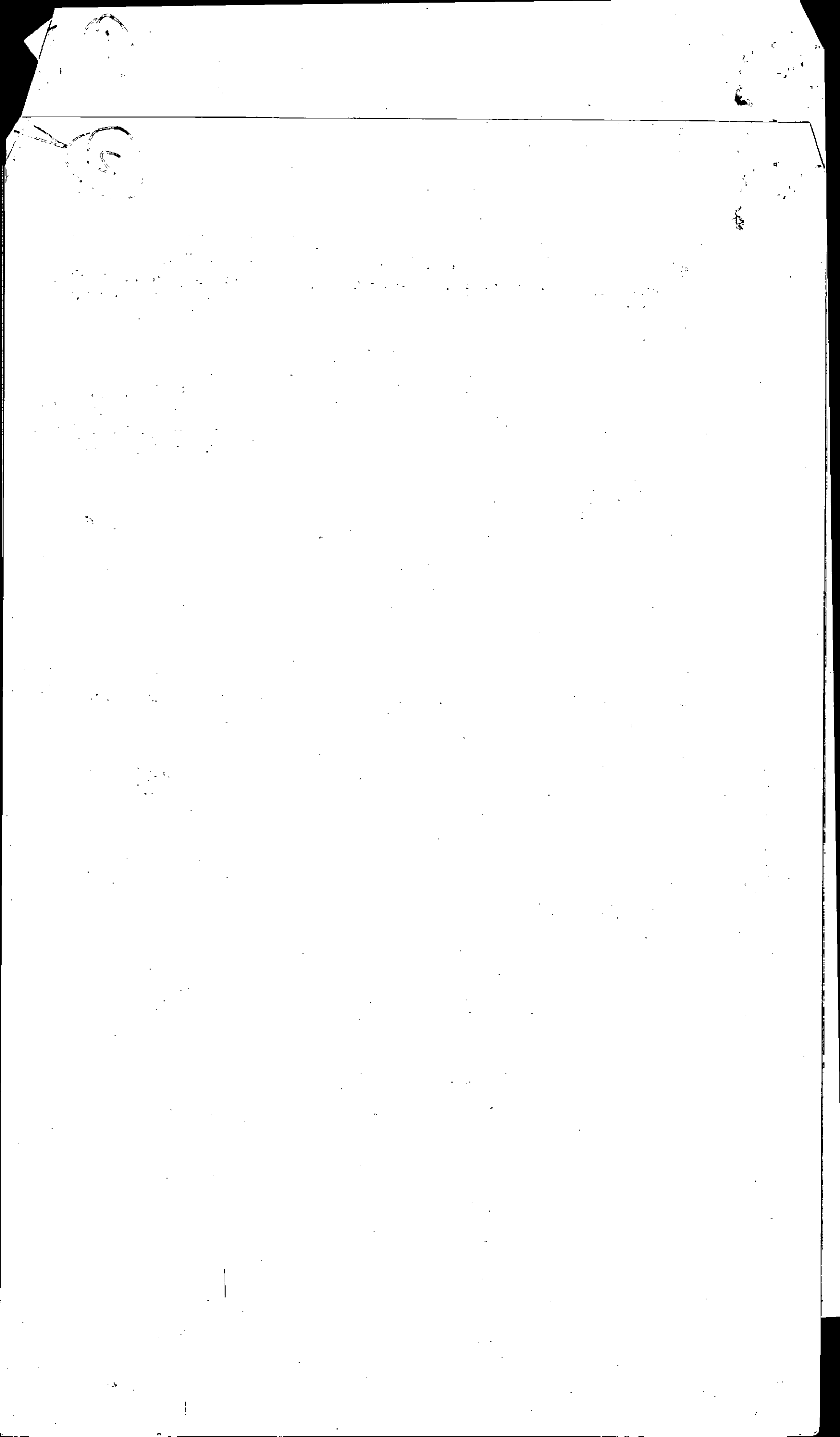
*ROF
MA*

Preliminary Objections

- 1 That the Appellant has got no cause of action / locus standi .
- 2 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 3 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 4 That the Appellant is not entitled for the relief he has sought from this Honorable Tribunal .
- 5 That the instant Service Appeal is against the prevailing law & rules.
- 6 That the instant Appeal is based on mala-fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits against SST(G) post.
- 7 That the instant Service Appeal is not maintainable in its present form.
- 8 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 9 That the instant Service Appeal is barred by law.
- 10 That the Appellant is not competent to file the instant appeal against the Respondents.
- 11 That the impugned Notification dated 26/8/2015, of the Respondent No: 2 is legally competent & is liable to be maintained in favour of the Respondents.
- 12 That the Transfer & posting is the discretionary powers of the competent authority.
- 13 The case of the appellant has been adjusted against the ASDEO post vide Notification dated 10/3/2016 issued by the Respondent No: 2. Hence the instant case is liable to be dismissed.

ON FACTS

- I That Para-I needs no comments, being pertains to the Service Record of the Appellant.
- II That Para-II, is correct. Hence needs no further comments.



3

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favor of the Respondent Department in the interest of justice.

4/6/2016

Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 2&3)

4/6/2016

Secretary
(E&SE) Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1)

Sardar Ali
Respd. No. 4

AFFIDAVIT

I, Khaista Rehman Asstt: Director (Litigation-II) E&SE Department do hereby solemnly affirm and declare that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.


Deponent

Annex - A

(4)

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA, PESHAWAR.**

OFFICE ORDER.

The following postings/transfers are hereby ordered in their own pay & BPS in the larger interest of public service with immediate effect.

S#	Name/Designation & Address	Where adjusted as	Remarks
1	Mr. Abdul Aziz Shaheen SST working against the post of ASDEO (M) Circle Matta Swat.	His placed at the disposal of DE&SE Khyber Pakhtunkhwa	For further posting Against V/Post of SST
2	Muhammad Gui SST GHS, Totano Bandai Swat.	ASDEO (M) Circle Matta District Swat.	Vice S.No.1

Note:-

1. Charge report should be sent to all concerned.
2. NO TA/DA etc are allowed.
3. The terms & conditions mentioned in the appointment order of S.No.2 as SST Teaching cadre will intact.

DIRECTOR

Endst: No. 2307-4 / F.No.436/Vol-20/ADEOs (M) Transfers.

Dated Peshawar the 10-3-2016

Copy of the above is forwarded to the:-

1. District Education Officer (M) Swat.
2. District Accounts Officer Swat.
3. Principal GHS concerned.
4. Officials concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

10/3/2016

Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa

Service Appeal No 1364/15

6

THE ¹[KHYBER PAKHTUNKHWA] CIVIL SERVANTS ACT, 1973.

²[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)
[11th November, 1973].

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extend and commencement.
2. Definitions.
3. Terms & Conditions.
4. Tenure of office of civil servants.
5. Appointment.
6. Probation.
7. Confirmation.
8. Seniority.
9. Promotion.
10. Posting and transfers.
11. Termination of services.
12. Reversion to a lower 3 post.
13. Retirement from service.
14. Employment after retirement.
15. Conduct.
16. Disciplinary action.

¹. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

². Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

17. Pay.
18. Leave.
19. Pension and gratuity.
20. Provident Fund.
21. Benevolent Fund and Group Insurances.
22. Right of appeal or representation.
23. Saving.
24. Removal of difficulties.
25. Appointment of persons on contract, etc.
26. Rules.
27. Repeal.



THE ¹[KHYBER PAKHTUNKHWA]CIVIL SERVANTS ACT, 1973.

²[KHYBER PAKHTUNKHWA]ACT NO. XVIII OF 1973)
[11th November, 1973].

(Received the assent of the Governor of the ³[Khyber Pakhtunkhwa]on 11th
November, 1973).

AN
ACT

to regulate the appointment of persons to, and the terms and conditions of service
of persons in the service of the ⁴[Khyber Pakhtunkhwa].

WHEREAS, it is expedient to regulate by law, the appointment of persons Preamble.
to and the terms and conditions of service of person in the service of the ⁵[Khyber
Pakhtunkhwa] and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

1. (1) This Act may be called the ⁶[Khyber Pakhtunkhwa]Civil Servants Act,
1973.
- (2) This section and section 25, shall apply to persons employed on
contract, or on work charged basis or who are paid from contingencies, and the
remaining provisions of this Act including this section, shall apply to all civil
servants wherever the may be.
- (3) It shall come into force at once.

CHAPTER-1
PRELIMINARY.

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

(a) “*adhoc*appointment” means appointment of a duly qualified
person made otherwise than in accordance with the prescribed
method of recruitment, pending recruitment in accordance with

1. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
2. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
3. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
4. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
5. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
6. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

the prescribed method of recruitment, pending recruitment in accordance with such method.

- (b) "civil servant" means a person who is member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include-
- (i) a person who is on deputation to the Province from the Federation or any other Province or other authority;
 - (ii) a person who is employed on contract, or on work-charged basis or who is paid from contingences; or
 - (iii) a person who is "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);
- (c) "Government" means the Government of the ¹[Khyber Pakhtunkhwa];
- (d) "initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;
- (f) "permanent post" means a post sanctioned without limit of time;
- (g) "prescribed" means prescribed by rules;
- (h) "Province" means the ²[Khyber Pakhtunkhwa];
- (i) "rules" means rules made or deemed to have been made under this Act;
- (j) "selection authority" means the ³[Khyber Pakhtunkhwa] Public Service Commission, a departmental selection board departmental selection committee of other authority or body on the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made;

1. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
2. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
3. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

10

(k) "temporary post" means a post other than a permanent post.

2. For the purpose of this Act, an appointment, whether by promotion or otherwise shall be deemed to have been made on regular basis if it is made in the prescribed manner.

CHAPTER – II TERMS AND CONDITIONS OF SERVICE OF SERVANTS

3. The terms and conditions of service of a civil servant shall be as provided in this Act and the rules. Terms & conditions.

4. Every civil servant shall hold office during the pleasure of the Governor. Tenure of office of civil servant.

5. Appointments to a civil service of the Province or to a civil post in connection with affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf. Appointment.

6. (1) An initial appointment to a service or post referred to in section 5, not being an adhoc appointment, shall be on probation as may be prescribed. Probation.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

(3) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise.-

(a) if he was appointed to such service or post by initial recruitment be discharged; or

(b) if he was appointed to such service or post by promotion or transfer, be reverted to the service.

or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

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Provided that in the case of initial appointment to a service or post a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. (1) A person appointed on probation shall on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed. Confirmation.

(2) A civil servant promoted to a post ¹[* * *] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing there from.

(5) Confirmation of civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8 (1) For proper administration of service, cadre or ²[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or ³[post] to be prepared but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or ⁴[post] as the case may be. Seniority.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or ⁵[cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, ⁶[Cadre] or post shall be determined as may be prescribed.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

1. The word "or grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985.
 2. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 3. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 4. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 5. The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No.IV of 1985.
 6. The word "Grade" subs. by Khyber Pakhtunkhwa Ord No.IV of 1985.

¹[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.]

9. (1) A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a ²[higher] post for the time being reserved under the rules for departmental promotion in ³[* * *] the service or cadre to which he belongs. Promotion.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed —

(a) in the case of a selection post, on the basis of selection on merit; and

(b) in the case of a non-selection post, on the basis of seniority — cum- fitness.

10. 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 an corporation or body set up or established by any such Government: Posting and transfers.

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had been so required to serve.

11. (1) The service of civil servant may be terminated without notice.- Termination of services.

(i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one ⁴[service] cadre or post to another ⁵[service] as he holds a line against his former post in such ⁶[service] or

¹. Added vide Khyber Pakhtunkhwa Act No.I of 1989.

². The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985.

³. The words "the higher grade of" omitted by Ord.No. IV of 1985.

⁴. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

⁵. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

⁶. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

cadre but he shall be reverted to his former ¹[service] cadre or post, as the case may be;

- (ii) on the expiry of the initial or extended period of his employment; or
- (iii) if the appointment is made *ad hoc* terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of post in a cadre or grade, the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2) the service of a civil servant in temporary employment or appointed *ad hoc* shall be liable to termination on fourteen days notice or pay in lieu thereof.

12. A civil servant appointed to a higher post or ²[To a higher post or before the commencement of the ³[Khyber Pakhtunkhwa] Civil Servants (Amendment) Ordinance 1985 to a higher ⁴[grade] *ad hoc* or on temporary or officiating basis shall be liable to reversion to his lower post ⁵[* * *] without notice..

Reversion to a lower post.

⁶["12-A Certain persons to be liable to removal or reversion.- Notwithstanding anything contained in his terms and conditions of service a civil servant appointed or promoted during the period from first day of January, 1972 to the fifth day of July, 1977, may be removed from service or reverted to his lower post ⁷[* * *] as the case may be without notice by the Governor or a person authorized by him in this behalf on such date as the Governor or as the case may be, the person so authorized may, in the public interest, direct."]

⁸[13. Retirement from service. (1) A civil servant shall retire from service-

- (a) On such date after he has completed twenty five years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or

¹ The word "Grade", subs. by Khyber Pakhtunkhwa Ord.No.IV of 1985.
² Ins. by Khyber Pakhtunkhwa Ord.No. IV of 1978.
³ Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
⁴ In the margin the word "Grade or service" subs. by Khyber Pakhtunkhwa Ord.No.IV of 1985.
⁵ The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1958.
⁶ Section 12-A, ins. by Khyber Pakhtunkhwa Ord.No.IX of 1978.
⁷ The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1958.
⁸ Substituted vide Khyber Pakhtunkhwa Ord No.VIII of 2000..

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- (b) Where no direction is given under clause (a), on the completion of the sixtieth years of his age.

(2) No direction under clause (a) sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation. – In this section, the expression “competent authority” means the appointing authority prescribed in rule 4 of the ¹[Khyber Pakhtunkhwa] Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.]”

14. (1) A retired civil servant shall not ordinarily be re-employed under Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority: Employment after retirement.

Provided that, where the appointing authority is the Governor, such re-employment may be ordered with the approval of the Governor.

- (2) Subject to the provisions of sub-section (1) of section 3 of the Ex-Government Servants (Employment with Foreign Governments) (Probation) Act, 1966 (Act XII of 1966), a civil servant may during leave preparatory to retirement, or after retirement from Government service, seek any Private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

15. The Conduct of a civil servant shall be regulated by rules made or instructions issued by Government or a prescribed authority whether generally or in respect of a specified group or class of civil servants. Conduct.

16. A civil servant shall be liable to Prescribed disciplinary action and penalties in accordance with the prescribed procedure. Disciplinary action.

17. Civil servant appointed to a post ²[* * *] shall be entitled, in accordance with the rules, to the pay sanctioned for such post ³[* * *]. Pay.

Provided that, when the appointment is made on a current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

1. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
 2. The word “grade” omitted by Khyber Pakhtunkhwa Ord No.IV of 1985.
 3. The word “grade” omitted by Khyber Pakhtunkhwa Ord No.IV of 1985.

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Provided further that where civil servant has , under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. A civil servant shall be allowed leave in accordance with the leave rule applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority. Leave.

“19. Pension and gratuity.--- (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed. Pension and gratuity.

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, as may be prescribed—.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of Pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1st July, 2001 till 23rd July, 2005 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of Contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

(5) In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a Committee comprising of the Secretary to Government, Finance

1. Substituted vide Khyber Pakhtunkhwa Act No.III of 2013.

Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.]”

20. (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to including the interest accruing thereon, if any and withdrawals or advances from, his provident fund during the preceding financial year.

Provident Fund.

(2) Where any subscription made by a civil servant to his provident fund has not been shown credited in the account by the Accounts Officer or other officer required to maintain such accounts such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. All civil servants and their families shall be entitled to the benefits admissible under the West Pakistan Government Employments Welfare Fund Ordinance, 1969 (W.P. Ord I of 1969) or the ¹[Khyber Pakhtunkhwa] Government Servants Benevolent Fund Ordinance, 1972 (²[Khyber Pakhtunkhwa] Ord. VII of 1972), and the rules made thereunder.

Benevolent Fund and Group Insurances.

22. (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order.

Right of appeal or representation.

(2) Where no provisions for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may within thirty days of the communication to him of such order make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

CHAPTER – III MISCELLANFOUS.

23. Nothing in this Act or in any rule shall be construed to limit or abridge the power of the Governor to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Saving.

1. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

2. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.

Provided that where this Act or any rule is applicable to the case of a civil servant the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

24. If difficulty arises in giving effect to any of the provisions of this Act, the Governor may make such order, not inconsistent with the provisions of this Act, as may appear to him to be necessary for the purpose of removing the difficulty: Removal of Difficulties.

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

25. The Governor or any person authorized by the Governor in that behalf may, on such terms and conditions as he may specify in each case, appoint persons on contract basis, or on work charged basis or who are paid out of contingencies: Appointment of persons on contract etc.

Provided that all such employees who were working in any such capacity immediately before the commencement of this Act shall continue to be so employed on the same terms and conditions on which they were appointed.

26. (1) The Governor or any person authorized by the Governor in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act. Rules.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules orders or instructions are not inconstant with the provisions of this Act, be deemed to be rules made under this Act.

27. The ¹[Khyber Pakhtunkhwa]Civil Servants Ordinance 1973 (²[Khyber Repeal. Pakhtunkhwa]Ordinance No. VI of 1973) is here by repealed.

1. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.
2. Subs Vide the Khyber Pakhtunkhwa Act.IV of 2011.



OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)

Swat

(Cell # 0946 9240209-228)

(Signature)

Annexure

NOTIFICATION.

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the notification Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide his Office Endst: No.965-71/File No.2/Promotion SST BPS-16 dated Peshawar the 03.07.2015 and No.3745-52 F.No.2/Promotion SST B-16 dated 15.07.2015 Government of the Khyber Pakhtunkhwa Elementary & Secondary Education Department Notification No.SO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance department Endorsement NO.SO(FR)/FD/10-22 N(E)/2010 Dated 16.07.2012, the following Male S.CT,PSHT/SPST/PST,S.DM,S.AT,STT are hereby promoted to the post of SST BFS-16 (10000-800-34000)plus usual allowances as admissible under the rules on regular basis and school based under the existing policy of the Provincial Government, in Teaching Cadre on the terms and condition given below with immediate effect and further they are adjusted in the school noted against their name against the newly upgraded Senior S.DM BPS-16 Posts in the interest of public service.

A. SST-I (Bio-Chem)

S#	Name of Teacher	Present place of duty in	School where adjusted in B-16	Remarks
1	Mr.Fazal Ghaffar S.CT	GHS,Shawar	GHS,Sijbanr	Against SST-I vacant post
2	Mr.Fazal Subhan S.CT	GHSS,Mingora	GHSS,Mingora	-do-
3	Mr.Khandan S.CT	GHS,Chamtalai	GHS,Tarogay	-do-
4	Mr.Ihsanullah SPST	GPS,Gul Kada	GHS,Amankot	-do-
5	Mr.Haider Ali SPST	GPS,Totano Bandai	GHS,Totano Bandai	-do-
6	Mr.Fazal Akbar SPST	GPS,Deran Patay Matta	GHS,Barawal	-do-
7	Mr.Javed Mian SPST	GPS,Ossar	GHS,Sher Palam	-do-
8	Mr.Nasarullah Khan SPST	GPS,Totano Bandai	GHS,Kanju	-do-
9	Mr.Sher Alam Khan SPST	GPS,Mashi Banda	GHS,Nazar Abad	-do-
10	Mr.Attaullah SPST	GPS,Tangbanr	GHS,Sakhra	-do-
11	Mr.Rahmat Qayum SPST	GPS,Mirjanai	GHS,Sirsennai	-do-
12	Mr.Muhammad Fayoon PSHT	GPS,Sharif Abad Kabal	GHSS,Kabal	-do-

B. SST-II (PHY: MATHS)

13	Mr.Habibullah Khan S.CT	GHS,Tall	GHS,Taran	Against SST-II vacant post
14	Mr.Mahboob Ali Shah S.CT	GHSS,Kabal	GHSS,Kabal	-do-
15	Mr.Fazal Wadood S.CT	GHS,Kas Shingrai	GHS,Ser	-do-
16	Mr.Ihsanullah S.CT	GHS,No.4 Mingbora	GHS,No.4 Mingora	-do-
17	Mr.Muhammad Khan S.CT	GHS,Manai	GHS,Asharay	-do-
18	Mr.Gul Faraz Khan S.CT	GHS,Deolai	GHS,Deolai	-do-
19	Mr.Khalid Khan S.CT	GHS,No.3 Mingora	GHS,No.3 Mingorta	-do-
20	Mr.Bashir Ahmad S.CT	GHS,Nazar Abad	GHS,Sher Palam	-do-
21	Mr.Inayatullah SPST	GPS,Ganorai	GHS,No.3 Mingora	-do-

Page 1 of 3

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23/7/2015

ATTESTED

(Signature)

ADVOCATE

Attested

Advocate

22	Mr. Samiullah SPST	GPS, Shah Dehrai	GHS, Shah Dehrai	-do-
23	Mr. Fayaz Ahmad SPST	GPS, Sinpora	GHS, Shawar	-do-
24	Mr. Muhammad Javed SPST	GPS, Sinpora	GHS, Labat	-do-
25	Mr. Niaz Ahmad SPST	GPS, Ditpanai	GHS, Matta	-do-
26	Mr. Naeem Anwar Shah SPST	GPS, Nasrat	GHS, Shalhand	-do-
27	Mr. Ghani Akbar D.M	GHS, Baboo	GHSS, Kalam	-do-
28	Mr. Anwar Ali S.CT	GHSS, Barikot	GHS, Kanju	-do-
29	Mr. Taj Bacha SPST	GPS, Gadi Kabal	GHS, Shah Dehrai	-do-
30	Mr. Muhammad Saleem SPST	GPS, No.1 Odigram	GHS, Amankot	-do-
31	Mr. Hidayatur Rahman SPST	GPS, Barikot	GHS, No.3 Mingora	-do-
32	Mr. Ihsanullah SPST	GPS, Kandowgay	GHS, Asala	-do-
33	Mr. Sardar Ali SPST	GPS, Tindodag	GHS, Chitawar	-do-
34	Mr. Muhammad Khan SPST	GPS, Enzar Kolalai	GHS, Sakhra	-do-
C. SST (GENERAL)				
35	Mr. Muhammad Zarin Farooqi S.CT	GCMHS, Wadudia	GCMHS, Wadudia	Vice M.Amin SST proceeding on retiring w.e.f 1/8/2015.
36	Mr. Iftikhar Ahmad S.CT	GHSS, Mingora	GH, Parrai	Against vacant SST(G) Post
37	Mr. Syed Khurshid Ali S.CT	GHS, No.3 Mingra	GHS, Dardyal	-do-
38	Mr. Umar Ali S.CT	GHS, Islampur	GMS, Azad Banda	-do-
39	Mr. Muhammad Saleem Khan S.CT	GHSS, Mingora	GMS, Areen	-do-
40	Mr. Jamshid Khan S.CT	GHS, Chail	GHS, Chail	-do-
41	Mr. Shamsul Wahab PSHT	GPS, Totano Bandai	GHS, Totano Bandai	-do-
42	Mr. Abdul Shakoor PSHT	GPS, Sirsenai	GPS, Tall	-do-
43	Mr. Bahri Karam PSHT	GPS, No.3 Mingora	GHS, Kidam	-do-
44	Mr. Muhammad Ishaq S.DM	GHS, Totano Bandai	GHS, Qalagay	-do-
45	Mr. Sultan Muhammad S.AT	GHSS, Charbagh	GHS, Banjct	-do-
46	Mr. Muhammad Ishaq S.TT	GHS, Qambar	GHSS, Shamoza	-do-
47	Mr. Haroon Bacha S.CT	GHS, Matta	GHS, Gat Shawar	-do-
48	Mr. Ghawas Ali Khan S.CT	GHS, Bamakhela	GMS, Peochar	-do-
49	Mr. Hazrat Hussain S.CT	GHSS, Mingora	GHS, Sakhra	-do-
50	Mr. Toti Rahman S.CT	GHS, No.1 Mingora	GHS, Dardyal	-do-
51	Mr. Muhammad Yaqoob Khan S.CT	GHS, Balogram	GHS, Khazana	-do-
52	Mr. Fazal Wadood S.CT	GHS, Bandai	GHS, Bandai	-do-
53	Mr. Azizullah S.CT	GHS, Ningolai	GMS, Bafar	-do-
54	Mr. Hidayatullah S.CT	GHS, Matta	GHS, Shawar	-do-
55	Mr. Hamayun S.CT	GHSS, Mingora	GMS, Balokalay	-do-
56	Mr. Muhammad Amin PSHT	GPS, Serai Barikot	GHS, Manai	-do-
57	Mr. Fazal Ahad PSHT	GPS, Tall	GHS, Tall	-do-
58	Mr. Ihsanullah PSHT	GPS, Tango Shalpin	GHS, Ashoran	-do-
59	Mr. Shafiqur Rahman PSHT	GPS, No.1 Toha	GMS, KooMalam Jaba	-do-
60	Mr. Nadar Khan PSHT	GPS, Sarkhana	GHS, Kidam	-do-

(19)

ATTESTED

Attested

Advocate

ADVOCATE

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61	Mr. Nisar Ahmad PSHT	GPS, Aligrama	GHS, Laikot	-do-
62	Mr. Pashmin S. DM	GHS, Tarogay	GHS, Topsis	-do-
63	Mr. Fazal Malik S. TT	GHS, Chamtalai	GHS, Shalpin	-do-
64	Mr. Liaqat Ali S. Qari	GHS, Shin	GMS, Anakar	-do-

TERMS & CONDATION.

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt:
3. Their Services can be terminated at any time, in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed time to time.
4. Charge report should be submitted to all concerned in duplicate.
5. Their Inter-Se-seniority on lower post will remain intact.
6. No. TA/DA is allowed for joining his duty.
7. They will give an under taking to be recorded in their Service Book to the effect that if any over payment is made to him in light this order will be recovered and if he is wrongly promoted he will be reversed.

**(Prof. MUHAMMAD UZAIR ALI)
DISTRICT EDUCATION OFFICER (MALE)
SWAT GUL KADA**

Endst No: 6872 - 79

dated: 23/07/2015.

Copy of the above is forwarded for information & necessary action to: -

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Comptroller of Account Swat.
3. The Deputy DEO (M) local Office.
4. The Principal/Head Master Concerned.
5. The Supdt: Secy: local Office.
6. The B&AO local Office.
7. The Candidates concerned.
8. PA to DEO Local Office.

23/7/2015

23/7/15

**DISTRICT EDUCATION OFFICER (MALE)
SWAT GUL KADA**

ATTESTED

Mudal
ADVOCATE

Attested

Advocate
Advocate

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(21)

(Handwritten mark)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR

NOTIFICATION

Mr. Qaisar Khur Zeb GHSS, Barikot District Swat is hereby transferred and posted against the newly created post of ASDEO in the office of the Sub Divisional Education Officer (M) Barikot District Swat in his own pay & BPS in the interest of public service with effect from the date of his taking over charge subject to the following terms & conditions:-

TERMS & CONDITIONS.

1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.
3. The order of the above named SST (teaching cadre) will be effective subject to the conditions that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (M) Swat to the effect not to claim seniority of management cadre.
4. His seniority will be intact in teaching as per rules. He will not affect the promotion of any incumbent of that cadre.
5. The terms & conditions mentioned in his appointment orders as SST (teaching cadre) will intact.
6. He will not claim any kind of absorption in management cadre.

Endst: No. 2486-70 /F. No. 25 /ADEO (M) transfers.

DIRECTOR

Dated Peshawar the 25/7 2016

Copy of the above is to the:-

1. District Education Officer (M) Swat
2. District Accounts Officer Swat.
3. SDEO (M) BariKot Swat
4. Principal GHSS, Barikot Swat.
5. Official concerned.
6. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
7. Master File.

Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

(Handwritten signature)
25/7/16

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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA,
PESHAWAR

NOTIFICATION

Mr. Ihsanullah Khan SST GHS, Amankot District Swat is hereby further adjusted against the vacant post of ASDEO) O/O SDEO (Male) Matta District Swat in his own pay & BPS in the interest of public service with immediate effect subject to the following terms & conditions:-

TERMS & CONDITIONS.

1. Charge report should be submitted to all concerned.
2. No TA/DA etc are allowed.
3. The order of the above named SST (teaching cadre) will be effective subject to the conditions that he will give an undertaking/affidavit on legal paper/stamp paper to DEO (Male) Swat to the effect not to claim seniority of Management cadre.
4. His seniority will be intact in Teaching Cadre as per rules. He will not affect the promotion of any incumbent of that cadre.
5. The terms & conditions mentioned in his appointment orders as SST (Teaching cadre) will intact.
6. He will not claim any kind of absorption in Management cadre.

Endst: No. 3150-52 /F. No. 436/Vol-30/ADEO (M) Transfers.

DIRECTOR

Dated Peshawar the 17/11 2016

Copy of the above is to the:-

1. District Education Officer (M) Swat.
2. District Accounts Officer Swat.
3. SDEO (M) Matta Swat.
4. Official concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.

17/11/16
Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

16/11/16



**OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)**

Swat

(Cell # 0946 9240209-228)

OFFICE ORDER.

Consequent upon verification of the Academic/Professional Certificates/Degrees of Mr. Ihsanullah SST (I) teacher GHS, Amankot, Swat and found correct. The monthly salary of the above named teacher is released on his own pay and Scale with effect from the date of taken over charge in the interest of public service.

**(HAFIZ DR. MUHAMMAD IBRAHIM)
DISTRICT EDUCATION OFFICER (M)**

SWAT.

Endst: No. 5640

Dated 21/11 /2015.

Copy of the above is forwarded to:-

- 1) The District Comptroller of Accounts, Swat at Saidu Sharif.
- 2) The DY:DEO (M) Swat local Office.
- 3) The teachers concerned.

**DISTRICT EDUCATION OFFICER (M)
SWAT.**