

Appeal No - 755/2016
Akmal Hussain vs Govt

755/16

24.11.2016

Appellant in person and Sohail Ahmad Zaib, Assistant alongwith Mst. Bushra Bibi, Government Pleader for the respondents present. Appellant requested for withdrawal of the appeal. He has also submitted application for withdrawal of the appeal alongwith copy of order dated 30.07.2016 according to which he has been adjusted at GHS No. 2 Abbottabad.

In view of the submissions of the appellant, the appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
24.11.2016


Chairman
Camp Court, A/Abad

24.11.16

18.08.2016

Appellant in person present. Argued that he was appointed as C.T on 21.4.2014 at Government High School Khaira Gali, Abbottabad and then promoted as SST vide order dated 08.3.2012 and posted at GHS Khaira Gali where he served for a period of about 12 years. That the appellant was entitled to transfer to his native city and accordingly applied for the said posting in the prescribed manners. That private respondents No. 4 & 5 were appointed as SST and illegally transferred and adjusted at GHS No. 2 Abbottabad constraining the appellant to prefer departmental appeal on 19.4.2016 which was not responded and hence the instant service appeal on 25.07.2016

That the appellant is entitled to postings at Abbottabad station in preference to private respondents No. 4 & 5 and as such the impugned order is 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 24.11.2016 before S.B at camp court, Abbottabad.



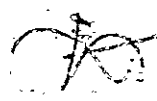
Appellant Deposited
Security & Process Fee

Chairman
Camp court, A/Abad.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 755/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/07/2016 26-7-16	<p>The appeal of Mr. Akmal Hussain presented today by him, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up there on: <u>18-8-16</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;"></p>

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

Service Appeal No. 755 /2016

Akmal Hussain S/o Muhammad Akram SST Government High School
Khairagali Abbottabad.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary
Education Department Khyber Pakhtunkhwa Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

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7.	Copy of receipt No. 1114	18	"F"
8.	Copy of notification dated 30/07/2015	19 to 20	"G"

Dated: 25/7 /2016



Akmal Hussain SST, GHS
Khairagali Abbottabad
...APPELLANT
IN PERSON

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

Service Appeal No. 755/2016

Akmal Hussain S/o Muhammad Akram SST Government High School
Khairagali Abbottabad.

....APPELLANT

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 750

Dated 25-7-2016

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Male Abbottabad.
4. Muzaffar Ali, SST GHS No 2 Abbottabad.
5. Shokat Ali Abbasi SST, GHS No 2 Abbottabad.

....RESPONDENTS

Filed to-day

Registrar

25/7/16

**SERVICE APPEAL UNDER SECTION 4 OF
KPK SERVICE TRIBUNAL ACT, 1974,
AGAINST THE OFFICE ORDER NO. 2916-88
DATED 14/04/2016 ISSUED BY RESPONDENT**

NO. 3 VIDE WHICH RESPONDENTS NO. 4 & 5 WERE TRANSFERRED AGAINST THE VACANT POST OF SST AT GHS NO. 2 ABBOTTABAD, WHICH IS ILLEGAL AGAINST THE POLICY OF GOVERNMENT ARBITRARILY, VOID ABNITIO, PERVERSE TO THE EXTENT OF RESPONDENT NO. 4 & 5. CONSEQUENTLY HAVING NO LEGAL EFFECT UPON THE RIGHTS OF APPELLANT.

PRAYER: ON ACCEPTANCE OF INSTANT APPEAL OFFICE ORDER NO. 2916-88 DATED 14/04/2016 ISSUED BY RESPONDENT NO. 3 MY GRACIOUSLY BE SET-ASIDE TO THE EXTENT OF RESPONDENT NO. 4 & 5 AND ANY OTHER RELIEF DEEM FIT AND PROPER AND THE CIRCUMSTANCE OF THE CASE.

Respectfully Sheweth: -

1. That the appellant was appointed/promoted as CT Teacher on 21/04/2014 at GHS Khaira Gali Abbottabad. (Copy of appointment order is annexed as annexure "A").
2. That the appellant was recommended by public service commission as SST, and posted at GHS Khairagali vide appointment ordered No. 6201-6246 dated 08/03/2012. (Copy of appointment order of SST as annexed as annexure "B").
3. That due to the promotion of SSTs to Head Master and subject specialist many posts of SST were vacant.
4. That the appellant applied against the vacant post of SST at GHS No. 2 Abbottabad, which was vacant in result of promotion. (Copy of prescribed application form is annexed as annexure "C").

5. That since 2004 appellant has been performing his duties at GHS Khairagali which is highly far flung area.
6. That the principal of GHS No. 2 has also recommended the transfer application of appellant and forwarded the same to respondent No. 3 but he did not consider the transfer application of appellant and issued order dated 14/04/2016 malafidely and dishonestly. (Copy of transfer order dated 14/04/2016 is annexed as annexure "D").
7. That feeling aggrieved from the said order appellant preferred departmental appeal to respondent No. 2 which is still un-responded. (Copy of departmental appeal and receipt No. 1114 are annexed as annexure "E" & "F").

Now appellant seeks indulgence of this Honourable Tribunal for setting aside the ordered dated 14/04/2016 to the extent of respondent No. 4 & 5 inter-alia on the following amongst to many others.

GROUNDS:-

- (a) That the impugned order dated 14/04/2016 reflects high injustice weakness and yielding before political pressure without any regard to rules and law and service discipline.
- (b) That the impugned order is illegal void, abinitio and without legal authority as it has been issued under the political influence, pressure and violation of merit.
- (c) That the impugned order is against the tenure, policy of Govt, and is in violation of principle of natural justice and law.
- (d) That the Govt. departments, specially, the education department has been high jacked by the political figures, who are using their influence upon the high ups of the education departments

and are obtaining orders of their choice.

(e) That the respondent No. 4 & 5 were promoted as SST vide notification issued under Endst No. 6406-12 dated 30/07/2015, it is pertinent to mention here that as per serial No. 1 & 8 of the terms and condition of the said notification the impugned order dated 14/04/2016 is laible to be set-aside to the extent of respondent No. 4 & 5. (Copy of notification dated 30/07/2015 is annexed as Annexure "G".

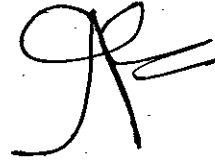
(f) That impugned order dated 14/04/2016 is against the transfer posting policy as respondent No. 4 & 5 did not complete their probation period hence, impugned order is laible to be set-aside.

(g) That the appellant seeks leave of this Honourable Tribunal to agitate

additional grounds/ points at the time of arguments.

It is, therefore, respectfully prayed that on acceptance of instant service appeal impugned order dated 14/04/2016, to the extent of respondent No. 4 & 5, may graciously be set-aside and any other relief which this Honourable Tribunal fit and deems proper in the circumstance of the case.

Dated: 25/7 /2016



Akmal Hussain SST, GHS
Khairagali Abbottabad
...APPELLANT
IN PERSON

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Tribunal.



...APPELLANT

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

Service Appeal No. _____/2016

Akmal Hussain S/o Muhammad Akram SST Government High School
Khairagali Abbottabad.

....APPELLANT

VERSUS

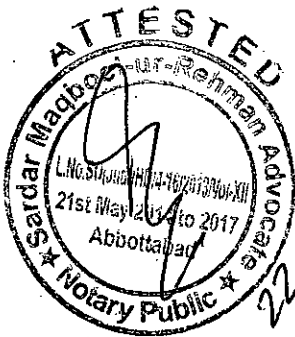
Govt. of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary
Education Department Khyber Pakhtunkhwa Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Mr. Akmal Hussain SST GHS, Khairagali Abbottabad, do hereby
solemnly affirm and declare that the contents of forgoing appeal are true and
correct to the best of my knowledge and belief and nothing has been
concealed therein from this Honourable Tribunal.



27/2/16

DEPONENT

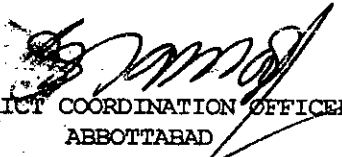
OFFICE OF THE DISTRICT COORDINATION OFFICER, ABBOTTABAD

9

Anx (A)

ORDER


Consequent upon the acceptance of appeal, Mr. Akmal Hussain S/O Muhammad Akram PTC GPS Kutli Abbottabad terminated under E/No.9406-21 dated 19-12-2003 is hereby re-appointed on vacant CT post at Govt: High School Khaira Gali Abbottabad on regular basis with effect from the date of taking over charge on CT post at above mentioned school with usual terms and conditions.

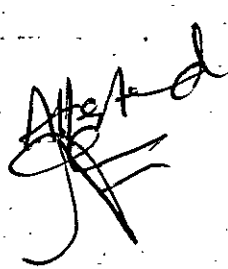

DISTRICT COORDINATION OFFICER
ABBOTTABAD

Endst No: 8050-55/EB. Dated Abbottabad 21 /04/2004

Copy forwarded to:

1. Director (S&L) NWFP Peshawar.
2. District Nazim Abbottabad.
3. District Coordination Officer Abbottabad.
4. District Accounts Officer Abbottabad.
5. Principal concerned.
6. The Official concerned.


EXECUTIVE DISTRICT OFFICER EDUCATION
ABBOTTABAD



ADJUSTMENT

In pursuance of the appointment notification in respect of SST (General) B-16 issued by the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar on the recommendation of Public Service Commission Khyber Pakhtunkhwa Peshawar under Endst No; 75-442/File No; 1/A-14/SST/PSC/Apptt; dated 1/3/2012 and No; 646-769/File No; 2/A-14/SST/PSC/Apptt; dated 3/3/2012, the following SSTs (General) are hereby adjusted against vacant posts in the schools noted against their names on the usual terms and conditions contained in their appointment notifications in the interest of public service from the date of taking over charge.

S/No;	Name with father's name	Place of Adjustment	Remarks
1	Muhammad Anjad Khan Jadoon s/o Muhammad Sarwar Khan	GHS Bagh	Against vacant post of SST (General)
2	Muhammad Kautran Waqar s/o Shahzada Waqar	GHSS Rich Ehen	-do-
3	Akmal Hussain s/o Muhammad Akram	GHS Khaira Gali	-do-
4	Khalil-Ur-Rehman s/o Muhammad Yagoob	GMS Marj	-do-
5	Muhammad Sheraz s/o Abdul Hayee	GHS Jarral	-do-
6	Muhammad Sohail s/o Muhammad Naseem	GMS Dhari Kehal	-do-
7	Muhammad Usman Qureshi s/o Muhammad Arshid Qureshi	GHSS Langrial	-do-
8	Muhammad Zaheer s/o Muhammad Ayub	GHS Chautad	-do-
9	Obaid Ullah Jan s/o Abdullah	GHS Chamiali	-do-
10	Rafaqat Hussain s/o Abdul Majced	GHS Toheed Abad	-do-
11	Shahid Hasnain s/o Muhammad Shaabbir	GHS Ghora Bazgran	-do-
12	Siddique-ur-Rehman s/o Nek Muhammad	GHS Stora	-do-
13	Anjid Nawaz s/o Muhammad Iqbal	GHS Jhangra	-do-
14	Abid Sarfaraz Abbasi s/o Muhammad Sarfaraz Abbasi	GHS Moolia	-do-
15	Arshid Mahmood s/o Abdur Rehman	GHS Beerangali	-do-
16	Khaliq-uz-Zaman s/o Sub; Mir Afzal Khan	GHS Makol Payeen	-do-
17	Muhammad Uzair s/o Aziz-ur-Rehman	GHS Chamiali	-do-
18	Naveed Akhtar s/o Aurangzeb	GHSS Mohri Bed Behan	-do-
19	Zulfaqar Ahmed s/o Khan Zaman	GMS Kulkung	-do-

Approved
[Signature]

شیخ الرحمن سینیٹری ایڈیٹر ٹی ٹی ٹی لک روڈ ایبٹ آباد

and conditions, given in above Notifications are reproduced -

11

1. His services will be considered regular but without pension & Gratuity in terms of Section-19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. He will however be entitled to Contributory Provident Fund in such a manner at such rates as prescribed by the Govt.
2. In case he is already in Govt service and working against pension able post on regular basis before 1st day of July 2001, without any service break, on application to Khyber Pakhtunkhwa Public Service Commission through proper channel and selection by the Commission, is appointed and allowed choice of option either to retain benefit of pension and gratuity as allowed to him under his previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to him under new appointment.
3. His service are liable to termination on one month's notice from either side. In case of resignation without notice his one months pay /allowances shall be forfeited to the Govt.
4. He should join his post within 30 days of issuance of this notification. In case of failure to join their post within one month of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
5. He would be on probation for a period of one year extendable for another one year.
6. He will be governed by such rules and regulations as may be issued from time to time by the Govt.
7. His services can be terminated at any time in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
8. Charge report should be submitted to all concerned.
9. The EDO concerned would furnish a certificate to the effect that the candidate has join the post or otherwise after one month of the issue of his posting order.
10. The EDO concerned will verify their documents before release of pay.
11. His seniority will be maintained as determined by the Khyber Pakhtunkhwa Public Service Commission.
12. NO TADA will be allowed to appointee for joining his duty.

(MUHAMMAD RIAZ SWAT)
EXECUTIVE DISTRICT OFFICER
ELEM&SECY,EDU,ABBOTTABAD

محمد رiaz سوات
ایگزیکٹو ڈسٹرکٹ آفیسر
ایلمنٹری اینڈ سیکنڈری ایجوکیشن
آبٹوٹ آباد

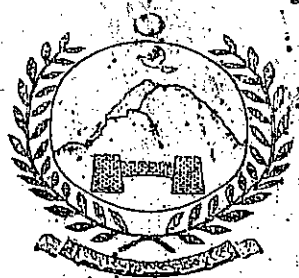
Endst No. 201-6246 /EB-I(M) Adjustment SST/PSC/Dated Attd. 13/2012

1. Copy of the above is forwarded for information & necessary action to the Director Elem&Secy, Education Khyber Pakhtunkhwa Peshawar.
2. District Coordination Officer Abbottabad.
3. District Comptroller of Accounts Abbottabad with the remarks not to release the pay of above named SSTs till verification of documents by concerned Board/Universities etc through post.
- 3.24 Principals/Headmasters of concerned schools with the directions to follow the conditions contained in appointment orders. It is also directed not to release the pay of the above SSTs concerned till the verification of the documents by the Board/Universities etc
- 25.46 Concerned for compliance.

EXECUTIVE DISTRICT OFFICER
ELEM&SECY,EDU,ABBOTTABAD

Attested

Directorate of Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.



BIO-DATA FORM FOR SST.

Serial Number in SST Seniority List (if any): _____

1. Name. Abmal Husain
2. Father's Name. Muhammad Aram
3. Date of Birth. 09-04-1971 (dd/mm/yyyy)
4. CNIC No. 13101-0967386-5
5. District of Domicile. Abbottabad
6. Permanent Address. vill. Namli Mera Teh. distt Abbottabad
7. Designation. 1. SST (G) 2. SST (Maths/Physics) 3. SST (Bio/Chem)
8. Present Place of Posting. G.H.S. Khairi Gali, Atd.
9. Academic qualification with division. MA. Eng 2nd, P.Sc 2nd
10. In case of B.A/B.Sc. (Subjects). Urdu, Isl
11. Professional qualification with division. M.A. Edu 1st Division 877/07P
12. Date of 1st entry in Education Department. 01/08/1998
13. 1st post held in Education Department. PTC
14. Date of appointment/Promotion as SST. 09/03/2012
15. Date of Approval as regular SST. 09/03/2012
16. Appointed/Promoted by: 1. NTS 2. Online. 3. Public Service Commission.
17. Contract No. D31A-5011905
18. Email address (if any). Abmalh339@gmail.com
19. Attached the following documents.
 - i. SSC, FA/F.Sc, BA/B.Sc, etc (Attested copies)
 - ii. B.Ed duly verified.
 - iii. 1st Appointment Order.
 - iv. SST Appointment Order.
 - v. Domicile

Attested
[Signature]

Signed By.

[Signature]
09/3/2016

Drawing Disbursing Officer/HM/Principal,

Principal
G.H.S. Khairi Gali
Abbottabad

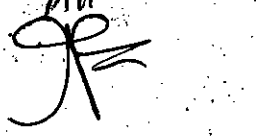
Countersigned by.

D.E.O/D.D.E.O

1. Name of Teacher Abmal Husain
2. School Name GHS Khairagali Atd
3. Post (BPS) SSTC, BPS 16
4. Date of Birth 09-04-1971
5. Seniority No. _____
6. Permanent Home Address village Namli Mera
7. School Union Council Namli Mera
8. Home Union Council Sheikhul Bandi
9. Date of 1st Appointment 01-08-1992
10. Date of Taking over charge in present school 25-04-2004
11. Distance of school from Home (KM) 70 KM
12. Choice of transfer 1 GHS No 02 Abbottabad 3. _____
13. Whether the post is vacant Vacant
14. Any other ground for transfer _____
15. Detail of service rendered in last three schools:

S.No	Name of School	From (Date)	TO (Date)
1	<u>GHS Khairagali Atd (Present School)</u>	<u>25-04-2004</u>	<u>Up till now</u>
2	<u>GPS Bully Phaloke</u>	<u>21-04-1998</u>	<u>24-04-2004</u>
3	<u>GPS Barien Noormang</u>	<u>01-03-1993</u>	<u>20-09-1998</u>

16. Training got if any 1. Grade-I _____ 2. ECCE _____ 3. Supervisor _____
17. Enrollment in present school 150
18. Staff position in present school Posted to vacant 05
19. Enrollment in School applied for transfer _____
20. Staff position in school applied for transfer. _____


Attested



 Signature of Applicant

Certified that the all noted above entries have been checked/verified from the service book of the teacher and found correct.

RECOMMENDATIONS:-

This office has no objection on the requested transfer with the provision of the substitute.


 20/07/2016
 Principal
 G.H.S Khairagali
 Abbottabad

Forwarded in file
 + SEC(M) / 1/16/11
 for final consideration
 (Large)
 Signature/Stamp
 Principal/HM
 Govt. Central
 Model Secondary School
 (Boys) E.M. Abbottabad
 21/07/16

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD.

Anx D
14

TRANSFER.

The following Secondary School Teachers (SST Maths/Physics, Bio/Chemistry & General) are hereby transferred on their own pay & BPS as recorded against their names in the interest of public service with effect from the date of their taking over charge.

S.#	Name/Designation.	Present School.	Place of posting.	Remarks.
1	Ghulam Murtaza SST(B/C)	GHS Kokal Barseen.	GHS No.2 Havelian.	Ag: Vacant Post.
2	Hamayun Khan SST (M/P)	GHS Manjia.	GHS Bodla.	Ag: Vacant Post.
3	Muhammad Asgher SST(M/P)	GHSS Bandi Dhundan.	GHSS Bandi Dhundan.	Ag: V/P whereas, he wrongly occupied the post of SST (G)
4	Muhammad Ashraf SST(M/P)	GHS Makool Payeen.	GHS Jhangra.	Ag: Vacant Post.
5	Nisar Ahmad SST(M/P)	GHS Kuthwal.	GHS No.2 Abbottabad.	Ag: Vacant Post.
6	Nazir Ahmad SST (M/P)	GHS Phalkote.	GHS Kuthwal.	Vice S.No.5.
7	Saqib Khan SST(M/P)	GHS Malsa.	GHS Sheikhul Bandi.	Ag: Vacant Post.
8	M. Akbar Khan SST(G)	GHS Banda Pir Khan	GHSS Bandi Dhundan	Vice S.No.3
9	Ali Asghar, SST (G)	GHS Kuthiala.	GHS Jhangra.	Ag: Vacant Post.
10	Arif Qayyum, SST(G)	GMS Massah Gojri.	GMS Majuhan.	Ag: Vacant Post.
11	Ayyaz Ahmed, SST(G)	GMS Sangrari.	GMS Keri Sarafali.	Ag: Vacant Post.
12	Farooq Iqbal, SST (G)	GHSS Harnoo.	GHS No.3 Abbottabad.	Ag: Vacant Post.
13	Muhammad Sabbir SST(G)	GHS Manjia.	GHSS Harnoo Abbottabad.	Vice S.No.12
14	Muneer Khan SST(G)	GHS Chunali.	GHS Manjia.	Vice S.No.13
15	Qazi Fiaz Ahmed SST(G)	GHS Nathia Gali.	GMS Seri Khan Kalan.	Ag: Vacant Post.
16	Muhammad Yousaf SST(G)	GHSS Ziarat Masoom.	GHS Keri Raiki.	Vice S.No.17
17	Umer Farooq SST(G)	GHS Keri Raiki.	GHS Nathia Gali.	Vice S.No.15
18	Hafiz Muhammad Iqbal SST(G)	GHS Pattan Khurd.	GMS Tori Shareef.	Vice S.No. 19
19	Wajid Ali Shah SST(G)	GMS Tori Shareef.	GHS Banda Pir Khan.	Ag: Vacant Post.
20	Haseeb-ur-Rehman SST(G)	GMS Lahoor.	GHS Pattan Khurd.	Vice S.No.18
21	Muhammad Kabir, SST(G)	GHS Toheed Abad.	GMS Lahoor.	Vice S.No.20
22	Jan Muhammad, SST (G)	GHS Hari Khater.	GHS Ghora Baz Gran.	Ag: Vacant Post.
23	Muhammad Ehsan, SST (G)	GHSS Lora.	GHS Ghambeer.	Ag: Vacant Post.

Attested
JK

(15)

24	Muhammad Riaz, SST (G)	GHSS Boi.	GHS Pattan Kalan,	Ag: Vacant Post.
25	Muhammad Tayyab SST(G)	GHS P.K.Khan	GHS Chamhad.	Ag: Vacant Post.
26	Muhammad Uzair SST(G)	GHS Chamiali.	GHS Maira Rehmat Khan.	Ag: Vacant Post.
27	Muzaffar Ali SST(G)	GHS Namli Maira	GHS No.2 Abbottabad.	Ag: Vacant Post.
28	Shoukat Ali Abbasi SST(G)	GHS Sherwan.	GHS No.2 Abbottabad.	Ag: Vacant Post.
29	Muhammad Nazir SST(G)	GMS Rankot	GHS Kanthiali.	Ag: Vacant Post.
30	Niaz Ahmed SST(G)	GHSS Dalola.	GHS Tarnawai.	Ag: Vacant Post.
31	Safdar Khan SST(G)	GMS Bhattian.	GMS More Kalan.	Ag: Vacant Post.
32	Sharfuddin, SST (G)	GMS Thathi Faqir Sb.	GHS Kokal Barseen.	Ag: Vacant Post.
33	Syed Rehmat Shah SST(G)	GHS Sarhan.	GHS Banda Pir Khan.	Vice S.No.8
34	Mukhtiar Ahmed SST (G).	GHS Mohri Bed Bhen.	GHS Jhangra.	Ag: Vacant Post.

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

Sd-----
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

2916-88
Endst: No. _____/EB-I/SST.

Dated A/Abad the 14/04/2016.

Copy for information to the:-

01. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
02. PS to Secretary to Govt: of Khyber Pakhtunkhwa E&SED Peshawar.
03. All the Principals/Headmasters GHSS/GHS/GMS concerned.
04. District Account Officer Abbottabad.
05. Budget & Accounts Officer Local Office.
06. Assistant Programmer, EMIS Branch Local Office.
07. Teachers Concerned.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

The Director Ep SE

Anx E
(16)

KPK, Peshawar.

Subject Departmental Appeal against the order
Endst No 2916-88 dated 14/4/2016

Respected Sir, It is submitted as under:

1. That the appellant was appointed as GT teacher on 21-4-2004 vide Endst No 8050-55 and posted at GHS Khairagali. Copy of the appointment order is annexed herewith.
2. That the appellant was recommended by the PCS as SST (3) and posted at GHS Khairagali against vacant post vide Endst No 6201-6246 dated 8/3/2012. Copy of the same is annexed herewith.
3. That due to the recent promotion of SSTs to Headmaster and Subject Specialist, many posts of SSTs were lying vacant.
4. That the appellant applied against the vacant post of SST (3) at GHS No 2 Abbottabad. Copy of the application form (prescribed) is attached herewith.
5. That since 2004, appellant has been performing his duties at GHS Khairagali, which is highly far flung area.
6. That the principal of GHS No 2 has also recommended the transfer application and forwarded the same to DEO (M) Abbottabad but the DEO (M) did not consider the transfer application of appellant and issued the transfer order vide Endst No 2916-88 dated 14/4/2016. Copy of the same is annexed herewith.
7. That transfer order dated 14/4/2016 was issued without considering the case of appellant. DEO (M) transferred the two SSTs namely Shoukat Ali and Muzaffar Ali at GHS No 2 Abbottabad.

It is pertinent to mention here that the above referred teachers were appointed as SST vide Endst No 6406-12 dated 30/7/2015 under the notification

Attached
JFC

Further more as per s.no 1 and 8 of the terms and conditions of the said notification, the transfer order dated 14/4/2016 is liable to be set aside to the extent of s.No 27 & 28 on this score alone. Copy of the notification referred is attached herewith

- 8. That the transfer order dated 14/4/2016 is against the existing policy of provincial government
- 9. That transfer order dated 14/4/2016 is against the transfer/posting policy as both SST's did not complete the probation period hence transfer order is sustainable liable to be set aside to the extent of s.No 27 & 28.
- 10. That the DEO (M) did not compliance with the terms and conditions of the notification dated 30/7/2015 and wrongly transferred the above referred teachers.
- 11. That transfer order dated 14/4/2016 is against the law and facts and based upon political interference.
- 12. That transfer order dated 14/4/2016 was issued with malafidly intentions and appellant was not treated in accordance with law, hence transfer order is liable to be set aside to the extent of s.No 27 & 28.
- 13. That valuable rights of the appellant are involved and instant departmental appeal is well in time.

It is therefore respectfully prayed on acceptance of instant departmental appeal transfer order dated 14/4/2016 may please be set aside to the extent of s.No 27 and 28 and appellant may please be posted at GHS No 2 Abbottabad

Attested

[Signature]

AKMAL HUSSAIN
SST (S)

GHS Kharbagali

CNIC # 13101-0967386-5
Cell # 03145011905

Dated 19/4/2016

Annex (G)


OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD.

NOTIFICATION.

In pursuance to the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar Notification issued vide Endst: No.3249-56/File No.02/Promotion SST B-16 dated 13-07-2015 whereby the following (20) SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs, S.Qaris/Qaris, PSHTs /SPSTs /PSTs were promoted to the post of SST (General) BPS-16 (10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of Provincial Government on the terms and conditions given below and are further hereby posted "on school based" as recorded against their names with immediate effect.

S.No	Name of Teacher.	Present School.	Place of Posting.	Remarks.
1	Noor Muhammad, SCT.	GHSS Nawanshehr.	GHS Nareela.	Against vacant SST (General) Post.
2	Arshad Hussain, SCT	GHS Bakote.	GHS Sangrari.	---do---
3	Muhammad Iqbal Khari, SCT.	GHS No.1 Havelian.	GMS Majuhan.	---do---
4	Muncer Khan, SCT.	GHS No.2 Havelian.	GHS Chunali.	---do---
5	Muhammad Mehboob, SCT.	GHS No.4 Abbottabad.	GHS No.1 Havelian.	---do---
6	Rafi Ahmed, SCT.	GHS Jarral.	GHS Jarral.	---do---
7	Abdul Maroof Khan, SCT.	GHS Harno Aziz Abad.	GHS Khaira Gali.	---do---
8	Wajid Ali, SCT.	GHSS Bandi Dhunjan.	GMS Tori Shageef.	---do---
9	Shoukat Ali, SCT.	GCMHS Abbottabad.	GHS Sherwan.	---do---
10	Taj Muhammad Khan, SCT.	GHS No.1 Abbottabad.	GMS Marri.	---do---
11	Muzaffar Ali, SCT.	GCMHS Abbottabad.	GHS Namli Maira.	Against Newly Created vacant SST (General) Post.
12	Zubair Hussain, SCT.	GHS, No.3 Abbottabad.	GHS Toheed Abad.	Against vacant SST (General) Post.
13	Ayyaz Ahmed, PSHT.	GPS Doong. Nagri Bala.	GHS Keri Raiki.	---do---
14	Syed Rehmat Shah, PSHT.	GPS Tannan.	GHS Sarhan.	---do---
15	Jan Muhammad, PSHT	GPS Pipel.	GHS Nagri Tutial.	---do---
16	Arif Qayyum, PSHT.	GPS Samwala.	GMS Masah Gojri.	---do---
17	Safdar SDM.	GHS Phalkote.	GHSS Nagri Bala.	---do---

SST Promotion Order No.2

Attested


Chaudhary Stationery, Photostate & Sports
 Near Boy Degree College No.1
 Link Road, Abbottabad
 Qamar ul Zaman # 0333-5022422

20

18	Habib-ur-Rehman, SAT.	GHS Pattan Kalan.	GMS Pall.	--do--
19	Sohail Meer, STT.	GHS No.3 Abbottabad.	GHS Chamhad.	--do--
20	Hafiz Muhammad Tayyab, S.Qari.	GHS Pind Kargo Khan.	GHS P.Kargo Khan.	--do--

TERMS AND CONDITIONS.

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 their performance is found unsatisfactory during probationary period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their inter-se-seniority on lower post will remain intact.
6. No TA/DA is allowed for joining their duty.
7. They will give an undertaking to be recorded in their service books to the effect that if any over payment is made to them in the light of this order, will be recovered and if they are wrongly promoted they will be reversed.
8. Their posting is made on school based. They will have to serve at the place of posting and their services are not transferable to any other station.
9. Before handing over charge once again their documents may be checked by the DDO concerned, if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

Sd/-
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Endst: No. 6406-12 /EB-I/Promotion SST. Dated A/Abad the 30/07/2015.

Copy for information to:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Principal/Headmaster GHSS/GHS/GMS of concerned schools.
3. District Accounts Officer Abbott bad.
4. PS to Secretary to Govt: of Khyber Pakhtunkhwa Elementary & Secondary Education Department Peshawar.
5. Budget & Accounts Officer Local Office.
6. Assistant Programmer EMIS Branch local office.
7. Teachers concerned.

[Signature]
DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

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 available
 Near Boys Degree College, Gate, Line Road, Abbottabad

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