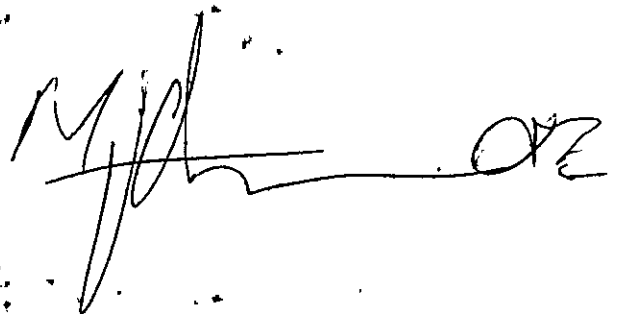


08.11.2016

None present for the appellant. Addl. AG for respondents present. Called for several times but no one appeared on behalf of the appellant, therefore, the appeal in hand is hereby dismissed in default. File be consigned to the record room.

ANNOUNCED:
08.11.2016

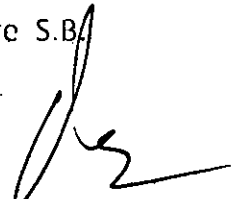
A handwritten signature in black ink, appearing to be 'M. J. O. E.', written over a horizontal line.

Member

17.08.2016

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal, has impugned order dated 19.04.2016 vide which the transfer order of the appellant was cancelled and private respondent No. 3 was adjusted in place of the appellant at GHS Kotkai Shahi Khel. Against the impugned order the appellant filed departmental appeal on 20.04.2016 which was not responded within the statutory time hence, the instant service appeal.


Since the instant appeal is within time and matter required further consideration of this Tribunal therefore, the same is admitted for regular hearing, subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for ~~5.10.16~~ before S.B.



Member

05.10.2016




None present for the appellant. Addl: AG for the respondents present. Notices be issued to both the parties for written reply/comments on 8.11.2016 before S.B.



(Muhammad Aamir Nazir)
(Member)

Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 779/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01/08/2016	<p style="text-align: center;">The appeal of Mr. Inayat-ur-Rehman presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>4.8.16</u></p> <p style="text-align: right;"> MEMBER</p>
	04.08.2016	<p style="text-align: center;">No one present on behalf of the appellant. Notices be issued to the appellant and his counsel. To come up for preliminary hearing on <u>17-8-16</u>.</p> <p style="text-align: right;"> Member</p>

Noted for 17-8-16
U-1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 779 /2016

INAYAT UR REHMAN

VS

EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
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5.	Order dated 13.4.2016	C	9.
6.	Cancellation order	D	10.
7.	Departmental appeal	E	11.
8.	Order dated 05.05.2016	F	12- 13.
9.	Transfer/posting policy	G	18- 20.
10.	Vakalat nama	19.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtukhwa
Service Tribunal

APPEAL NO. 779 /2016

Diary No. 782

Dated 01-8-2016

Mr. Inayat-Ur-Rehman, SST-G (BPS-16), GHS Kotkai Shahi Khel,
Under transfer to GHS Jawzo, Dir Lower..... **APPELLANT**

VERSUS

- 1- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer (Male), District Dir Lower.
- 3- Mr. Abdul Wahid Jan, SST (G), (BPS-16), GPS Hakim Abad under transfer to Kotkai Shahi Khel, Dir Lower.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDERS DATED 19.4.2016 AND 05.5.2016 WHEREBY THE TRANSFER ORDER OF THE APPELLANT WAS CANCELLED BY THE RESPONDENT NO.2 AND THE PRIVAT RESPONDENT NO.3 WAS ADJUSTED IN PLACE OF THE APPELLANT AT GHS KOTKAI SHAHI KHEL AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned orders dated 19.4.2016 and 05.05.2016 may very kindly be set aside and the respondents may be directed not to transfer the appellant from GHS Kotkai Shahi Khel to GHS Jawzo till completion of his normal tenure. Any other remedy which this august Court deems fit that may also be awarded in favor of the appellant.

Filed to-day
[Signature]
Registrar

1/8/16

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant is the employee of the respondent Department and is serving the respondent Department as SST quite efficiently and up to the entire satisfaction of his superiors.

- 2- That appellant while serving as SST (G) at GHS Jawzo Dir Lower, the respondent No.2 issued an order dated 30.3.2016 whereby the appellant was transferred from GHS Jawzo to GHS Kotkai Shahi Kheil. Copy of the order is attached as annexure **A.**
- 3- That in compliance of the order dated 30.3.2016 appellant submitted his charge report at GHS Kotkai Shahi Khel vide dated 9.4.2016 and started performing his duty at the concerned station quite efficiently and up to the entire satisfaction of his superiors. Copy of the charge report is attached as annexure **B.**
- 4- That after thirteen days from the transfer order of the appellant an order dated 13.4.2016 has been issued by the respondent No.2, whereby the appellant has been directed not to join duty at GHS Kotkai Shahi Khel till arrival of his substitute but as the appellant had already relieved from GHS Jawzo and submitted charge report at GHS Kotkai Shahi Kheil, therefore the appellant was kept mum on the said order and regularly perform his duty at GHS Kotkai Shahi Kheil. Copy of the order is attached as annexure **C.**
- 5- That just after 19 days the respondent No.2 cancelled the transfer order dated 30.3.2016 of the appellant by issuing the impugned order dated 19.4.2016 on the wrong pretext that he did not assume the charge at GHS kotkai shahi kheil. That feeling aggrieved from the impugned order dated 19.4.2016 appellant preferred Departmental appeal to the respondent No.1 vide dated 29.4.2016 but no reply has been received so far. Copies of the Impugned order and Departmental appeal are attached as annexure.....**D & E.**
- 6- That it is very pertinent to mention that during the pendency of Departmental appeal of the appellant the private respondent No.3 has been adjusted in place of the appellant at GHS Kotkai Shahi Kheil in utter violation of Rules and Regulations vide order dated 05.05.2016. Copy of the order is attached as annexure **F.**
- 7- That having no other remedy appellant filed the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned orders dated 30.3.2016 and 05.05.2016 are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.

- B- That appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and malafide manner by issuing the impugned orders dated 30.3.2016 and 05.05.2016.
- D- That the impugned orders dated 30.3.2016 and 5.5.2016 are violative of clauses I and IV of the transfer/posting policy of the provincial Government. Copy of the policy is attached as annexure **G.**
- E- That the impugned orders dated 30.3.2016 and 5.5.2016 has not been issued by the respondent No.2 in the public interest nor exigencies of public service.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 29.7.2016

APPELLANT


INAYAT UR REHMAN

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. _____/2016

INAYAT UR REHMAN

VS

EDU: DEPARTMENT

APPLICATION FOR SUSPENSION OF THE
OPERATION OF THE IMPUGNED ORDERS
DATED 30.3.2016 AND 5.5.2016 TILL THE
DISPOSAL OF THE ABOVE MENTIONED APPEAL

R.SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned orders dated 30.3.2016 and 5.5.2016 whereby the appellant was transferred from GHS kotkai shahi Kheil and private respondent was posted against the post of appellant at GHS kotkai shahi Kheil.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned orders dated 30.3.2016 and 5.5.2016 has been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore most humbly prayed that on acceptance of this application the impugned orders dated 30.3.2016 and 5.5.2016 may kindly be suspended till the disposal of the above mentioned appeal.

Dated: 29.7.2016

APPLICANT


INAYAT UR REHMAN

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

S#	Name	Designation	Name of Present School	Name of School where applied for	Remarks
44	Nisarullah	SST-G	GHS Drangal	GHS Osakai	A.V.Post
45	Muhamamd Aziz	SST-G	GHS Asbanr	GHSS Khanpur	A.V.Post
46	Mahader Zaib	SST-G	GIS Munjai	GHSS Khazana	A.V.Post
47	Nader Khan	SST-G	GMS Shagai Asbarn	GMS Warsak	A.V.Post
48	Badshah Gul	SST-G	GMS Gumbatai	GMS Kumbar Maidan	A.V.Post
49	Ghulam Husain	SST-G	GHS Shekawli	GMS Shagai Asbanr	A.V.Post
50	Muhammad Ayaz	SST-G	GHS Chinar kot	GHSS Khanpur	A.V.Post
51	Usmanudin	SST-G	GHSS Zaindara	GMS Sher Khani	A.V.Post
52	Ahmad Shah	SST-G	GHS Dheri Kashmir	GHS Osaki	A.V.Post
53	Shahzad	SST-G	GHS Barjam Malkhi	GHSS Munda	A.V.Post
54	Rahbar Khan	SST-G	GHSS Rabat	GHS Koheri	A.V.Post
55	Fazli subhan	SST-G	GMS Ashrogai	GMS Gumbatai	A.V.Post
56	Inayatullah	SST-G	GHS Jawzo	GMS Kotkai Shr: Khel	A.V.Post
57	Gul Kamin	SST-G	GHSS Zaindara	GHSS Rabat	A.V.Post
58	Amir Zahid	SST-G	GHS Tormang	GIS Dheri Kashmir	A.V.Post
59	Sher Ali Khan	SST-G	GMS Ashur Kor	GIS Sullur Kalay	A.V.Post
60	Hamayoon Khan	SST-G	GMS Warsak	GIS Tazagram	A.V.Post

Note:

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

(Prof: Muhamamd Uzair Ali)
District Education Officer
Male Dir Lower

Endst. No. 5638-43

Dated Timergara the 30/07/2016.

Copy of the above is forwarded to:

1. The Director (E&SE) Khyber Pakhtoon Kiwa Peshawar.
2. The District Account Officer Dir Lower at Timergara.
3. The Principal / Headmaster concerned.
4. The Supdt: local office.
5. The teacher concerned.

District Education Officer
Male Dir Lower

ATTESTED

Charge Report

B-(7)

(6)

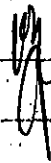
Consequent D.F.O (M) Dir Lower transferred
order No. 5638-43 Dated 30-03-2016

Mr. Inayatullah Rahman (S.S.T.) took over the charge of
my duty as S.S.T General G.M.S. Kotki Shahid

Dir Lower (F.A) Dated 09-04-2016
at Serial No. 58


09/04/2016
Head Master
G.M.S Kotki (S)
Dir (L)

ATTESTED



Relieving Chit


(8) (5)

Consequent D.E.O Dir Lower transferred

order no 5638-43 dated 30.03.2016

Mrs Inayatullah-Rahman SST G.H.S Jawzo Dir Lower
is here by relieved from his duty A.N

Dated 08-04-2016


HEAD MASTER
G.H.S, Jawzo
Distt:Dir (Lower)

ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR LOWER.
OFFICE ORDER.


Transfer order of SSTs issued under Endst;No,5638-43 dated 30/3/2016 is subject to the condition that they will not leave the station till the arrival of their substitute.


(Prof;Mohammad Uzair Ali)
District Education Officer
(Male) Dir.lower.

Endst;No, 7415-16 / Dated Timergara the 13/4/2016

Copy forwarded to;

1. The District Accounts Officer Dir lower.
2. The Deputy Distt;Officer(M) Local office .
3. The Principals/Headmasters concerned.
4. The Teachers concerned.


13/4/16
District Education Officer
(Male) Dir lower.

ATTESTED


10

D-10

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR LOWER.
OFFICE ORDER


Transfer order issued under Endst;No,5638-43 dated 30/3/2016 in respect of Mr,Zarbaz Khan SST and Mr,Inayat-Rahman SST GHS Jawzo at SNo,25&56 is hereby cancelled due to non compliance.

(Prof;Mohammad Uzair Ali)
District Education Officer
(Male) Dir lower.

Endst;No, 2555-56 / Dated Timergara the 18/4/2016

Copy forwarded to:-

1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. The Headmasters concerned.
3. The Teachers concerned.
4. Master file.


19/4/16
District Education Officer
(Male) Dir lower.

ATTESTED


The Director of elementary and secondary Education Peshawar ,KPK.

E 11

Subject: Appeal to review and sit aside the cancellation order no.7555-58 dated 19/04/2016,

And to maintain the transfer order no.5638-43, dated 30/03/2016 of the applicant.

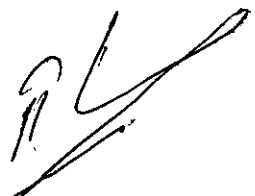
Sir,

The Background Facts are Below :

1. That is the applicant has been transferred from GHS Jawzo to GMS Kotkay Mayar by the general transfer order no.5638-43 ,dated 30/03/2016 ,from the office of D.E.O (M)E&SE Ditt.Dir Lower at Temergara and accordingly the applicant has taken charge over there .
2. That is the applicant has received another order,Endest no.7555-58, dated 12/04/2016 from the said office at 17/04/2016, directing the applicant not to leave the previous station till the arrival of the substitute , and in the accord with that the applicant started performing his due duty since 18/04/2016 again in GHS Jawzo .
3. But I was extremely astonished and shocked to receive the third order ,Endest no.7555-58,dated 19/04/2016,from the said office , cancelling the applicant's transfer order no.5638-43, dated 30/03/2016, and putting the charge of non-compliance on the applicant. *Protocopies attached with*
4. In this sense I would like to tell you that I haven't done anything of non-compliance and obeyed all the rules and regulations of the office concerned.
5. And I humbly request to kindly sit aside the order of cancellation and to maintain the transfer order of the applicant as mentioned above, after perusal of the appeal.

THANKS

Dated 20/04/2016 .



Yours obedient Inayatullah SST.GHS Jawzo ,Distt.Dir Lower.

ATTESTED





District Education Officer (M) Dir Lower

PH No. 0945-9250082,
E-mail emisdirlower@yahoo.com

for PROMOTION 2017

F-12

OFFICE ORDER:

Consequent upon the Notification issued by the Director (E&SE) Khyber Pakhtun Khwa Peshawar Endst. No. 4278-84/File No.2/Promtion SST B-16 dated Peshawar the 24/04/2016. The following SCTs/CTs, SDMs/DMs, SATs/ATs, STTs/TTs and PSHTs/SPSTs/PSTs are hereby adjusted against the vacant posts of SST (Bio-Chem), SST (Maths-Phy), SST (Gen) at the schools noted against each in the intrest of public service with immediate effect. Terms and conditions will remain the same as mentioned in the notification refered above.

A1. Promtion of SCTs/CTs to the post of SST (Bio-Chem) B-16

S#	S.L.No	Name of Official	Present place of posting	School where adjusted	Remarks
1	319	Malik Ur Rahman	GHSS Lal Qila	GHS Lajbook	Against Vacant Post

A2. Promtion of PSHTs/SPSTs/PSTs to the post of SST (Bio-Chem) B-16

S#	S.L.No	Name of Official	Present place of posting	School where adjusted	Remarks
1	2017	Sultan Zeb	GPS Dara Sherkhani	GCMHS Timergara	Against Vacant Post
2	2027	Muhammad Rehman	GPS Torab Din	GHS Shamshi Khan	Against Vacant Post

B1. Promtion of SCTs/CTs to the post of SST (Phy-Maths) B-16

S#	S.L.No	Name of Official	Present place of posting	School where adjusted	Remarks
1	135	Sardar Muhammad	GHS'Ouch Shargi	GHS Bagh Dushkhel	Against Vacant Post
2	177	Muhamamd Inamullah	GHSS Ziarat Talash	GHS Khungi	Against Vacant Post
3	223	Azizul Haq	GHS Badwan	GHSS Towda China	Against Vacant Post

B2. Promtion of PSHTs/SPSTs/PSTs to the post of SST (Phy-Maths) B-16

S#	S.L.No	Name of Official	Present place of posting	School where adjusted	Remarks
1	1547	Muhammad Suliman	GPS Balambat	GHS Peto Dara	Against Vacant Post
2	2042	Shah Nazir Khan	GPS Koheray No.1	GHS Koheray	Against Vacant Post

C1. Promtion of SCTs/CTs to the post of SST (G) B-16

S#	S.L.No	Name of Official	Present place of posting	School where adjusted	Remarks
1	52	Muhammad Amin	GHS Bagh Dushkhel	GHS Mian Kalay	Against Vacant Post
2	76	Jan Nisar	GHS Seh sada	GHSS Khair Abad	Against Vacant Post
3	78	Zahid Muhamamd	GHS Balambat	GHS Beyari	Against Vacant Post
4	79	Khaliquir Rahman	GHS Dheri Talash	GHSS Munda	Against Vacant Post
5	80	Ghulam Bahadar Khan	GHSS Lal Qila	GHSS Zaimdara	Against Vacant Post
6	81	Hazrat Hussain	GHS Seh sada	GHS Khanpur	Against Vacant Post

Photo Shop
Near National Bank Colony
Balambat GHS Timergara
Ph: 99 92 92 92 92 92 92 92

ATTACHED

Handwritten signature

13

8	82	Jam Roz Khan	GHS Khungi	GHS Koheray	Against Vacant Post
	83	Javed Iqbal	GHSS Khanpur	GMS Buchakay	Against Vacant Post
9	84	Fazal Hussain	GHSS Zlarat Talash	GHSS Khall	Against Vacant Post
10	85	Mohammad Naeem	GHSS Chakdara	GHS Sia Warghar	Against Vacant Post
11	86	Javed Iqbal	GHSS Saddo	GHS Koheray	Against Vacant Post

C2. Promtion of PSHTs/SPSTs/PSTs to the post of SST (G) B-16

S#	S.L.No	Name of Offical	Present place of posting	School where adjusted	Remarks
1	263	Toti Rahman	GPS Ghwara Banda	GMS Bin Shahi	Against Vacant Post
2	266	Abdul Wahid Jan	GPS Hakeem Abad	GHS Kotakai Shahi Khel	Against Vacant Post
3	271	Karim Ullah	GPS Kalpani	GHS Barjam Makhi	Against Vacant Post
4	334	Mutabar Khan	GPS Sadbar Kalay	GMS Ashar Kor	Against Vacant Post

C3. Promtion of SDMs/DMS to the post of SST (G) B-16

S#	S.L.No	Name of Offical	Present place of posting	School where adjusted	Remarks
1	21	Ihsanullah	GHS Mirgam Bala	GHSS Zaimdara	Against Vacant Post

C4. Promtion of SATs/ATs to the post of SST (G) B-16

S#	S.L.No	Name of Offical	Present place of posting	School where adjusted	Remarks
1	49	Fazal Mehmood	GHS Mian Kalay	GMS Ghwara Banda	Against Vacant Post

C5. Promtion of STTs/TTs to the post of SST (G) B-16

S#	S.L.No	Name of Offical	Present place of posting	School where adjusted	Remarks
1	23	Bacha Rahman	GHSS Hafasari	GHS Darmal Payeen	Against Vacant Post

(Muhammad Uzair Ali)
District Education Officer (M)
District Dir Lower

Dated Timergara the 05/05/2016

Endst. No. 8350-54

- Copy of the above is forwarded to:
- The Director (E&SE) Khuber Pakhtoon Khwa Peshawar.
 - The District Accounts Officer Dir Lower.
 - The Principals / Headmaster of the institute concernd.
 - The Deputy District Education Officer (M) Dir Lower.
 - The Officals concernd.

District Education Officer (M)
District Dir Lower

Attested Photo Stamp
Near National Bank Colony,
Bulandshahr, Timergara.
Ph: 99-54-2284, 99-54-2285

Attested
[Signature]

G-18 (B) - (10)



**GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)**

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained


²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

¹ Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules.
² Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
 DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

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

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

ATTESTED


Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

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

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

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

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

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

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

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

.....

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No. SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

.....

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

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

ATES

VAKALATNAMA

IN THE COURT OF KPK service Tribunal Peshawar
OF 2016

Inayat - ul - Rehman

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deppt.

(RESPONDENT)
(DEFENDANT)

I/We

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 29 / 7 / 2016



CLIENT

ACCEPTED
NOOR MOHAMMAD KHATTAK
(ADVOCATE).

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