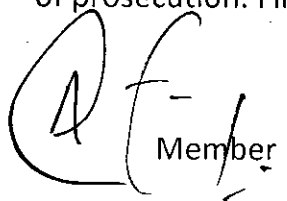


*Asia Bibi vs Education Deptt.
appeal No. 1193/2014*

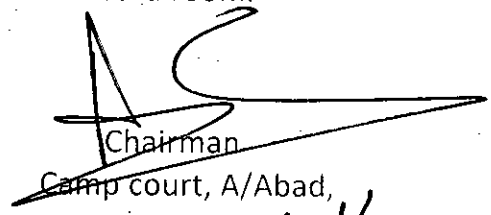
21.06.2016

None present for the appellant. Mr. Jehangir Khan, Litigation Officer alongwith Mr. Muhammad Siddique Sr.GP for respondents present. Copy of order dated 19.01.2016 vide which appellant has been adjusted at Government Girls Middle School Jama district Haripur against post where the appellant has also assumed charge of the post.

Since none is present on behalf of the appellant despite repeated calls hence the appeal is dismissed for want of prosecution. File be consigned to the record room.


Member

ANNOUNCED
21.06.2016


Chairman
Camp court, A/Abad,

21.06.16.

h

17.12.2015

None present for appellant. Mr. Muhammad Siddique, Sr.GP for official respondents present. Due to non-availability of D.B, appeal to come up for final hearing before D.B on 16.2.2016 at Camp Court A/Abad. Status-quo be maintained.


Chairman
Camp Court A/Abad

16.02.2016


Junior to counsel for the appellant and Mr.Muhammad Saddique, Sr.G.P for official respondents present. Seeks adjournment. To come up for final hearing before D.B on 19.4.2016 at Camp Court A/Abad. Status-quo be maintained.


Member


Chairman
Camp Court A/Abad

19.04.2016

None present for the appellant. Mr. Muhammad Bashir, Supdt. alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present. Due to non-availability of D.B arguments could not be heard. To come up for final hearing before D.B on 21.06.2016 at camp court, Abbottabad. Status-quo be maintained.


Chairman
Camp court, A/Abad

18.5.2015

Counsel for the appellant and Mr. Muhammad Tahir Aurangzeb, G.P for official respondents present. Private respondent No.4 is not in attendance. Rejoinder submitted. Due to non-availability of D.B, arguments could not be heard. To come up for final hearing before D.B at camp court A/Abad on 17.9.2015. Till then status-quo be maintained.


Chairman
Camp Court A/Abad

17.09.2015

Counsel for the appellant and Mr. Muhammad Tahir Aurangzeb, GP for official respondents present. Due to non-availability of D.B, arguments could not be heard. Adjourned to 22.10.2015 for final hearing before D.B at Camp Court A/Abad. Status-quo be maintained.


Chairman
Camp Court A/Abad

22.10.2015

None present for appellant. Ms.Saima Raza, ADEO alongwith Mr. Muhammad Tahir Aurangzeb, G.P for official respondents present. Arguments could not be heard due to non-availability of D.B. To come up final hearing before D.B on 17.12.2015 at Camp Court A/Abad. Status-quo be maintained.


Chairman
Camp Court A/Abad.

1193/14

19.2.2015

Counsel for the appellant and Mr. Muhammad Jan, GP with Mst. Saima Raza, ADO Haripur for the official respondents present and requested for time. Fresh notice be issued to private respondent No. 4. To come up for written reply of main appeal as well as reply/arguments on stay application on 27.3.2015. Till then status quo is extended.


MEMBER

27.03.2015

Counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1, Javed Ahmed, Supdt. for respondent No. 2 and Ms. Saima Raza, ADO for respondent No. 3 alongwith Addl: A.G present. Comments submitted by respondent No. 3. Learned Addl: A.G informed the Court that respondents No. 1 and 2 would not submit comments and would rely on the comments already furnished by respondent No. 3. None present for private respondent No. 4.

The appeal pertains to territorial limits of Hazara Division and as such assigned Abbottabad Bench. To come up for rejoinder and final hearing before D.B on 18.5.2015 at Camp Court Abbottabad. Till then status-quo be maintained.


Chairman

22.01.2015

3

Counsel for the appellant and Mr. Muhammad Jan, GP with Mosam Khan, AD and Jehangir, ADO for official respondents present. None is available on behalf of private respondent No. 4. Written reply on behalf of the respondents has not been received and further time was requested for the same. Conversely it was asserted by the learned counsel for the petitioner/appellant that the respondent department is using delaying tactics as a result of which the appellant/petitioner is badly suffering because she is still working on the same post and has not relinquished the charge, hence facing pressure. The learned counsel for the appellant/petitioner stressed that if status quo is not granted as a last resort, in favour of the petitioner, the respondent department would resort to other co version tactics in the shape of disciplinary proceedings which will affect carrier of the appellant/petitioner and will also complicate the matter for the Tribunal.

Since no reasonable and acceptable explanation was put forth before the Tribunal by the respondent department as to why they could not prepare written reply during such a long span of time, hence that this Tribunal has no other option but to grant status quo to appellant/petitioner till date which should be maintained subject to all just legal exceptions. File to come up for written reply of main appeal as well as reply/arguments on stay application on 19.2.2015. Notice to private respondent No. 4 be issued for the date fixed.



MEMBER

1193/14

14.11.2014

Clerk to counsel for the appellant, and Mr. Muhammad Adeel Butt, AAG with Khursheed Khan, SO, and Javed Ahmad, Supdt. for the official respondents No. 1 & 2 present. None is available on behalf of respondents No. 3 to 4. The Tribunal is incomplete. To come up for the same on 18.12.2014.


READER


18.12.2014

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP with Mosam Khan, AD for the respondents No. 1 & 2 present. The Tribunal is incomplete. To come up for the same on 22.1.2015.


READER

3.
13.10.2014

Counsel for the appellant present and moved an application for early hearing. Case file requisitioned. Application allowed. To come up for preliminary hearing on 31.10.2014 instead of 07.11.2014.



Member

4.
31.10.2014


Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 11.06.2014, vide which the appellant was transferred from GGMS, Tip Haripur to GGMS, Khair Bara, Haripur. Against the above referred impugned order appellant filed departmental appeal which was not responded within the statutory period of 90 days, hence the instant appeal on 19.09.2014. Counsel for the appellant has also filed an application alongwith the appeal for interim relief. Notice of application should also be issued to the respondents for reply/arguments.

Since the matter pertains to terms and conditions of service of the appellant, hence admit for regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on main appeal on 22.01.2015 as well as reply/arguments on application on 14.11.2014.


Member

Appellant Deposited
Security & Process Fee
Rs. 300/- Bank
Receipt is Attached with File:


5.
31.10.2014



This case be put before the Final Bench  for further proceedings.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1193 /2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26/09/2014	<p>The appeal of Mst. Asia Bibi resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	30-9-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>7-11-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

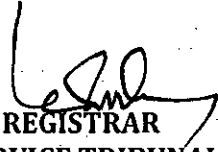
1193/2014
 30-9-2014
 7-11-2014

The appeal of Mst. Asia Bibi D/o Mir Sultan Caste Tanoli DM GGMS Khair Bara Tehsil Ghazi Haripur received today i.e. on 19.09.2014 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Annexures -A and C of the appeal are illegible which may be replaced by legible one.

No. 1386 /S.T,

Dt. 22/9/2014.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

Sir,

*All objections have been removed -
hence resubmitted today dated 25.9.2014.*


25/9/2014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO 1193 /2014

ASIA BIBI

VS

EDU: DEPARTMENT

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
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4.	Adjustment order	B	15.
5.	Transfer order	C	16- 18.
6.	Corrigendum	D	19.
7.	Impugned order	E	20.
8.	Departmental appeal	F	21.
9.	Civil court order	G	22.
10.	Transfer/ posting policy	H	23- 25.
11.	Vakalat nama	26.

APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
ABBOTTABAD BENCH, ABBOTTABAD

Service Appeal No. 1193 /2014

~~1193~~
1193
19-9-2014

Mst. Asia Bibi D/O Mir Sultan,
Castle Tanoli,
Drawing Master, Govt. Girls Middle School Khair
Bara, Tehsil Ghazi, Haripur.....Appellant

VERSUS

1. The Govt. of Khyber Pakhtunkhwa
through Secretary, Elementary & Secondary
Education, Civil Secretariat, Peshawar.
2. The Director,
Elementary & Secondary Education,
Dabgari, Peshawar.
3. The District Education Officer (Female),
Haripur.
4. Mst. Rizwana Bibi,
Drawing Master, Govt. Girls Middle School
TIP Housing Society, Haripur..Respondents

Submitted to
and filed.

19/9/14
26/9/14,

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED TRANSFER ORDER DATED 11/6/2014 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM GOVT. GIRLS MIDDLE SCHOOL, TIP HARIPUR TO GOVT. GIRLS MIDDLE SCHOOL, KHAIR BARA, HARIPUR AND THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN DECIDED WITHIN THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned Transfer Order dated 11/6/2014 may graciously be set aside and appellant be allowed to serve at Govt. Girls Middle School, TIP, Haripur.

Respectfully Sheweth,

1. That the Appellant was appointed as Drawing Master on 27/12/2003 in the Education Department, Haripur and was posted at Govt. Girls Middle School, Kripplian, Haripur. Copy of Notification dated 27/12/2003 and its better copy is enclosed as Annexure-A.

2. That on 2/5/2006 vide Notification No. 9446-48, the Appellant was adjusted at Govt. Girls Middle School, KTS, Haripur against a vacant post of Drawing Master. Copy of the Notification dated 2/5/2006 and its better copy is enclosed as (Annexure-B).
3. That later on, vide Office Order dated 2/3/2013, the Appellant was then against transferred from Govt. Girls Middle School, KTS Haripur to Govt. Girls Middle School, TIP Haripur. Copy of the Office Order dated 2/3/2013 is enclosed as (Annexure-C).
4. That another corrigendum dated 15/4/2014 was again issued against the Appellant by the respondent No. 3 in favour of another School Teacher namely Farhana Zahoor, Drawing Master, however, the said corrigendum was not acted upon as the other said teacher did not resume the duty at the school of the Appellant. Copy of Corrigendum dated 15/4/2014 is enclosed as (Annexure-D).

5. That it was to the astonishment for the Appellant that just after a few month, another impugned Order dated 11/6/2014 was issued by the respondent No. 3 whereby the Appellant was again transferred/adjusted from Govt. Girls Middle School, TIP Haripur to Govt. Girls Middle School, Khair Bara Haripur. Copy of the impugned Transfer Order dated 11/6/2014 is enclosed as (Annexure-E).
6. That the posting/transfer of the Appellant was not made in accordance with law, rules, regulations and was not in public interest, however, she was posted/transferred under the political interference exerted by the private respondent No. 4.
7. That the Appellant duly felt aggrieved from the above said impugned transferred Office Order dated 11/6/2014, submitted Departmental Appeal on 16/6/2014 to the

Respondent, however, no heed was paid to his request. Copy of Departmental Appeal dated 16/6/2014 is enclosed as Annexure-F.

8. That in the meanwhile, due to ill advice of the Counsel, the Appellant approached the Civil Court at Haripur, however, she was told lateron that the said court is not the proper court for the Civil Servants. *Copy of the order sheet is attached as..... G.*
9. That the Appellant aggrieved from the impugned Transfer Office Order dated 11/6/2014, having got no other efficacious/adequate remedy, now approaches this Honourable Tribunal on the following grounds amongst the others:-

GROUND:

- A. That the said impugned Transfer Order dated 11/6/2014 of the Appellant thereby throwing her to pillar to post within such short time, is quite illegal, unlawful, without

authority/ jurisdiction, hence, is liable to be setaside.

- B. That the said order is not in the public interest but as result of undue and illegal political pressure and the Appellant has been punished with no fault at her part.

- C. That it has also been mentioned in the transfer policy that no civil servant will be allowed to exert any political pressure in the matters with regard to the posting/transfer matters whereas the Respondent's department itself has defied and bulldozed the above said policy by making the transfer of the Appellant on the political pressure.

- D. That the Respondent's department must follow the observations/decisions passed by the Apex Court that in the matters of the Civil Servants posting/transfer, no political pressure should be admitted, however, in the present case.

- E. That if the said practice is not stopped, the whole structure of the departments will fall on the ground and each and every civil servant will be turned as political servant of the political figures, thereby losing interest to perform their real duties.
- F. That there is no complaint against the Appellant and she has served the Respondents' department to the entire satisfaction of superiors.
- G. That all the above said acts of the department authorities are against the prevailing rules and are based on malafide and unjust attitude of the concerned authorities.
- H. That Respondents have not treated the Appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned transfer order, which is

unjust, unfair and hence not sustainable in the eyes of law.

- I. That the policy of the transfer/posting drafted by the respondent's department wherein it has clearly been mentioned that the tenure of three years is for a teacher in a school, however, the Appellant has not been left to work at the above mentioned school i.e. Govt. Girls Middle School, TIP Haripur even for a year and she has been transferred just to oblige their own blue eyed person and just give relief to the respondent No. 4. *Copy of the policy is attached as - - - H.*
- J. That Govt. Girls Middle School, Khair Bara is situated in a far flung area in between the hilly area and no arrangement of accommodation for the female teacher has been made by the respondent's department and it takes 5-6 hours from Haripur to the above said school. Furthermore, there is also long journey on the foot at the end of destiny.


- K. That the Appellant is unmarried and it has been instructed so many times by the higher authorities that unmarried teachers should not be thrown to the far flung areas/hilly areas as there is no arrangement for their residing and protection in such far flung areas which is also against the moral values.
- L. That the Appellant has got every right to complete her tenure of three years at the above noted school.

It is, therefore, humbly prayed that On acceptance of the instant appeal, the Impugned Transfer Order dated 11/6/2014 may graciously be set aside and the Appellant may please be allowed to serve at Govt. Girls Middle School, TIP Haripur.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for may also be granted to appellant.


Appellant

Through


Noor Mohammad Khattak
Advocate

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
ABBOTTABAD BENCH, ABBOTTABAD**

Service Appeal No. _____/2014

Mst. Asia BibiAppellant

Versus

The Govt. of KPK & others.....Respondents

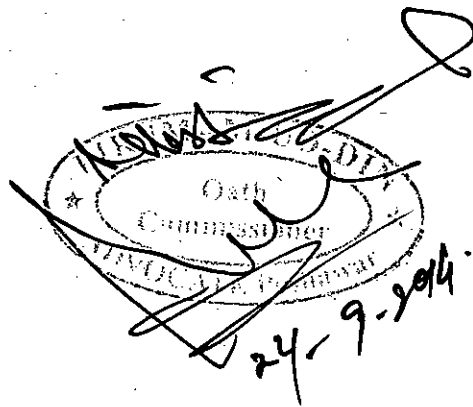
AFFIDAVIT

I, Mst. Asia Bibi D/O Mir Sultan, Castle Tanoli, Drawing Master, Govt. Girls Middle School Khair Bara, Tehsil Ghazi, Haripur do hereby solemnly affirm and declare that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Asia Bibi
Deponent

Identified by:

Advocate



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ABBOTTABAD BENCH, ABBOTTABAD**

C. M. No. _____/2014

&

Service Appeal No. _____/2014

Mst. Asia Bibi.....Appellant

Versus

The Govt. of KPK & others.....Respondents

APPLICATION FOR INTERIM RELIEF

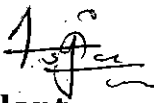

Respectfully Sheweth:

1. That the applicant/appellant has filed the above titled appeal in which no date has yet been fixed for hearing.
2. That the applicant/appellant has good prima facie case and there is every likelihood of the success of the case.
3. That the applicant/appellant has been transferred from Govt. Girls Middle School, TIP Haripur to Govt. Girls Middle School, Khair Bara, Haripur, due to malafide intention and just to oblige blue eyed persons of the respondents.
4. That the applicant/appellant will get irreparable loss, if the Interim Relief in the

above said Appeal has not been granted as all the efforts of the applicant/appellant will be destroyed and the Appeal will become infructuous.

5. That balance of convenience also lies in favour of the applicant/appellant.
6. That the ground of Appeal may kindly be considered as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the Transfer Order dated 11/6/2014 may kindly be suspended/stayed till the final decision of the above Appeal and the appellant may kindly be allowed to serve at Govt. Girls Middle School, TIP Haripur.


Applicant/Appellant
Through 
Noor Mohammad Khattak

Dated: __/09/2014 Advocate

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
ABBOTTABAD BENCH, ABBOTTABAD**

C.M. No. _____/2014

in

Service Appeal No. _____/2014

Mst. Asia BibiAppellant

Versus

The Govt. of KPK & others.....Respondents

AFFIDAVIT

I, Mst. Asia Bibi D/O Mir Sultan, Castle Tanoli, Drawing Master, Govt. Girls Middle School Khair Bara, Tehsil Ghazi, Haripur do hereby solemnly affirm and declare that the contents of the accompanying application for Interim Relief are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.


Deponent

Identified by:

Advocate

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS AND LITERACY) H.PUR

CORRIGENDUM:

Please read the following amended in the appointment orders of Drawing Mistresses issued under Endst No. 27170-27215 dated 3-12-2003 and No. 30107 dated 18-12-2003 with effect from their date of taking over charge in the interest of public service:-

<u>Sr. No.</u>	<u>Name of Mistress</u>	<u>Name of School</u>	<u>Remarks</u>
1.	Mst Sobia Bibi, Under apptt: GGMS Kripplian.	GGMS Bail.	Vice Mst: Farzana Zahoor not joined As DM
2.	Mst: Asiya Bibi DM, under apptt GGMS Khar Bara.	GGMS Kripplian	Vice S.No.1 above

Charge reports should be submitted in duplicate. No TA/DA/TG is allowed.

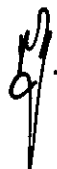
(S.BASHIR HUSSAIN SHAH)
Executive District Officer,
Schools and Literacy Haripur.

Endst:No.30961-64/ _____ Dated Haripur the 27-12-2003.

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

1. The District Accounts officer Haripur.
2. 04 Headmistresses,GGMS, Kripplian,Bail,Kharora.
3. Office File.

ATTESTED



Sd/.....
Executive District Officer,
Schools & Literacy Haripur

A - 179

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERACY) HARIUR.
CORRECTION.

Please read the following as amended in the appointment orders of Drawing mistresses issued under Enst: No. 2717e-27215 dated 3-12-2003 and No. 30107-20 dated 18.12.2003 with effect from their date of taking over charge in the interest of public service :-

<u>Sr.No.</u>	<u>Name of Mistress.</u>	<u>Name of School.</u>	<u>Remarks.</u>
1.	Mst: Sadiqa Bibi, DM under Apptt: GMS Kripplian	GMS Bail.	vice Mst: Farhana Zahoor not joined as DM.
2.	Mst: Asiya Bibi DM under Apptt: GMS Khar Sara.	GMS Kripplian	Vice Sr: No. 1 and


Charge reports should be submitted in duplicate.
No TA / DA / TG is allowed.

(S. BASHIR HUSSAIN SHAH)
Executive District Officer,
Schools & Literacy Hariur.

Enst: No. 30961-64 / Dated Hariur the 27-12 / 03.

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

1. The District Accounts Officer Hariur.
- 2-04 Headmistress, GMS, Kripplian, Bail, Khar Sara.
- 5- Office order file.


District Officer (Female)
Schools & Literacy Hariur.

ATTESTED



OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERACY) HARIPUR.

ADJUSTMENT.

As approved by the competent authority, Mat: Asia Bibi DM GGMS Karplian Haripur is hereby adjusted at GGMS KTS No I Haripur against Va vacant post of DM on her own pay & Grade in the interest of public service with immediate effect in relaxation of ban by the competent authority.

No TA DA is allowed
Charge report should be submitted to all concerned
Her Monthly Salary account ^{may be} not shifted after transfer

EXECUTIVE DISTRICT OFFICER
(SCHOOLS & LITERACY) HARIPUR.

Order No. 9446-48

Dated 2/5 /2006.

Copy to the ::

- 1. The District Coordination Officer Haripur
- 2. The Headmistress GGMS Karplian Haripur
- 3. The Headmistress GGMS KTS No I Haripur
- 4. Office order file.

[Signature]
 DISTRICT OFFICER (F)
 SCHOOLS & LITERACY HARIPUR.

ATTESTED

[Signature]

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
HARIPUR

OFFICE ORDER:

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No.3448-54/F.No.2/Promotion (F) Senior DM B-16 dated 21.02.2013, the services of the following newly promoted Senior DM Female (B-16) are hereby further adjusted against the newly upgraded senior DM Female (Sr-DM) B-16 (Rs. 10000-800-34000) posts mentioned against their names with effect from 21.02.2013 in the interest of public services, subject to the terms & conditions are remained issued as mentioned in the Notification referred above.

S.NO	S/List No.	Name of Promoted Teacher S-DM	Name of School	Place of new posting	Remarks
1.	1	Asmat Shaheen	GGCMS kot Najibullah	GGCMS kot Najibullah	Against newly upgraded post S-DM (B-16)
16.	27	Rafia Bibi	-----	-----	-----
24.	33	Farzana	-----	-----	-----
25.	36	Farzana Bibi	GGMS TIP Housing Scheme	GGHS KTS No. 1	Against newly upgraded S-DM (B-16) at GGHS KTS No.1 Haripur while Mst: Asia Bibi DM (B-16) GGHS KTS No. 1 Haripur is posted at GGMS TIP Housing Scheme.

ATTESTED

bf

Note:-

1. No TA/DA is allowed for joining their duty.
2. Charge reports should be submitted to all concerned

DISTRICT EDUCATION OFFICER (FEMALE)
HARIPUR

Endst: No. 1762-67

Dated 02/03/2013

Copy forwarded to the all concerned.

ATTESTED





OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
HARIPUR

OFFICE ORDER

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No.3448-54/P.No. 2/Promotion (P) Senior DM B-16 dated 21-02-2013, the services of the following newly promoted Senior DM Female (B16) are hereby further adjusted against the Newly Upgraded Senior DM Female (Sr-DM) B-16 (Rs. 10000-800-34000) posts mentioned against their names with effect from 21-02-2013 in the interest of public service, subject to the terms & conditions are remained intact as mentioned in the Notification referred above.

S.No.	Sl. No.	Name of Promoted Teacher Senior-DM (B-16)	Name of School	Place of New Posting (B-16)	Remarks
1	1	ISMAT SHAHEEN	GGCMS Kot Najibullah	GGCMS Kot Najibullah	Against Newly upgraded Post S-DM (B-16)
2	2	SAJIDA KHAN	GGHS Gudwalian	GGHS Gudwalian	Against Newly upgraded Post S-DM (B-16)
3	3	SARIFA BIBI	GGHS Baldhair	GGHS Baldhair	Against Newly upgraded Post S-DM (B-16)
4	4	RUBINA KOUSAR	GGHS KTS No.3	GGHS KTS No.3	Against Newly upgraded Post S-DM (B-16)
5	11	RUKHSANA PARVEEN	GGMS Daruwash	GGHS KANGRA COLONY	Against Newly upgraded Post S-DM (B-16) at GGHS Kangra Colony while Mst. Amina Bibi DM (B-15) GGHS Kangra Colony is posted at GGMS Daruwash
6	12	NUSRAT BIBI	GGHS No.2 Haripur	GGHS No.2 Haripur	Against Newly upgraded Post S-DM (B-16)
7	13	NUSRATARA BEGUM	GGMS Hassan Pur	GGHS Ghazi Hamlet	Against Newly upgraded Post S-DM (B-16) at GGHS Ghazi Hamlet while Mst. Sajida Khan DM (B15) GGHS Ghazi Hamlet is posted at GGMS Hassanpur.
8	15	NOREENA MAOSOOD	GGHS Sirua	GGHS Sirua	Against Newly upgraded Post S-DM (B-16)
9	16	MARLAT JABEEN	GGHS Kag	GGHS Kag	Against Newly upgraded Post S-DM (B-16)
10	17	ZAHIDA PARVEEN	GGHS Kahal	GGHS Kahal	Against Newly upgraded Post S-DM (B-16)
11	18	ZAHIDA NASREEN	GGMS Qutba Dhak	GGHS Hattar	Against Newly upgraded Post S-DM (B-16) at GGHS Hattar while Mst. Ruqia Jabeen DM (B15) GGHS Hattar is posted at GGMS Qutba Dhak.
12	23	GULFREEN ANJUM	GGHS Pind Kamal Khan	GGHS Pind Kamal Khan	Against Newly upgraded Post S-DM (B-16)
13	24	GHAZALA SHABNAM	GGMS Pind Hasham Khan	GGHS Sarri	Against Newly upgraded Post S-DM (B-16) at GGHS Sarri while Mst. Noshaba Farooq DM (B15) GGHS Sarri is posted at GGMS Pind Hasham Khan.
14	25	ARIFA BIBI	GGHS Chapra	GGHS Chapra	Against Newly upgraded Post S-DM (B-16)
15	26	NOREEN AKHTAR	GGMS Dehdan	GGHSS Panian	Against Newly upgraded Post S-DM (B-16) at GGHSS Panian while Mst. Rubina Parveen DM (B15) GGHSS Panian is posted at GGMS Dehdan.
16	27	RAFIA BIBI	GGMS Makhan	GGHS No.2 Haripur	Against Newly upgraded Post S-DM (B-16) at GGHS No.2 Haripur while Mst. Nusrat Bibi DM (B15) GGHS No. 2 Haripur is posted at GGMS Makhan.
17	28	FOZIA SOFI	GGCMS Haripur	GGCMS Haripur	Against Newly upgraded Post S-DM (B-16)
18	29	NAZIMA SHAHEEN	GGHS Dhenda	GGHS Dhenda	Against Newly upgraded Post S-DM (B-16)
19	30	SAHILA KHATOON	GGHS Pharari	GGHS Pharari	Against Newly upgraded Post S-DM (B-16)

ATTESTED

Sl. No	Name of Promoted Teacher Senior-DM (B-16)	Name of School	Place of New Posting (B-16)	Remarks
20	FARIHAT FIDA	GGMS Pathan Colony	GGHS Bhera	Against Newly upgraded Post S-DM(B-16) at GGHS Bhera while Mst: Shahbeena Abbasi DM (B-15) Bhera Haripur is posted at GGMS Pathan Colony.
21	BIBI MARYAM	GGMS Pind Jamal Khan	GGHS No.2 Haripur	Against Newly upgraded Post S-DM(B-16) at GGHS No.2 Haripur while Mst: Amrozia Bibi DM (B-15) GGHS No. 2 Haripur is posted at GGMS Pind Jamal Khan.
22	RUKHSANA KHANIL	GGHS KTS No.4	GGHS KTS No.4	Against Newly upgraded Post S-DM (B-16)
23	SABREEN BIBI	GGMS Rehana	GGHS Kholian Bala	Against Newly upgraded Post S-DM(B-16) at GGHS Kholian Bala Haripur while Mst: Saecda Bibi DM (B-15) GGHS Kholian Bala is posted at GGMS Rehana.
24	FAUZANA SULTAN	GGHSS KTS No.2	GGHSS KTS No.2	Against Newly upgraded Post S-DM (B-16)
25	FAUZANA BIBI	GGMS TIP Housing Scheme GGHS Sarai Saleh	GGHS KTS No. 1	Against Newly upgraded Post S-DM(B-16) at GGHS KTS No. 1 Haripur while Mst: Aisu Bibi DM (B-15) GGHS KTS No. 1 Haripur is posted at GGMS TIP Housing Scheme.
26	HASRAT JABEEN	GGHS Sarai Saleh	GGHS Sarai Saleh	Against Newly upgraded Post S-DM (B-16)
27	ADIDA SHAHEEN	GGHSS KTS No.2	GGHSS KTS No.2	Against Newly upgraded Post S-DM (B-16)
28	IRUM SHOALB	GGHSS Khanpur	GGHSS Khanpur	Against Newly upgraded Post S-DM (B-16)
29	MUSSARAT PHOOL	GGHS Mirpur	GGHS Mirpur	Against Newly upgraded Post S-DM (B-16)
30	SOFIA TOQBER	GGHS Alooali	GGHS Alooali	Against Newly upgraded Post S-DM (B-16)
31	SIBI HANNA	GGHS Mang	GGHS Mang	Against Newly upgraded Post S-DM (B-16)
32	SHAZIA TABASSUM	GGHS Dingi	GGHS Dingi	Against Newly upgraded Post S-DM (B-16)
33	SHAGHFEA HAZMEEN	GGHS Julian	GGHS Julian	Against Newly upgraded Post S-DM (B-16)
34	ROZIA BIBI	GGHS Mankarai	GGHS Mankarai	Against Newly upgraded Post S-DM (B-16)
35	NAFEESA FAROOQ	GGMS Sainaitan	GGHS Kalu Pind	Against Newly upgraded Vacant Post S-DM (B-16)
36	RUSHIDA QURESHI	GGHS Dobandi	GGHS Dobandi	Against Newly upgraded Post S-DM (B-16)

Note:-

1. No T.A/DA is allowed for joining their duty.
2. Charge reports should be submitted to all concerned.

(Rohana Qasim) DISTRICT EDUCATION OFFICER (FEMALE) HARIPUR

Endst: No. 1762-67

Dated. 02/03/2013

Cc:-

1. The Senior District Accounts Officer Haripur
2. The Principals/Headmistress concerned
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. Office Record File

ATTESTED

DISTRICT EDUCATION OFFICER (FEMALE) HARIPUR

[Handwritten Signature]

[Handwritten Signature] 02.03.2013

18

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certified that we have on the fore/after [✓]noon of this date: 5.3.2013 made over and received charge of at the office of the TIP Housing Society Haripur as DM

2. Particulars of cash and important secret and confidential documents handed over or noted on the reverse.

Signature of Relieved Govt Servant: _____
Name & Desig: _____

Station: G-GMS Housing Society Haripur

Sign: of Charge Receiving Govt Servant: Asfia Bibi
Name & Desig: _____

Date: 5.3.2013

OFFICE OF THE

Endst No: 2-1

Dated: 5/3/2013

Copy for information to the:

1. Director Elementary & Secondary Education NWFP Peshawar
2. Executive District Officer Elementary & Secondary Education Haripur
3. Medical Superintendent DHQ Haripur
4. District Officer Female/Male Elementary & Secondary Education Haripur
5. District Accounts Officer Haripur

ATTESTED

[Handwritten signature]

M. Yousaf Janjua

Publi
Signature/Office seal of
Headmistress
Govt. Girls Middle School
TIP Housing Society
HARIPUR

Office of District Education Officer

S. J. Haripur

PH No. 0995-613244

CORRIGENDUM

Please read Asyia Bibi DM GGMS TIP inserted of Farhana Zahoor DM GGMS Abdullah Pur in connection with this office order No 1163-64 dated 15/3/2014.

Note:

1. No TA/DA or TG is allowed.
2. Charge report should be submitted to all concerned.
3. Mst:Mustasna is hereby allowed to work at GGMS TIP and Mst:Asyia Bibi DM is directed to report at GGMS Sherawal

-----SD/-----
District Education Officer (F)

Haripur

Endst: No. 1893-95
Cc:

Dated: 15/04/2014

1. The Senior District Accounts Officer Haripur.
2. The Headmasters concerned.
3. Official concerned.
4. Office record file.

[Signature]
District Education Officer (F)
Haripur.

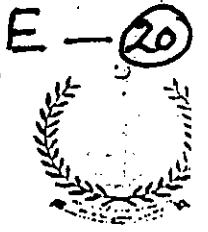
ATTESTED

[Signature]

Office of District Education Officer (Female)

Haripur

PH No. 0995-612552, 613244




ORDER

The following teaching staff of education department Haripur are hereby transferred / adjusted, on their own pay & grade in the best interest of public service with immediate effect.

S.#	Name & Designation	From	To	Remarks
1.	Mst. Rizwana Bibi DM	GGMS Dana Ferozpur	GGMS Tip Haripur	Versus S.No. 01
2.	Asia Bibi DM	GGMS Tip Haripur	GGMS Khair Bara	Against Vacant Post

Note.

1. No TA/DA etc is allowed.
2. Charges reports should be submitted to all concerned in duplicate.


District Education Officer (Female)
Haripur

Endst: No. 3051-52

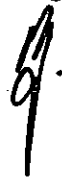
Dated 11 / 6 / 2014.

Copy to the:-

1. District Accounts Officer Haripur
2. Headmistress Concerned
3. Teachers Concerned
4. Office file.


District Education Officer (Female)
Haripur

ATTESTED



DEO (F)
Please look into
the matter and
follow the
accordingly

(فقیر پیر چنیل ڈائریکٹر آف ایجوکیشن
محکمہ صائب ڈسٹرکٹ آفس (Female)
Mr. Jhanvi D/A Govt
n/a please
نمبر عالیہ 2016/14
1762-67

DEPUTY COMMISSIONER
HATTPUR

1762-67 میں آرڈرنگوں کے مطابق اسکول میں آرڈرنگوں کی

02-03-2014 سے اپنے تدریس کے دوران اس مسئلے سے آگاہ رہیں اور اسکول کی

حیثیت میں کوئی شکایت نہیں رہی ہے۔ یہ اسکول میں آج بھی آج بھی اسکول میں

میں تقریباً سال پہلے سے اسکول میں ناؤنٹ کی رہائش میں اور اسکول میں سے

آسانی سے گھر جاسکتی تھی لیکن ڈیڑھ ماہ سے حکمہ تعلیم نے مجھے روانہ نہیں کیا ہے اور

تشریح کی ہے اور گورنمنٹ کی پالیسی اور قانون کے خلاف میری ٹرانسفر ڈیڑھ ماہ میں دو دفعہ

دو بار علاقوں میں کر چکی ہیں۔ ناجائز مجھے کسی سرکاری سرکاری جا رہی ہے۔ لیڈر گورنمنٹ

خود میں اپنے بنائے ہوئے قانون اور پالیسی کو نظر انداز کر رہی ہے۔ آخر کار میری ٹرانسفر کیوں

ہو رہی ہے؟ بار بار مجھے دیکھ کر پتہ چلتا جا رہا ہے۔ کس سکول میں ٹیکر میں دس سال سے

گورنمنٹ کی پالیسی اور قانون کی خلاف ورزی میرے لئے یہ کیوں؟

میری والدہ کا حال یہ ہیں انتقال ہوا ہے گھر میں میرے والد صاحب میں میرے علاوہ

میں کوئی نہیں گھریلو مسائل بہت زیادہ ہیں گھر میں ایسا کوئی فرد نہیں جو میرے ساتھ اپنے

سٹیشن پر جائے یا میں روزانہ (چھو گھنٹے) کا سفر کر کے ضرابارہ (غازی) جائے اور

میرے لئے کرفو آئیں نہیں آسکتی

گورنمنٹ پالیسی کے تحت نہ میرا سکول ہذا میں ہے۔ یہ 15 - لہذا ہوا ہے

اور ٹرانسفر کے آرڈر فراہم کرنے کے ساتھ منسلک ہیں

آپ سے انتہائی عازمتہ گزارش ہے کہ میرا ٹرانسفر آرڈر کنسل

کرنا مجھے TIP ہاؤسنگ سوانح سکول میں رہنے دیا جائے

آئی بی بی
D.M
9-9-14
TIP
16/6/2014

ATTESTED

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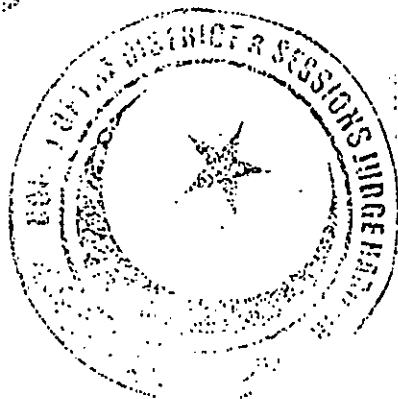
Handwritten notes in Urdu script, including the number 167/14 and other illegible text.

ORDER-03
09-09-2014

Plaintiff through counsel present. Admit the contents of plaint as true and correct. Be entered in the relevant register. Defendant No.5 through counsel Mr. Sher Bahadar Khan advocate present and submitted Wakalat Nama. Defendant No.1 through representative Ms. Saima present. An application under order 7 rule 11 CPC, and under order 7 rule 10 CPC, submitted written reply of application for temporary injunctions also submitted by defendant No.5, placed on file. Copies be handed over. Status-quo be maintained till next date. To come up for written reply and arguments on 15-09-2014.

Signature of Raja Badar Munir
RAJA BADAR MUNIR
Civil Judge-VIII, Haripur

ATTESTED



12-9-14
12-9-14
12-9-14
12-9-14
12-9-14



**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.

ATTESTED

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

ATTESTED

- 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

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

ATTESTED

[Signature]

(25)

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.

ATTESTED

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.

ATTESTED

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2014

Asia Bibi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Department

(RESPONDENT)
(DEFENDANT)

I/We Asia Bibi

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. ____/____/2014



CLIENT



ACCEPTED

NOOR MOHAMMAD KHATTAK
(ADVOCATE)

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1193 /2014

ASIA BIBI

VS

EDUCATION DEPTT:

APPLICATION FOR EARLY HEARING OF
THE ABOVE MENTIONED APPEAL

R.SHEWETH:

- 1- That the above mentioned appeal is pending adjudication before this august tribunal in which 07.11.2014 date is fixed for hearing.
- 2- That in the above mentioned appeal the appellant challenged the impugned order dated 11.6.2014 due to which the respondents illegally transferred to the appellant.
- 3- That due to that reason the respondents are not willing to cancel the impugned order dated 11.6.2014.
- 4- That the interest of justice demands that such like matters should be heard as early as possible to meet the ends of justice and also to meet the principles of access to justice.

It is therefore most humbly prayed that on acceptance of this application the appeal of the appellant may be heard on an early date to meet the ends of justice.

PETITIONER


ASIA BIBI

THROUGH:


NOOR MOHAMMAD KHATTAK
ADEVOCATE