

INDEX

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

| APPEAL NO. | INSTITUTION | ORIGINAL INSTITUTION | DECISION | PAGES |
|------------|-------------|----------------------|------------|-------|
| 2290/23 | - | 02.11.2023 | 08.05.2024 | 51 |

Shahista Begum VS Govt of KPK

| Sr.No. | Page No. | No. of Pages | Documents |
|--------|----------|--------------|---------------|
| Part-A | | | |
| 1 | 01 - 01 | 01 | Order |
| 2 | 02 - 04 | 03 | Order Sheets |
| 3 | 05 - 35 | 31 | Appeal |
| 4 | 36 - 49 | 14 | Reply of R1-3 |
| 5 | 50 - 51 | 02 | Notices |
| 6 | - | - | - |
| 7 | - | - | - |
| 8 | - | - | - |
| 9 | - | - | - |
| 10 | - | - | - |
| 11 | - | - | - |
| 12 | - | - | - |
| Part-B | | | |
| 1 | - | - | - |
| 2 | - | - | - |
| 3 | - | - | - |

| | |
|-----------------------|-----|
| Total Pages in Part-A | 051 |
| Total Pages in Part-B | 0 |

Cy
20/5/24
Muharrir Compilation

[Signature]
4/6/24
Incharge Judicial Branch

جناب عالی!

بحوالہ چارج شیٹ نمبری PA/182 مورخہ 09.11.2020 معروض ہوں کہ مورخہ 01.11.2020 بمقام ضلع

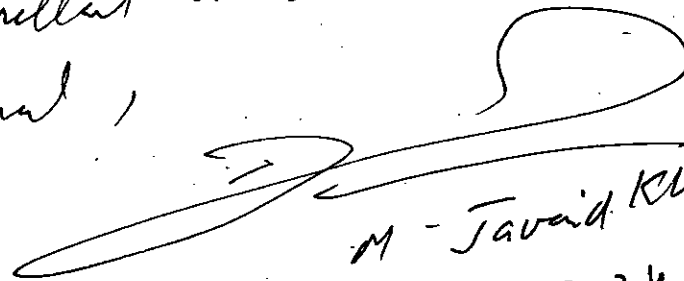
چار سدہ A1 امتحان تھا جس کے لیے ضلع ہذا کے علاوہ دیگر اضلاع سے بھی پولیس کنسٹیبلان آئے ہوئے تھے۔ کنسٹیبل عباس اختر البرق ایلٹ فورس جو کہ میرا قریبی دوست ہے جس کا بھی A1 امتحان تھا تو اسکے ساتھ ہمراہ چلا گیا تھا۔ جب متعلقہ جگہ پہنچے تو کنسٹیبل عباس اختر امتحانی ہال کے اندر گیا اور ہم باہر تھے۔ میرے علاوہ وہاں دیگر اضلاع سے بھی بہت زیادہ پولیس والے سادہ کپڑوں میں اپنے اپنے دوستوں کے ساتھ آئے تھے اور امتحانی ہال کے باہر موجود تھے۔ تھوڑی دیر بعد امتحانی ہال سے مختلف کنسٹیبلان نے پیپر باہر نکالنے شروع کیے اور اپنے ہمراہیوں کی مدد سے حل کرانے شروع کیے کہ اسی اثناء میں EATA کے استاذان باہر نکلے جس میں بہت سے لڑکے بھاگ گئے لیکن میں اور میرے علاوہ وہاں پر 5/6 لڑکے اور تھے۔ جو نہیں بھاگے۔ تو اس استاذوں نے ہمیں پکڑ کر امتحان ہال کے اندر لے گئے اور ہمارے تصاویر نکالے جب میرے دوست کنسٹیبل عباس اختر میرے پاس آیا تو اس استاذوں نے ان سے بھی پیپر چھین لیا۔ عباس اختر نے استاذ کو کافی سمجھایا کہ یہ میرا دوست ہے اور میرے ساتھ آیا ہے۔ تو ان سے پوچھنے آیا کہ امتحانی ہال کے اندر کیا کر رہے ہو لیکن انہوں نے ایک بھی نہ سنی۔ مجھے اور کنسٹیبل عباس اختر اور دیگر 2/3 لڑکے اور تھے جسکو زیر نگرانی پولیس تھانہ سٹی چار سدہ پہنچایا گیا وہاں پر SHO، DSP صاحبان نے بھی موقع کی نسبت صورتحال کی کی جانچ پڑتال کر کے ہمیں بغیر کسی کارروائی کے چھوڑ دیے کیونکہ ہم بے گناہ تھے اب مجھے علم ہوا کہ من سائل کی انکوآری ہے بروز وقوعہ جو کچھ بھی ہوا تھا اسکے بارے تحریری بیان دیا۔ اس معاملہ میں بے قصور ہوں۔ استدعاہیکہ میرے خلاف جاری شدہ چارج شیٹ کو بغیر کسی کارروائی داخل دفتر کیا جائے۔

کنسٹیبل عباس اختر
1183 پولیس لائن نوشہرہ

20.11.2020

ATTESTED
DSP Legan Nowshera

① As the grievance of the petitioner/Appellant has been redressed by the respondents, hence the Appellant wants to withdraw the present Service appeal,



M - Javid Khan ASL
7-5-2024

S.A.No. 2290/2023

08.05.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant requested for withdrawal of the instant service appeal on the ground that grievances of the petitioner has been redressed departmentally and does not want further pursue the case. As a token of admission of his submission, he signed the margin of order sheet. In view of the above, the appeal is dismissed as withdrawn. Consign.

3. Pronounced in open court at camp court Swat and given under my hand and seal of the Tribunal on this 8th day of May, 2024.


(Rashida Bano)
Member (J)
Camp Court Swat

SCANNED
KPST
Peshawar

2

06th March, 2024

1. Nobody is present on behalf of the appellant. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Reply on behalf of respondents has been filed. To come up for preliminary hearing on 04.04.2024 before the S.B at Camp Court Swat.

SCANNED
KPST
Feshawer

Q

(Kalim Arshad Khan)
Chairman
Camp Court Swat

Naeem Amin

Due to cancellation of tour case i
is adjourned to 08-05-2024

D

3

06.12.2023

Learned counsel for the appellant present and requested that time may be granted to him to deposit TCS expenses. Granted with direction to the appellant to deposit the same within in a week, thereafter notice be issued to the respondent No. 3 for submission of reply/comments. To come up for reply/comments as well as preliminary hearing on 03.01.2024 before S.B at camp court Swat. P.P given to the learned counsel for the appellant.

SCANNED
KPST
Peshawar

kamranullah

(Muhammad Akbar Khan)
Member (E)
Camp Court Swat

03.01.2024

Clerk of counsel for the appellant present. Mr. Asad Ali Khan learned Assistant Advocate General alongwith Iftikhar Ali, ADEO for the respondents present. Representative of respondent No.3 accept the notice.

Written reply on behalf of respondents not submitted. Representative of respondents sought time for submission of written reply. Adjourned. To come up for written reply/comments on 06.03.2024 before S.B at camp court, Swat. P.P given to the parties.

SCANNED
KPST
Peshawar

Kaleemullah


(Rashida Bano)
Member (J)
Camp Court, Swat

FORM OF ORDER SHEET

4

Court of


Appeal No. 2290/2023

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|----------------------------|--|
| 1 | 2 | |
| 1- | 02/11/2023 | <p>The appeal of Mst. Shaista Begum received today through her special attorney. It is fixed for preliminary hearing before touring Single Bench at Swat on <u>7/11/2023</u>.</p> |
| | 07 th Nov. 2023 | <p>By the order of Chairman</p> <p> REGISTRAR</p> <p>01. Counsel for the appellant present.</p> <p>02. Pre-admission notice be issued to the respondents. The appellant is directed to deposit TCS expenses within 03 days. To come up for reply/comments as well as preliminary hearing on 06.12.2023 before the SB at Camp Court, Swat. Parcha Peshi given to learned counsel for the appellant.</p> |

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

Fazle Subhan, P.S


(Fareeha Paul)
Member(E)
Camp Court, Swat

5

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. 257 of 2023

Mst. Shaista Begum **VERSUS** Govt. of K.P.K & others.

INDEX

| S.No | Description | Annexure | Page No |
|------|--|----------|---------|
| 1 | Service appeal | | 1-4 |
| 2 | Affidavit and Certificate | | 5-6 |
| 3 | Memo of address | | 7 |
| 4 | Application suspension | | 8-9 |
| 5 | Copy of order dated 04/4/2017 | A | 10-11 |
| 6 | Copy of transfer order dated 28/01/2022 | B | 12 |
| 7 | Copy of order dated 07/7/2023 | C | 13 |
| 8 | Copies pr representation and departmental appeal | D | 14-16 |
| 9 | Copy of E-Transfer police dated 11/9/2019 | E | 17-22 |
| 10 | Copy of transfer policy 2009 | F | 23-28 |
| 11 | Power of attorney | | 29-30 |
| 12 | Notice & receipt | | 31 |
| 13 | Wakalat Nama | | 32 |

APPELLANT

Mst. Shaista Begum

Through Counsel

MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

Office: Near Allah-u-Akbar Masjid, College

Colony Saidu Sharif Swat.

Cell No. 0343-9607492

(6) (1)

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. 2290 of 2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 2848

Dated 2/11/2023

Mst. Shaista Begum D/o Qasim Ali R/o Soora Chamla Tehsil Daggar
District Buner.(Appellant)

VERSUS

1. Government of Khybar Pakhtunkhwa through Secretary Elementary and Secondary Education at Civil Secretariat Peshawar.
2. Director Elementary and Secondary Education Khybar Pakhtunkhwa at Peshawar.
3. District Education Officer (Female) District Buner at Daggar.
.....(Respondents)

Appeal U/s 4, of the Khybar Pakhtunkhwa Service Tribunal Act, against the cancellation order No.2159-67 dated 07/07/2023, issued by respondent No.3, whereby the Notification / posting order No.3657-61 dated 28/01/2022 (whereby appellant was posted at G.G.M.S Badair Tehsil Mandanr District Buner) has been cancelled illegally, unlawfully and unconstitutionally.

PRAYER:

On acceptance of this Service Appeal the cancellation / final order No. 2159-67 dated 07/07/2023 issued by the respondent No.3 may be declared illegal, unlawful and unconstitutional and the notification / posting order No.3657-61 dated 28/01/2022 of the appellant at G.G.M.S Badair Tehsil Mandanr District Buner, may kindly be restored. Or in the alternative the appellant be posted on any other vacant post of D.M nearest to the residence of the appellant.

Filed on day
02/11/23

(7) (2)

Respectfully Sheweth:

1. That the appellant was appointed as Teacher (D.M) at Government Girls High School Charorai Tehsil Mandanr District Buner, vide order No.7498-7506 dated 04/4/2017.(Copy of order is attached as annexure A).
2. That after performing her duties for more than four years 10 months and 24 days, at the said station, the petitioner was transfer to G.G.M.S Badher Tehsil Mandanr District Buner, on vacant post vide order No.3657-6 dated 28/01/2023. (Copy of transfer order dated 28/01/2022 is attached as annexure B).
3. That the respondent No.3 cancelled the said transfer order dated 28/01/2023 and appointed another fresh appointee D.M namely Mst. Kainat resident on of Gagra Kalpani, Tehsil Gagra Disrict Buner, vide order No.2159-67 dated 07/7/2023 on the petitioner post.(Copy of order dated 07/7/2023 is attached as annexure C).
4. That the petitioner then filed representation to respondent No.3 vide application Diary No.276 dated 10/7/2023 and departmental appeal to respondent No.2, for cancellation of order dated 07/7/2023 and restored the order dated 28/01/2022. Contents of the representation as well as departmental appeal may be considered as integral part of this service appeal.(Copies of representation and departmental appeal are attached as annexure D).
5. That the respondents No.2 & 3 have not decided the said representation as well as departmental appeal within the statutory period of 90 days, hence the appellant being still aggrieved of the order No. 2159-67 dated 07/7/2023 and knocking at the doors of this Honourable Tribunal, for the redressal of her grievance, inter alia on the following grounds.

8

3

GROUNDS:

- i. That the inaction of the respondents towards the grievance of the petitioner is illegal, unlawful and unconstitutional.
 - ii. That the inaction of respondents is violation of Article 4,8,25, 38 (e) of the constitution of Islamic Republic of Pakistan 1973.
 - iii. That the cancellation order No. 2159-67 dated 07/7/2023 in respect of the appellant is illegal, unlawful and unconstitutional.
 - iv. That the impugned notification office order dated 07/07/2023 as well as inaction of the respondents towards the grievance of the petitioner is also against the E-transfer policy of the Provincial Government Dated 11/9/2019. (Copy of E-transfer policy is attached as annexure E).
 - v. That the impugned notification/ office order as well as inaction of the respondents is violation of the Transfer Policy of the Provincial Govt. of 2009. (Copy of transfer policy 2009 is attached as annexure F).
 - vi. That some other grounds will be argued at the time of arguments with the prior permission of this Honourable Tribunal.
6. That this appeal has been filed against the cancellation order No. 2159-67 dated 07/7/2023 issued by respondent No.3, against which the appellant has filed representation dated 10/7/2023 to respondents No. 3 and departmental appeal to respondent No.2 which have not been decided as yet, hence this Honourable Tribunal has got jurisdiction and this appeal is within time.


9 4

It is therefore, humbly prayed that on acceptance of this Service Appeal the cancellation / final order No. 2159-67 dated 07/7/2023 issued by the respondent No.3 may be declared illegal, unlawful and unconstitutional and the notification / posting order No.3657-61 dated 28/01/2022 of the appellant at G.G.M.S Badair Tehsil Mandanr District Buner, may be restored.

Or

The alternative the appellant be posted on any other vacant post of D.M nearest to the residence of the appellant.

Any other remedy which has not specifically been prayed for and to which the appellant is entitled may also be granted in favour of appellant.



APPELLANT

Mst. Shaista Begum

Through Counsel



MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

10

5

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. _____ of 2023

Mst. Shaista Begum

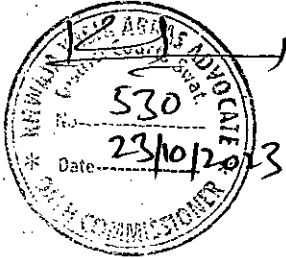
VERSUS

Govt. of K.P.K & others.

AFFIDAVIT

I, Mr. Riaz Ul Haq S/o Shamsul Hadi R/o Soora Tehsil Mandanr District Buner (Special attorney of appellant), do hereby state on oath that the contents of this Service appeal are true and correct to the best of my knowledge and belief.

ATTESTED



DEPONENT

[Signature]
Appellant through special attorney:

Mr. Riaz Ul Haq

(11) (6)

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. _____ of 2023

Mst. Shaista Begum **VERSUS** *Govt. of K.P.K & others.*

CERTIFICATE:

*It is, certified that no such like Service appeal has earlier
been filed before this Honourable court, or any other competent
court.*

APPELLANT

Mst. Shaista Begum

Through Counsel


MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

12

7

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. _____ of 2023

Mst. Shaista Begum **VERSUS** Govt. of K.P.K & others.

MEMO OF ADDRESSES

ADDRESS OF THE APPELLANT:

*Appellant through special attorney Mr. Mr. Riaz Ul Haq S/o
Shamsul Hadi R/o Soora Tehsil Mandanr District Buner.*

CNIC No. 15101-9592039-9.

Cell No. 0333-9898178

ADDRESSE OF THE RESPONDENTS:

- 1. Government of Khybar Pakhtunkhwa through Secretary Elementary and Secondary Education at Civil Secretariat Peshawar.*
- 2. Director Elementary and Secondary Education Khybar Pakhtunkhwa at Peshawar.*
- 3. District Education Officer (Female) District Buner at Dggar.*

APPELLANT

Mst. Shaista Begum

Through Counsel


MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

13

8

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

Service Appeal No. _____ of 2023

Mst. Shaista Begum **VERSUS** Govt. of K.P.K & others.

Application for the suspension of impugned order
No.2159-67 dated 07/07/2023, till the final disposal of
the instant appeal.

Respectfully Sheweth:

1. That the above captioned appeal has filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.
2. That the petitioner has well prima facie case and there is very likely hood of success of the above captioned appeal.
3. That the balance of convenience are also in favour of petitioner /appellant.
4. That if the impugned order No.2159-67 dated 07/07/2023 has not suspended then the appellant will suffer irreparable loss.
5. That the facts and grounds of the main appeal may kindly be considered as part and parcel of the instant application.

14

9

It is therefore, humbly prayed that on acceptance of this application the impugned order No.2159-67 dated 07/07/2023 may kindly be suspended till the final disposal of the instance appeal.

APPELLANT

Mst. Shaista Begum

Through Counsel



MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

AFFIDAVIT

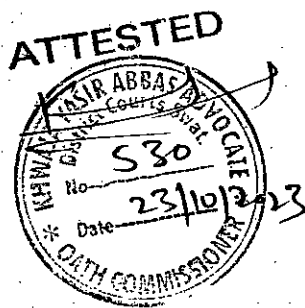
It is state on oath that the contents of this application are true and correct to the best of my knowledge and belief.



DEPONENT

Appellant through special attorney:

Mr. Riazul Haq





15

10

OFFICE OF THE DISTRICT EDUCATION OFFICER
(F) DISTRICT BUNER
PHONE & FAX NO 0939-510366
EMAIL: deofemalebuner@gmail.com

OFFICE ORDER.

Annex (A)

Consequent upon recommendation of the District Selection Committee, appointment of the following candidates is hereby ordered against the post of D.M, in BPS-15 (Rs.13510 -1120-47110) @ Rs. 13510/- fixed plus usual allowances as admissible under the rules on adhoc/ contract basis under the existing policy of the Provincial Government, in Teaching Cadre (**School Based**), on the terms and condition given below, with effect from the date of taking over charge in the best interest of public service.

Attested

| S. # | RollNo | Name | CNIC No. | Father's Name | D.O.B | Advocate's School Name | Remarks |
|------|------------|---------------|-----------------|------------------|------------|------------------------|---------|
| 1 | 8212000040 | KALSOOM BIBI | 15101-2902319-8 | ABDUL HALEEM | 01/04/1991 | GGMS MANGAL THANA | A.V.P |
| 2 | 8212000028 | NAGEENA | 15101-9702579-2 | SIRAJ UL HAQ | 25/06/1991 | GGMS MULA YOUSAF | A.V.P |
| 3 | 8212000024 | FAIZA BIBI | 15101-7943628-6 | DAWAR KHAN | 20/04/1992 | GGMS SHANAI NAWAYKALAY | A.V.P |
| 4 | 8212000046 | SHEEMA | 15101-2014330-2 | MAWASAL KHAN | 01/04/1990 | GGMS DAGGAR | A.V.P |
| | 8212000043 | NAJMA | 15102-0574587-0 | BAKAT ZAMAN KHAN | 25/05/1992 | GGMS BATARA | A.V.P |
| 5 | 8212000008 | SHAISTA BEGUM | 15101-6469664-8 | QASIM ALI | 01/03/1995 | GGHS CHARORAI | A.V.P |

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary adhoc /contract basis initially for a period of one year.
4. They should not be handed over charge if their age exceeds 35 years or below 18 years.
5. Appointment is subject to the condition that the certificates, Degree /documents must be verified from the concerned authorities by the office of DEO, if any one found producing bogus/ forge/fake Certificates/Degrees will be reported to the law enforcing agencies for further action.
6. Their services are liable to termination on one month's prior notice from either side. In case of

(16)

DM

(11)

8. They should join their post within 30 days of the issuance of this notification. In case of failure to join their post within 30 days of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. Before handing over charge, they will sign an agreement with the department, otherwise this order will not be valid.
11. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
12. Their services will be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they will be proceeded under the rules framed from time to time.
13. Their appointment is made on (School based), They will have to serve at the place of posting, and their service is (NON-TRANSFERABLE) to any other station/school.
14. Before handing over charge Principals/Head Mistress concerned will check their documents, if they have not acquired the required qualifications, they may not be handed over charge.
15. Posting within the selected school is the wholly solely authority of the appointing authority and no one has the right to claim for a specific school.
16. Medical Certificate should be signed positively by District Education Officer (F) Buner.
17. Errors and omissions will be acceptable within the specified period.
18. The selected candidate will be bound to accept the right of deserving candidates whoever omitted wrongly.

(SADIA ILYAS)

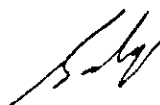
DISTRICT EDUCATION OFFICER (F)
DISTRICT BUNER.

Endst: No. 7498-7506 / Dated 4/4 /2017.

Copy forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner at Daggar.
3. District Nazim Buner.
4. District Monitoring officer Buner.
5. District Accounts Officer Buner.
6. Medical Superintendent DHQ Hospital Buner.
7. Principals / Head Mistress Concerned.
8. Officials Concerned.

Attested
Advocate



DISTRICT EDUCATION OFFICER (F)
DISTRICT BUNER



OFFICE OF THE DISTRICT EDUCATION OFFICER
ELEMENTARY & SECONDARY
PHONE & FAX NO. 3730510
DISTRICT BUNER



NOTIFICATION

Annex

(B)

In pursuance of Elementary & Secondary Education Department's
Pakistunkhwa Peshawar letter No. SO/SMD/E & SE/71/2021-PT General dated Peshawar
01.01.2022 and consequential upon the recommendations of District Transfer Committee that
the competent authority is pleased to effect Mutual General Transfer in respect of the following
Teachers to the school noted against each on their own pay & scale in the best interest of public
service

| S No | Name of Teacher | Designation | From | To | Remarks |
|------|-----------------|-------------|--------------------|------------------------|--|
| 1 | Kalsoom Hiba | SST (BC) | GGHSS Negrani | GGHS Kara Khanana | A/P |
| 2 | Hilat | SST (Gen) | GGHS Matwanai | GGMS Rega | subject to the arrival of other teacher |
| 3 | Kalsoom Hiba | CT | GGHSS Shahbanda | GGMS Hajkata | A/P |
| 4 | Sumaira Hiba | CT | GGMS Batai | GGMS Elai | A/P |
| 5 | Shazida | DM | GGHS Chahwan | GGMS Badair | A/P |
| 6 | Sarwat | FI | GGHSS Jowar | GGMS Khanana Dherai | A/P |
| 7 | Uzma Rani | TT | GGMS Dagar | GGMS Badair | A/P |
| 8 | Shama Rahman | CT | GGMS Pak Batai | GGMS Timanla Dherai | subject to the arrival of other teacher |
| 9 | Akhayya Saud | AT | GGMS Pak Batai | GGHSS Batai | A/P |

NOTE:

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

(SHAZIA NAWAZ)
DISTRICT EDUCATION OFFICER (E)
DISTRICT BUNER

Order No. 3657-61 Dated 28/01/2022

- Copy for information to the
- Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar
 - District Monitoring Officer (E) MA Buner
 - District Accounts Officer Buner
 - Principals / Head Mistresses Concerned
 - Teachers Concerned

(Signature)
DISTRICT EDUCATION OFFICER (E)
DISTRICT BUNER

A

100-100000

100-100000

100-100000

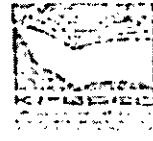
100-100000

100-100000



(18) (13)

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT BUNIR**
PHONE & FAX NO: 0939-510366
E-Mail: deofemalebuner6@gmail.com



OFFICE ORDER:-

Whereas: Various posts advertised on 01-12-2021 including DM post for four vacancies in which two posts were filled & two were deferred & according to the vacancies published in advertisement two vacancies at GGMS Balkhunay & GGMS Badair were left for next meritorious candidates.

Whereas: The leftover two next meritorious candidates namely Mst. Faiza Bibi D/O Abdul Ghawas & Mst. Kainat D/O Faiz Rasan approached to Grievances Redressal committee in which meeting was held on 13-06-2023 & appeal of the candidates were accepted & direction issued to DEO (F) Buner for appointment while on the other hand the candidates approached to Hon. Peshawar High Court Mingora Bench Darul Qaza Swat in writ Petition No: 206-M/2023 for their appointment.

Whereas: Before appointment of these leftover candidates vacancies, already published in advertisement, scrutinized & it was pointed out that one the vacancy of DM at GGMS Badair has been filled due to transfer by then DEO (F) Buner Vide Notification under Enstt No: 3657-61 Dated: 28-01-2022 & Mst. Shaista DM have already been transferred from GGHS Charorai to GGMS Badair (S. No: 05) which is against the rules and policy because already meritorious candidates were on waiting list & their cases were under trail before the appellate forum therefore, the transfer order is not justified according to the prevailing rules.

Whereas: To follow the decision & directions of the Grievances Redressal committee dated: 13-06-2023, was mandatory to follow in letter in spirit & the transfer order dated: 28-01-2022 needs to be cancelled for the purpose to adjust one of the left over candidate at GGMS Badair accordingly & Mst. Shaista DM needs to be returned to her original School i.e. GGHS Charorai which is still laying vacant.

In view of the above, the Undersigned Being Competent Authority CANCELLED transfer order under Enstt No: 3657-61 dated: 28-01-2022 in r/o Mst. Shaista DM (S No: 05) cancelled with immediate effect.

(DR. SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER (F)
BUNER

No. 2159-67/1

Dated 7/1/2023

Copy Forwarded for information and necessary action to the;

1. Director Elementary & Secondary Education khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. District Monitoring Officer / EMA, Buner.
4. District Account Officer Buner.
5. Budget & Account Officer Local Office.
6. Head Mistress GGHS Charorai with the direction to ensure compliance & submit report accordingly
7. Head Mistress GGMS Badair with the direction to relieve the official concerned & submit report along with relieving chit immediately under intimation to this office.
8. DEMS Local Office.
9. Teachers Concerned with the direction to ensure compliance of the order otherwise you will be considered absent at GGHS Charorai & you will be treated accordingly under E&D Rules 2011.

Accepted
Advocate

DISTRICT EDUCATION OFFICER (F)
BUNER

10-7-2023

No: 276

کونسل ضلع ڈسٹرکٹ ایجوکیشن آفیسر صاحب پور
Ammed (D)

ضابطہ حالہ -
 موجودہ قراردادیں سے کہ ہری پٹی تقریباً ایک سو چھ سو پچاس روپے
 سے لائی گئی تھی جو کہ 28² تک انجام دی
 تھی دوران انڈرٹاک عمل شہداء ٹیم میں اس بار منظور ہوئی ہے جس کے
 میری تھری ڈی ایم فوسٹ 28² کو عمل میں لائی گئی تھی
 7⁷ کو نئی آسانی کی ڈی ایم فوسٹ تقریباً تین سو روپے
 ارڈر کے ساتھ میری ارڈر کی منظوری کا ارڈر جاری کیا گیا
 لہذا میری ارڈر کی مسرتی غیر قانونی ہے انصافی پر مبنی ہے
 اسی وقت ہدی نے اپیل نمبر 12 کے تحت انصافی اس معاملے کی درخواست
 داخل کی ہے تا حال درخواست پر کام نہیں ہوا ہے
 لہذا اس معاملے کی ضرورت اپیل نمبر 12 کے تحت ہے
 چینی چین ہری پٹی کا سالانہ -
 ہری پٹی ہری پٹی کی کنسلٹیشن ارڈر لا سو 28² کا
 کا ارڈر والا کیا ہے - ہری پٹی ہری پٹی کی
 کو تاخیر سے دعا ہے

کونسل ڈسٹرکٹ ایجوکیشن آفیسر صاحب پور
 مستقیم - والا خانم - موجودہ سول - مطلوبہ سول - سکول
 نصاب - آقا سید علی - ہری پٹی ہری پٹی ہری پٹی - سورا

71 For items... ROL117429668
 Stamps affixed except in case of...
 The number of letters of not more than...
 The serial number prescribed for...
 The date or on which no...
 acknowledged...
 1. Name of the...
 2. Date-Stamp...
 3. State...
 4. State...
 5. State...
 6. State...
 7. State...
 8. State...
 9. State...
 10. State...
 11. State...
 12. State...
 13. State...
 14. State...
 15. State...
 16. State...
 17. State...
 18. State...
 19. State...
 20. State...

(16) جناب محترم صاحب
 (20) جناب محترم صاحب
 (5) جناب محترم صاحب

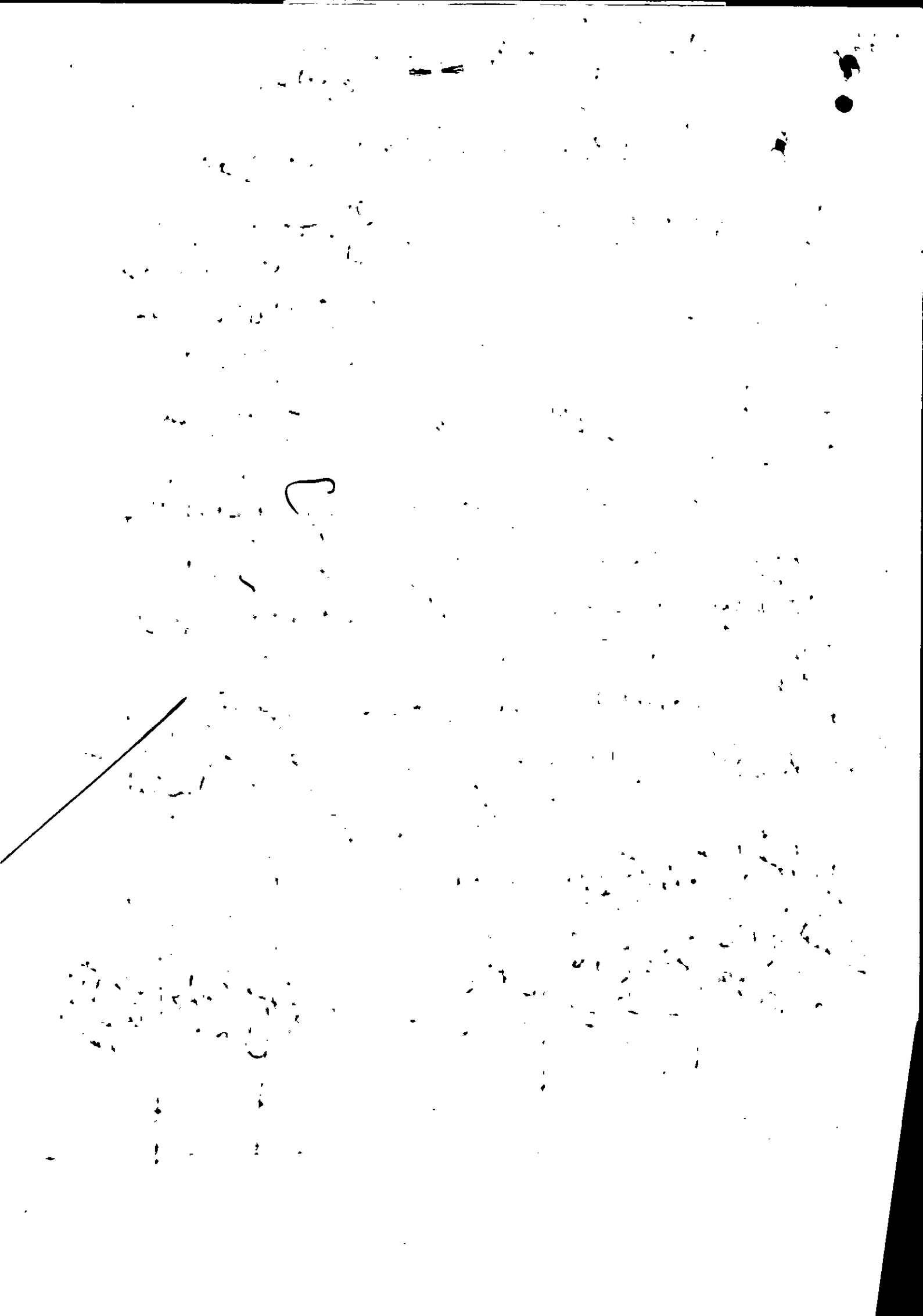
بلدی
 تھری

جناب
 مودبانہ کنڈار شاہ

میں پورے ہی راجہ سے بددلی سے 41 سے 2022 تک
 ڈیوٹی سرانجام دی تھی جبکہ مذکورہ سول سروس کے بارے میں
 پورا سے بہت دور ہے۔ پورا میں کے بعد 7 تاریخ پر ایک
 ہی تقرری کا آرڈر جاری کرنے میں تاخیر ہو گیا۔
 والا کیسٹل پر وہاں جو کہ دفتر پورے میں تھا وہاں
 ہے انصاف ہے۔ میں نے بروقت دفتر واروں کو غور کر دیا
 کہ کسی تقرری والے امیدوار کے ساتھ آپ جیسے ساتھ رہوں
 ہے انصاف ہے پورا۔ ازراہ کرم! پورا کے دربار میں
 اصل کرتے ہوں کہ مذکورہ ہی تقرری والے امیدوار کی آرڈر کر

کنسل کے لیے ایسا حق فی جی ایم ایس ہے۔
 پورے توڑ میں پوری
 آگے تا باغ مہمان دہنشاہتہ بیگم ولدہ نام کی پورا علی
 کو الف درجہ دیا ہے۔

| | | | | | | |
|--------|--------|---------|---------|--------|---------|--------|
| 7/2023 | 7/2023 | 29/2022 | 33/2022 | 4/2017 | 33/2022 | 4/2017 |
| | | | | | | |
| | | | | | | |
| | | | | | | |



17

21

Annexure
(E)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

No.SO(SM)E&SED/7-1/2019/Posting/Transfer/Policy of TC
Dated Peshawar the September 11, 2019

To

1. The Director, Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar.
2. The Director, Curriculum and Teachers Education
Khyber Pakhtunkhwa Abbottabad.
3. The Director, Provincial Institutes of Teachers Education, Peshawar.
4. The Director, Education Sector Reforms Unit, Elementary & Secondary
Education Department, Khyber Pakhtunkhwa.
5. All District Education Officers (Male & Female) in Khyber Pakhtunkhwa.

**Subject:- E-TRANSFER POLICY OF TEACHING CADRE IN E&SE DEPARTMENT
KHYBER PAKHTUNKHWA**

I am directed to refer to the subject noted above and to state that the Provincial Government has been pleased to implement the subject policy for posting/transfer of Teaching Cadre officers/officials in the Elementary and Secondary Education Khyber Pakhtunkhwa: -

- i. The introduction of e-Transfer for Teaching Cadre policy supersede all previous Posting/Transfer policies in the E&SE Department.
- ii. Transfer on Complaint (Administrative Ground Transfer), Mutual, Inter District Transfer and transfer for Operationalization of Newly Established schools will be exempted from the present policy.
- iii. Transfers shall be made annually in the month of March of the academic year.
- iv. Transfer shall be made only against the vacant post.
- v. The posts filled through NTS on school based recruitment process shall be declared non-transferable.
- vi. The vacant positions will be uploaded by the District Education Officers for all teaching cadres in last week of February.
- vii. The desirous employees shall apply through e-Transfer Application.
- viii. Each Competent Authority shall constitute a Grievance Redressal Cell headed by a BPS-18 or above officer which will resolve the grievances and determine the merit position of the applicants with in a week positively.
- ix. Each Competent Authority shall visit the Dash Board of e-Transfer app, check and verify all the particulars of the applicants till 25th of March.
- x. At the end of March Transfer orders generated by e-Transfer App will be issued.

[Handwritten signature]
11/09/2019

Attested
[Handwritten signature]
Advocate

18

22



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

- XI. Minimum tenure of 3 years on the present post at a school in plain area while 1.5 years in hard area is must for eligibility of e-posting/transfer.
- 2 The indicators as per from (A, B, C & D) will be considered for posting/transfer as per detail given below:

Form-A: Posting/Transfer of Teachers up to BPS 16 except SST (Total marks 80)

1. Distance of present school to the desired school (in KM) – 20 marks
 - a. Within 5 KM – 0 marks
 - b. Within 10 KM – 5 marks
 - c. Within 15 KM – 10 marks
 - d. Within 20 KM – 15 marks
 - e. Greater than 20 KM – 20 marks
2. Hard Area - 10 marks
 - a. Normal tenure (within 1.5 years) – 0 marks
 - b. Tenure at hard area (from 1.5 to 3 years) – 4 marks
 - c. Tenure at hard area (from 3 to 5 years) – 7 marks
 - d. Tenure at hard area (more than 5 years) – 10 marks
3. STR (Total number of Students in the school / Total number of Teachers) – 10 marks (IMU data Source)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level – 5 marks
 - c. STR at the present school is less than desired school – 10 marks
4. Chronic Disease – 10 marks
10 marks will only be awarded for chronic diseases (as per notified chronic diseases). A certificate in this regard will be required from Standing Medical Board.
5. Disability – 10 marks
10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
6. Domicile -10 marks
10 marks will be awarded to those when the desired school is in his/her district of domicile
7. Spouse – 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.

S. Nazki
11/09/2019

Form-B: Posting/Transfers of SSTs (Total Marks – 100)

1. Distance of present school to the desired school (in KM) – 20 marks
 - a. Within 5 KM – 0 marks
 - b. Within 10 KM – 5 marks
 - c. Within 15 KM – 10 marks
 - d. Within 20 KM – 15 marks
 - e. Greater than 20 KM – 20 marks
2. Hard Area - 10 marks

Attested
[Signature]
Advocate



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

- 19
- 23
- a. Normal tenure (within 1.5 years) – 0 marks
 - b. Tenure at hard area (from 1.5 to 3 years) – 4 marks
 - c. Tenure at hard area (from 3 to 5 years) – 7 marks
 - d. Tenure at hard area (more than 5 years) – 10 marks
 3. STR (Total Number of Students in Class 9 & 10 / Number of SST) - 10 marks (IMU data Source)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level – 5 marks
 - c. STR at the present school is less than desired school – 10 marks
 4. Chronic Disease – 10 marks
10 marks will only be awarded for chronic diseases (as per notified chronic diseases).
A certificate in this regard will be required from Standing Medical Board.
 5. Disability – 10 marks
 6. 10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
 7. Domicile -10 marks
10 marks will be awarded to those when the desired school is in his/her district of domicile
 8. Spouse – 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
 9. Annual SSC Result (of the subjects taught by the teacher) working in High/Higher Secondary Schools – 20 Marks
 - a. 90% or above – 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.

OR

For SSTs (General) working in Middle/Primary Schools – 20 Marks
Overall Students Attendance Rate Percentage as per IMU data

- a. 90% or above – 20 marks
- b. 80% to 90% - 15 marks
- c. 70% to 80% - 10 marks
- d. 60% to 70% - 5 marks
- e. Below 60% - 0 marks.

Form-C Posting/Transfers of Subject Specialists (SSS/SS) (Total Marks – 100)

1. Distance of present school to the desired school (in KM) – 20 marks
 - a. Within 5 KM – 0 marks
 - b. Within 10 KM – 5 marks
 - c. Within 15 KM – 10 marks
 - d. Within 20 KM – 15 marks

Attested

Advocate

20

24



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

- e. Greater than 20 KM – 20 marks
2. Hard Area - 10 marks
 - a. Normal tenure (within 1.5 years) – 0 marks
 - b. Tenure at hard area (from 1.5 to 3 years) – 4 marks
 - c. Tenure at hard area (from 3 to 5 years) – 7 marks
 - d. Tenure at hard area (more than 5 years) – 10 marks
3. Number of Students in Class-11 & 12 in the relevant subject - 10 marks
 - a. Number of Students at present school is greater than the Desired school - 0 marks
 - b. Number of Students at present and the desired school are equal or at the same level – 5 marks
 - c. Number of Students at the present school is less than desired school – 10 marks
4. Chronic Disease – 10 marks
10 marks will only be awarded for chronic diseases (as per notified chronic diseases). A certificate in this regard will be required from Standing Medical Board.
5. Disability – 10 marks
6. 10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
7. Domicile -10 marks
10 marks will be awarded to those when the desired school is in his/her district of domicile
8. Spouse – 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
9. Annual HSSC Result (of the subjects taught by the teacher) – 20 Marks
 - a. 90% or above – 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.

S. M. S. Y.
11/09/2019

Form-D: Posting/Transfers of Principals/Head Masters of High/Higher Secondary Schools (Total Marks – 120)

1. Distance of present school to the desired school (in KM) – 20 marks
 - a. Within 5 KM – 0 marks
 - b. Within 10 KM – 5 marks
 - c. Within 15 KM – 10 marks
 - d. Within 20 KM – 15 marks
 - e. Greater than 20 KM – 20 marks
2. Hard Area - 10 marks
 - a. Normal tenure (within 1.5 years) – 0 marks
 - b. Tenure at hard area (from 1.5 to 3 years) – 4 marks
 - c. Tenure at hard area (from 3 to 5 years) – 7 marks
 - d. Tenure at hard area (more than 5 years) – 10 marks

Attested
Page 4 of 6
Advocate

21

25



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

3. STR (Total number of Students in the school / Total number of Teachers) - 10 marks (IMU data Source)
 - a. STR at present school is greater than the Desired school - 0 marks
 - b. STR at present and the desired school are equal or at the same level - 5 marks
 - c. STR at the present school is less than desired school - 10 marks
4. Chronic Disease - 10 marks
10 marks will only be awarded for chronic diseases (as per notified chronic diseases). A certificate in this regard will be required from Standing Medical Board.
5. Disability - 10 marks
6. 10 marks will only be awarded only to those with Physical Disability. Proof required will be Special person CNIC + Standing Medical Board disability certificate
7. Domicile - 10 marks
10 marks will be awarded to those when the desired school is in his/her district of domicile
8. Spouse - 10 marks
10 marks will be awarded to those whose spouse is posted in the district where the desired school is situated and the desired district is the domiciled district of the applicant.
9. Annual SSC & HSSC Result of the School - 20 Marks
 - a. 90% or above - 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.
10. Overall Students Attendance Rate Percentage as IMU data - 20 Marks
 - a. 90% or above - 20 marks
 - b. 80% to 90% - 15 marks
 - c. 70% to 80% - 10 marks
 - d. 60% to 70% - 5 marks
 - e. Below 60% - 0 marks.

S. Rafiq
21/09/2011

(SHAHID RAFIQ)

SECTION OFFICER (SCHOOLS MALE)

Endst: Even No. & Date:

Copy of the above is forwarded to the:-

1. PSO to Chief Minister Khyber Pakhtunkhwa Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa Establishment Department, Peshawar.
3. Deputy Secretary, (Estab), Establishment Department Government of Khyber Pakhtunkhwa, Peshawar.
4. All Section Officers, Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
5. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.

Page 5 of 6

Attested

[Signature]
Advocate

22

26



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT**

6. PS to Secretary, Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
7. PA to Additional Secretary, Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
8. PA to Chief Planning Officer, Elementary & Secondary Education Department Khyber Pakhtunkhwa.
9. PAs to Deputy Secretary Admn/ Legal, Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
10. Office Record.

S. A. Afridi
11/10/2019

SECTION OFFICER (SCHOOLS MALE)

Attested

Advocate

NO.SOR-II (E&AD) 1-1/85(VOL-II)
Dated Peshawar the 15th February 2003.

(21)

(23)

(27)

Anux

Annexure

(F)

Subject: POSTING /TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

I am directed to refer to the subject noted above and to say that in supersession of all policy instructions issued in this behalf, the competent authority has approved the following posting Transfer Policy.

i. All the postings /transfers shall be strictly in public interest and shall not be abused misused to victimize the Government servants.

ii. All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting /transfer authorities for seeking posting /transfers of their choice and against the public interest.

iii. All contract Government employees, appointed against specific posts, cannot be posted against anyother 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 hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.

v. Months of March and July are fixed for posting /transfer of the officers /officials excluding the officers in B-19 and above in the Province. Posting /transfer in Education and Health Departments shall be made in March while the remaining Departments shall make posting /transfers in July. There shall be a ban on posting/transfers throughout the year excluding the aforesaid two months. However, there shall be no restriction in cases where posting /transfer of Government employees become inevitable in other months due to promotion /retirement /creation of new posts/return from long leave/involvement in

Attested

Advocate

24

28

disciplinary proceedings and adjustment of surplus staff for which specific relaxation shall be obtained from the Chief Minister.

vi. While making postings transfers from settled areas to FATA and vice versa specific approval of the Governor, NWFP needs to be obtained.

vii. Officers may be posted on executive /administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thana) of his area /resident is situated.

viii. No postings /transfers of the officers/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 and this will be subject to the public interest.

x. All the posting /transferring authorities may facilitate the postings /transfers of the unmarried female Government Servants at the station of the residence of their parents.

xi. Officers /officials except DCOs and 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 their till the retirement.

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

Attested
Advocate

1

Outside the Secretariat

i. Officers of the all Pakistan Unified Group i.e DMG , PSP including Provincial Police Officers in BPS-18 and above.

ii. Other officers in BPS-17 and above to be posted against schedule posts, or posts normally held by the APUG, PCS (EG) and PCS (SG).

iii. Head of Attached Departments and other Officers in B-19 & above in all Departments.

In the Secretariat:

iv. Secretaries .

v. Other Officers of and above the rank of Section Officers:-

- a. Within the Same Department.
- b. Within the Secretariat from one Department to another.

vi. Officials upto the rank of Superintendent:-

- a. Within the same Department.
- b. To and from an Attached Department.

2

Chief Secretary in consultation with the Establishment Department and the Department concerned with the approval of the Chief Minister.


-do-

-do-

Chief Secretary with the approval of Chief Minister.

Secretary of the Department concerned .
Chief Secretary /Secretary Establishment.

Secretary of the Department concerned.
Secretary of the Department in consultation

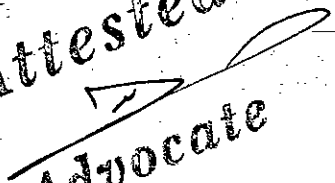
Attested

Advocate

26

30

c. Within the Secretariat from on
Department to another.

with Head of Attached Department
concerned. Secretary (Establishment)

Attested

Advocate

27

31

xiii. While considering postings /transfers proposals all the concerned authorities shall keep in mind the following:

a. To ensure the posting of proper persons on proper posts, the 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.

ix) Governments servants including District Govt. employees feeling aggrieved due to the orders of ,posting/transfers 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 posting/transfer or posting/transfer in violation of the provisions of this policy.

ii) Serious and grave personal (humanitarian) grounds.

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 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 Officer in BPS-17 and above posted in the District. | Provincial Government . |

Attested
Advocate

28

32

| | | |
|----|-------------------------------|--|
| 4. | Official in BPS-16 and below. | Executive District Officer in consultation with District Coordination Officer. |
|----|-------------------------------|--|

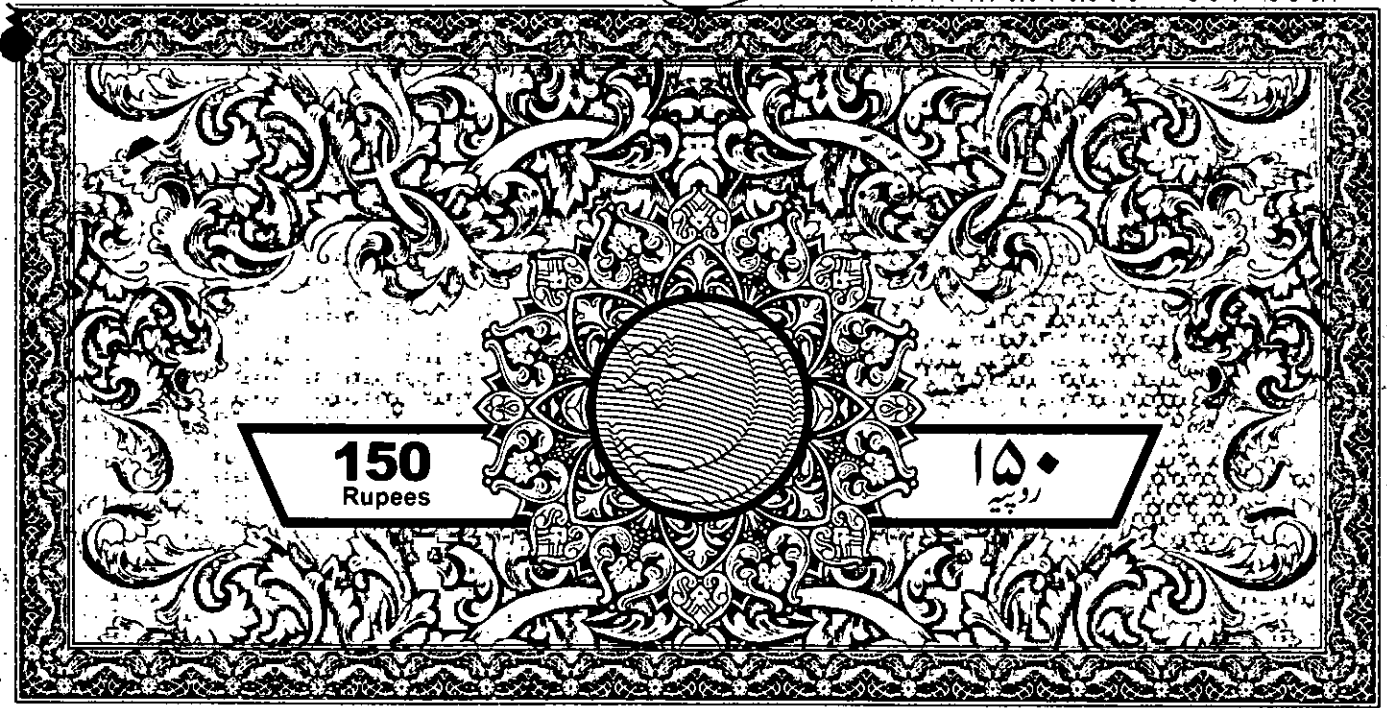
As per Rule 25(2) of the Rules above the District Coordination Department shall consult the Government if it is proposed to :

- a. transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure; and
- b. require an officer to hold charge of more than one post for a period exceeding two months.

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

Attested

Advocate



قرآن مجید کی جود اللہ اور اللہ بیخوش

نحمدہ و نصلیٰ علیٰ من قبلیہ و آتبعہ و نعوذ باللہ من عذابہ و نرجو رحمۃہ
کی ہوں اندر میں وقت قبلاً پیش آکر کرتی ہوں اس قوت کی جانب سے
اور میں قوت پر جب پورے دار میں قانون قائم کرنے کی سبب تلاش کرتی اور پیروں
سے بدلتا خود قاعدہ ہوں لہذا جیسا خود سے دیکھتا ہوں ایسی ہی جیسا ہے
شخص الیاد میں مسکن سورج جملہ دیوار خود کرتی ہیں اس میں ہوں اور لگتی
پیروں کا حضور تقریباً تبدیلی دیکھیں یا پھر لگتی ہیں، نگارن، نظر لگتی ہیں لہذا
علا اللہ عالیہ ایشیا اور جانی کورٹ امداد القضا و مسودات اعلام اللہ علیہ السلام اور
آپ کا کہنا ہے کہ وہ از میں درخواست ہو رہی ہے درخواست تھا کہ پختیا کرنا ہے کہ صرف
دینے تقریباً ہائی کرنا اور اس وقت جملہ قانونی ادارہ لگتی ہیں دستاویز ان کی ہذا میں
اور پختیا کرنا اور ان میں قوت کی جانب سے لگتی ہیں یا دستاویز پختیا کرنا ہوں
خالف کیا تو رافعی نامہ اور علم نہ لگتی ہیں کہ پورا پختیا کرنا ہے لہذا ان تمام
ہذا کہنا اور پختیا کرنا ہے

قاضی ریاض الحق قناری
15101-9392039-9

محمد شمس الدین بیگ
15101-6469664-8

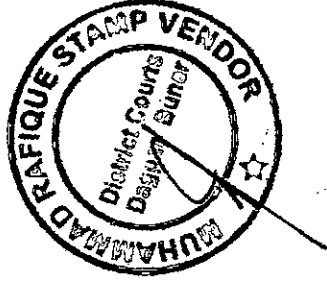
شاہان
شاہجہان ولد شاہد خان
15101-8776646-5

محمد علی ولد بیگم
15101-0363957-7

Muhammad Rafiq
Petition Writer Grade 1st
Dist Courts Daggur Buner
No. 38 Date: 16/10/2023

ATTACHED
Kramulal
Dist Courts Daggur Buner
No. 1786 Date: 16/10/2023

3MM
16-10-2023



گورنمنٹ ڈپارٹمنٹ، ڈی ایچ او، بونیر، پاکستان

گورنمنٹ

[Handwritten signature]

06 OCT 2023

DAO Buner

35

31

NOTICE To:

1. Government of Khybar Pakhtunkhwa through Secretary Elementary and Secondary Education at Civil Secretariat Peshawar.
 2. Director Elementary and Secondary Education Khybar Pakhtunkhwa at Peshawar.
 3. District Education Officer (Female) District Buner at Dggar.
- (Through Additional Advocate General Govt. of K.P.K at Service Tribunal K.P.K at Peshawar).

Please note that I am counsel for the appellant and going to file Service appeal, before the Honourable Service Tribunal Khybar Pakhtunkhwa at Peshawar / Camp court at Gulkada Swat.



MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

36

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT SWAT**

Service Appeal No. 2290 / 2023

Mst: Shaista Begum D/O Qasim Ali

R/O Village Soora, Chamla Tehsil Mandanr District Buner ----- Appellant

SCANNED
KPST
Peshawar

VERSUS

1. Govt: of Khyber Pakhtunkhwa through Secretary E & SE Khyber Pakhtunkhwa Peshawar.
2. Director E & SE Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Buner at Daggar.

----- Respondents

INDEX

| S.No | DESCRIPTION | Annex: | PAGES |
|------|--|--------|---------------------------|
| 1 | Para wise comments | | 01-02 |
| 2 | Affidavit | | 03 |
| 3 | Advertisement & Vacancy Details | A | 04-05 |
| 4 | Transfer order of Miss Shaista (DM) | B | 06 |
| 5 | Appointment order of Miss Kainat (DM) | C | 07-08 |
| 6 | Grievances Redressal Committee (GRC) Minutes | D | 08-09 09-10 |
| 7 | Cancellation Transfer Order | E | 10 11 |
| 8 | Authority Letter | | 11 12 |

[Signature]
LITIGATOR (F)
Litigation Dist: Buner

*23-01-2024
06-03-2024
Swat
S.B.*

37 1

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT SWAT**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11499

Dated 29-02-2024

Service Appeal No. 2290/2023

MST: Shaista Begum D/O Qasim Ali

R/O Village Soora, Chamla Tehsil Mandar District Buner ----- Appellant

VERSUS

1. Govt: of Khyber Pakhtunkhwa through Secretary E & SE Khyber Pakhtunkhwa Peshawar.
2. Director E & SE Khyber Pakhtunkhwa Peshawar
3. District Education Officer (Female) District Buner at Daggar

_____ Respondents

PRELIMINARY OBJECTION

1. That the instant appeal is badly barred by time and not maintainable, hence liable to be dismissed.
2. The appeal is not maintainable due to legal lacunas.
3. That due to mis joining and non-joining of the parties, the instant appeal is liable to be dismissed.
4. That the appellant has no cause of action to file the instant appeal.
5. That the appellant has concealed the facts from this honorable Service Tribunal hence the appeal is liable to dismissed.

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS

Respectfully she with

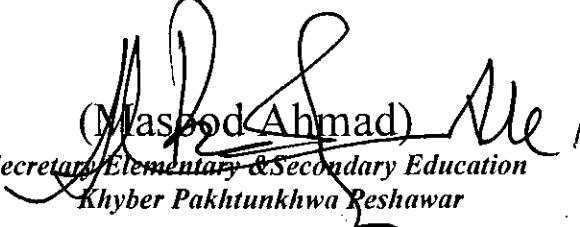
The respondents submit as under:


1. Pertain to record.
2. Agreed up to the extent that the appellant has been transferred to GGMS Badair but the post was already advertised through ETEA before her transfer. The appellant was transferred on dated 28-01-2022 while the post was advertised on 15-12-2021 (Vacancies detail and advertisement Attached as **Annexure-A** and transfer order of Appellant attached as **Annexure B.**)
3. **Incorrect hence denied.** As explained in Para No.2 of the comments that the said post was advertised through ETEA. The fresh appointee namely Miss. Kainat has not been transferred rather she has been appointed on the said advertised post being meritorious candidate upon the recommendation/Minutes/Directions issued by Grievances Redressal Committee. Hence the DEO (Female) Buner was left with no other option but to cancel the transfer of appellant being placed at wrong post. Appointment Order attached as **Annexure- C** and Grievances Redressal Committee (GRC) minutes as **Annexure-D** while cancellation order of appellant as **Annexure-E.**
4. **Incorrect hence denied.** As explained in Para No. 3 of the comments that the fresh appointee namely Miss. Kainat has not been transferred from other school but appointed on the advertised post and the respondent has not received any such application/appeal from the appellant.
5. **Incorrect hence denied.** Already explained in Para No.3 of the comments Moreover, no such application has been received from the appellant to the respondent.


2 38
GROUND:

- I. **Denied:** That this Para is not admitted and denied, the action and inaction of the Respondent is legal, lawful and constitutional.
 - II. **Denied:** That this Para No. 2 is not admitted and denied because the Respondent has not violated any such rules but has acted upon according to the rules and policy which ensure justice.
 - III. **Denied:** The cancellation order has been issued as per rules and none of the rules has been violated by Respondent.
 - IV. **Denied:** That this Para is not admitted and denied. The transfer order issued in respect of the appellant was not under E-Transfer policy so, it cannot be invoked.
 - V. **Denied:** The cancellation order is issued according to the relevant rules and policy.
 - VI. That the Respondent also seeks permission to raise additional grounds at the time of arguments.
6. As explained in Para 3 of the Para wise comments that the cancellation order in R/O appellant has been issued due to the appointment of fresh appointee namely Miss: kainat so the transfer order could not be restored. Moreover, no such application has been received from the appellant to the respondent.

It is, therefore, humbly prayed that the instant appeal may graciously be dismissed.


(Masood Ahmad)
*Secretary Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar*
(Respondent No. 1)


(SAMINA ALTAF)
*Director Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar*
(Respondent No. 2)


(Hafsa Gul)
*District Education Officer
(Female) Buner*
(Respondent No. 3)

(3)

(39)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT SWAT

Service Appeal No. 2290 / 2023

Mst: Shaista Begum D/O Qasim Ali

R/O Village Soora, Chamla Tehsil Mandanr District Buner -----

Appellant

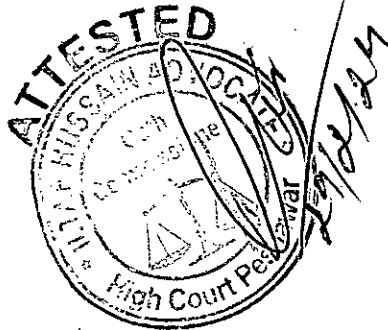
VERSUS

1. Govt: of Khyber Pakhtunkhwa through Secretary E & SE Khyber Pakhtunkhwa Peshawar.
2. Director E & SE Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Buner at Daggar.

_____ Respondents

AFFIDAVIT

I Miss Hafsa Gul DEO (F) Buner do hereby solemnly affirm and declare that contents of the accompanying para wise comments are true and correct to the best of my knowledge and information and nothing has been concealed from this Honorable Service Tribunal. It is further stated on oath that the answering respondents have neither place exparte nor their defense struck off/cost.




DEPONENT

(5) 41

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) BUNER

STATEMENT SHOWING THE SCHOOL WISE DETAIL OF FOLLOWING VACANT POSTS AS STOOD ON 11/11/2021

| Sl. No. | ENIS CODE | Name of School | Union, Census & Ward | CT B-15 | DM B-15 | PET B-15 | AT B-15 | TT B-15 | PST B-15 | Total |
|---------|-----------|----------------------------|----------------------|---------|---------|----------|---------|---------|----------|-------|
| | | | | F | F | F | F | F | F | |
| 1 | 41590 | GGMS GUMDAT | GUL BANDAI | 1 | | | | | | 1 |
| 2 | 41544 | GGMS MARADU | SORAY | | | 1 | | | | 1 |
| 3 | 41142 | GGMS DAIKHANAY | SORAY | 1 | 1 | | 1 | | | 3 |
| 4 | 39274 | GGMS MANGAL TIANA | SARWAI | | | 1 | | 1 | | 2 |
| 5 | 40545 | GGMS PAK BANR | KANDAR KATAY | 1 | 1 | | | 1 | | 3 |
| 6 | 37762 | GGMS TANGORA | GUL BANDAI | | | | | 1 | | 1 |
| 7 | 39277 | GGMS SHANGRA | PANDIR | 1 | | | | | | 1 |
| 8 | NEW | GGMS RADAIR | NAWAGAI | 1 | 1 | 1 | | | | 3 |
| 9 | NEW | GGMS SROO | CIINGLAI | 1 | 1 | 1 | 1 | | | 4 |
| 10 | 24381 | GGPS GIRARAI | ABA KHAIL | | | | | | 1 | 1 |
| 11 | 24366 | GGPS BAZARGAI | ABA KHAIL | | | | | | 1 | 1 |
| 12 | 40541 | GGPS HASSAN KHAIL BAZARGAY | ADA KHAIL | | | | | | 4 | 4 |
| 13 | 24430 | GGMS DAMPOKHA | ADA KHAIL | | | | | | 1 | 1 |
| 14 | 24401 | GGPS KOHAY | ADA KHAIL | | | | | | 2 | 2 |
| 15 | 32552 | GGPS NANSER | ADA KHAIL | | | | | | 4 | 4 |
| 16 | 24400 | GGPS KINGER GALAI | ADA KHAIL | | | | | | 4 | 4 |
| 17 | 24385 | GGMS Hisar Tangai | DAGGAR | | | | | | 2 | 2 |
| 18 | 24384 | GGPS Hisar | DAGGAR | | | | | | 1 | 1 |
| 19 | 24353 | GGPS DAGRA | DAGGAR | | | | | | 1 | 1 |
| 20 | 24389 | GGPS KALA KHELA | GADEZI | | | | | | 1 | 1 |
| 21 | 24348 | GGPS ASHEZO NAWAY KALAY | ELAI | | | | | | 2 | 2 |
| 22 | 24376 | GGMS JICA DAGGAR | ELAI | | | | | | 1 | 1 |
| 23 | 32551 | GGPS MULA YOUSAF | KARAPA | | | | | | 1 | 1 |
| 24 | 24426 | GGPS Shanay Naway Kalay | KARAPA | | | | | | 1 | 1 |
| 25 | 24367 | GGPS BESHUNAI | MALAK PUR | | | | | | 2 | 2 |
| 26 | 32526 | GGPS ELLUM | MALAK PUR | | | | | | 1 | 1 |
| 27 | 24410 | GGPS MALAK PUR | MALAK PUR | | | | | | 1 | 1 |
| 28 | 24394 | GGPS KATKALA | MALI KHAIL | | | | | | 1 | 1 |
| 29 | 32534 | GGPS JOWAR NO.1 | MALI KHAIL | | | | | | 1 | 1 |
| 30 | 24388 | GGPS JOWAR NO.2 | MALI KHAIL | | | | | | 1 | 1 |
| 31 | 24372 | GGPS CHARAI | MALI KHAIL | | | | | | 1 | 1 |
| 32 | 24371 | GGPS Char | MALI KHAIL | | | | | | 3 | 3 |
| 33 | 32534 | GGPS PACHA KALAY NO.1 | PACHA KALAY | | | | | | 1 | 1 |
| 34 | 32535 | GGPS PACHA KALAY NO.2 | PACHA KALAY | | | | | | 1 | 1 |
| 35 | 24364 | GGPS BATAI | PACHA KALAY | | | | | | 1 | 1 |
| 36 | 24407 | GGPS Laghara | PACHA KALAY | | | | | | 1 | 1 |
| 37 | 32569 | GGPS TORWARSAK | TORWARSAK | | | | | | 1 | 1 |
| 38 | 37059 | GGPS Jangdara Torwarsak | TORWARSAK | | | | | | 1 | 1 |
| 39 | 139985 | GGPS MIRZASAR | BATARA | | | | | | 1 | 1 |
| 40 | 24363 | GGPS BATARA | BATARA | | | | | | 1 | 1 |
| 41 | 32542 | GGPS Kuz Shammal | BATARA | | | | | | 2 | 2 |
| 42 | 32532 | GGPS Gumbat | GUL BANDAI | | | | | | 1 | 1 |

CTC
J

(6) 42

To Be Substituted with Same Endst: No. and Dated
Revised



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT BUNER
PHONE & FAX NO. 0939-510366
EMAIL: deofemalebuner@gmail.com



NOTIFICATION

In pursuance of Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar letter No. SO (SM) E & SE/ 7-1 / 2021 / PT / General dated Peshawar 01-01-2022 and consequent upon the recommendations of District Transfer Committee Buner, the competent authority is pleased to order Mutual / General Transfer in respect of the following Teachers to the school noted against each on their own pay & scale in the best interest of public service.

| S.No | Name of Teacher | Designation | From | To | Remarks |
|------|-----------------|-------------|------------------|---------------------|---|
| 1 | Kalsoom Bibi | SST (B/C) | GGHSS Nogram | GGHS Kass Koroona | A.V.P |
| 2 | Iffat | SST (Gen) | GGHS Matwanai | GGMS Rega | <i>Order is hereby withdrawn</i> |
| 3 | Kalsoom Bibi | CT | GGHSS Shalbandai | GGMS Bajkata | A.V.P |
| 4 | Sumaira Bibi | CT | GGMS Batai | GGMS Elai | A.V.P |
| 5 | Shaista | DM | GGHS Charorai | GGMS Badair | A.V.P |
| 6 | Sarwat | TT | GGHSS Jowar | GGMS Khanano Dherai | A.V.P |
| 7 | Uzma Rani | TT | GGMS Daggar | GGMS Badair | A.V.P |
| 8 | Shama Rahman | CT | GGMS Pak Banr | GGMS Tinawlo Dherai | subject to the arrival of other Teacher |
| 9 | Akhtarya Said | AT | GGMS Pak Banr | GGHSS Batanai | |

CTC
[Signature]

NOTE:

1. NO TADA is allowed.
2. Charge report should submitted to all concerned.

(SHAZIA NAWAZ)
DISTRICT EDUCATION OFFICER (F)
DISTRICT BUNER

Endst: No. 3657-61 Dated 28/01/2022
Copy for information to the.

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (EMA) Buner.
3. District Accounts Officer Buner.
4. Principals / Head Mistresses Concerned.
5. Teachers Concerned.

[Signature]
DISTRICT EDUCATION OFFICER (F)
DISTRICT BUNER



43 (7)

OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT BUNIR
PHONE & FAX NO: 0939-510366
E-Mail: deofemalebunir@gmail.com



APPOINTMENT ORDER.

In Continuation to the Advertisement dated 1.12.2021 and DSC held on 11.10.2022, the leftover Cases in the light of the meeting of the Grievances redressal Committee held on 13.6.2023 in addition to the writ Petition No.206-M/2023 under Title Faiza BiBi & other...VS...DEO (F) Buner, Departmental Selection Committee Meeting was held on 5.7.2023 and with its recommendation, the undersigned is pleased to order the following left over Next meritorious candidates as **Drawaing Master (DM) Female** in **OPEN Merit** purly on merit against Vacant Post on "**Adhoc**" and "**School Based**" on one year Contract in **BPS-15 (Rs.23920-198083320) @ Rs.23920/-Fixed** Plus usual Allowances as admissible to them under the rules and existing policy of the Government in Teaching Cadre on the terms and Conditions given below with effect from the date of taking over charge in the interest of Public Service.

| S # | Roll No. | Name | Father Name | Residence | CNIC# | D.O.B | Score | School Name | Remarks |
|-----|----------|------------|--------------|-----------|-----------------|---------|--------|----------------|---------|
| 1 | 476315 | Faiza BiBi | Abdul Ghawas | Karapa | 15101-9761115-8 | 15/4/93 | 118.01 | GGMS Baikhanay | AVP |
| 2 | 476638 | Kainat | Faiz Rasan | Kalpanai | 15102-0564967-3 | 20/3/98 | 117.18 | GGMS Badair | AVP |

TERMS & CONDITIONS:

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Appointment is purly on temporarily on adhoc/contract basis initially for a period of one year with immediate effect.
4. They should not be handed over charge if their age exceed 35 years or below 19 years.
5. Appointment is subject to the condition that the Certificates, Degrees/documents must be verified from the concerned board/universities/institutions. If any one found producing bogus /forge/fake certificates/degrees, will be reported to the law enforcing agencies for further action.
6. If any meritorious candidate is deprived of appointment by this order, the appointment order of the lowest candidate in merit shall be withdrawn on acceptance of the appeal and adjustment order will be reviewed accordingly as per merit.
7. The Services are liable to termination on one month prior notice from either side. In case of resignation without notice their one month pay/allownces will be forfeited.
8. Their Pay shall not be drawn unless this office issue a certificate to the the effect that their documents have been verified.
9. They should join their Post within 15 days of the issuance of this order. Their appointment shall automatically stand expired and no subsequent appeal etc shall be entertained.
10. District Account Officer (DAO) Buner should release their salary on the production of duty certificate duly signed by the Head Mistress /DDO concerned and countersigned by this office.
11. Health and Age Certificate should be produced from the Medical Superintendent Concerned before taking over charge.
12. They will be Governed by such rules and regulations as may be issued from time to time by the Government.
13. Their Services will be terminated at any time, in case their performnace is found unsatisfactory during their contract period. In cse of misconduct, they will be proceeded under the rules framed from time to time.
14. Their appointment is on adhoc /(School Based), they will have to serve at the place of posting and their services is (NON-TRANSFERABLE) to any other station/school.
15. Posting/Adjustment is the discretionary power of the appointing authority and no one has the right to claim for adjustment at any specific school.

(Contd....)

- (44) (8)
16. Before handing over charge Headmistress concerned will check their documents. If they have not acquired the required qualification, they may not be handed over charge.
 17. The appointee shall take nine months (09) mandatory training at RPDC (OLD RITE) or DPD (OLD PITE).
 18. In case of regularization their inter-se-seniority shall be determined on the basis of their merit position and the date of taking over charge shall not effect their inter-se-seniority.
 19. Errors and omission will be accepted for further rectification within the specified period.

(DR. SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER(F)
BUNIR

No. 2168-79,

Dated 7/7/2023

Copy Forwarded for information and necessary action to the;

1. Additional Advocate General Peshawar High Court Mingora Bench Darul Qaza Swat at Fizagat .
2. Director Elementary & Secondary Education khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner Buner.
4. District Monitoring Officer / EMA, Buner.
5. District Account Officer Buner.
6. Medical Superintendent DHQ Hospital Buner.
7. ADEO(Secondary) Estt; local office.
8. Budget & Account Officer Local Office.
9. Superintendent local office.
10. Headmistress Concerned.
11. DEMIS Local Office.
12. Teachers Concerned.

(DR. SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER(F)
BUNIR

CTC
of

9

~~9~~

MINUTES OF THE MEETING OF GRIEVANCES REDRESSAL COMMITTEE

DEO (FEMALE) BUNER

| Agenda Item No. | S# | NAME OF THE PETITIONER / APPLICANT | WRIT PETITION & DEPARTMENTAL APPEALS | CLAIMS OF THE APPELLANTS / PRAYER | COMPETENT AUTHORITY | DECISION |
|-----------------|----|------------------------------------|--------------------------------------|---|---------------------|---|
| 4 | 01 | Faiza Bibi D/O Abdul Ghawas | Appeal for justice | The applicant is seeking appointment against the post of Drawing Master (DM) with the plea that, the DEO appointed three candidate out of four advertised posts amongst those one candidate did not take charge of the said post, now the applicant being on 16 th merit position and top at the waiting list seeking appointment against the DM post. | DEO (F) Buner. | Appeal accepted. The Representative of DEO (F) office Mr. Muhammad Ali admitted that the applicant is on the top of merit list and the post is still vacant. Therefore the DEO is directed to issue appointment order within three days positively. The Director E&SE is also directed to conduct a fact finding inquiry in the matter and fix responsibility within 15 days. |
| 5 | 02 | Kainat | Appeal for justice | The applicant is seeking appointment against the post of Drawing Master (DM) with the plea that, the DEO appointed three candidate out of four advertised posts amongst those one candidate did not take charge of the said post, now the applicant being on 18 th merit position and top of the waiting list seeking appointment against the DM post. | DEO (F) Buner. | The representative of DEO (F) Buner explained that the applicant miss Kainat is 2 nd mandatories candidate after faiza at merit No. 12. The representative also admitted that DSC has been conducted and minutes have also been finalized. In these circumstances the DEO (F) is directed to issue her appointment orders within 03-days. The Director E&SE is also directed to conduct a fact finding inquiry in the matter and fix responsibility. |

415

DEO (M) CHARSAJDA

| Agenda Item No. | S# | NAME OF THE PETITIONER / APPLICANT | WRIT PETITION & DEPARTMENTAL APPEALS | CLAIMS OF THE APPELLANTS / PRAYER | COMPETENT AUTHORITY | DECISION |
|-----------------|----|---|--|--|---------------------|---|
| 6 | 01 | Muhammad Afaq Zahid S/O late Zahid Jan. | W.P#198-P/23 Peshawar High Court, Peshawar judgment dated 21-02-23 | The petitioner filed W.P before Peshawar High Court, Peshawar with the prayer that, "the petitioner may kindly be appointed as Class-IV on deceased son's quota". The Hon'ble Court passed the directions, "To place the case of petitioner before the Grievance Redressal Committee, for its disposal in accordance with the policy and | DEO (M) Charsajda. | Appeal accepted. The DEO concerned is directed to take up the case with ECP for issuing NOC. After getting the same the DEO shall issue appointment order under Section 10(4) of APT rules 1989 after observing all code formalities. |

2
CTC

(10)

(27)

MINUTES OF THE MEETING OF GRIEVANCES REDRESSAL COMMITTEE

| | | | | | | |
|----|----|--------------------------------------|--------------------|--|---------------------|---|
| 83 | 10 | Rubi D/o Muhammad Zuhair & others | Appeal for justice | The applicants are at S.No.31 and 33 in merit list, and, stated that some candidate have bogus domicile in the top of merit list, hence requested to be considered for the post. | DEO (F) Peshawar | Regretted on the ground that the applicants stand at 31 & 33 in the merit list while there are total 29 vacancies, therefore, request of the applicant cannot be entertained at this stage. |
|----|----|--------------------------------------|--------------------|--|---------------------|---|

MR. TAJ MUHAMMAD
SECTION OFFICER (DARC)
E&SE DEPARTMENT;

MR. NAVIED ULLAH SHAH
DEPUTY SECRETARY (AMIN / LEGAL-I)
E&SE DEPARTMENT;

(14)

Mr. ABDUL AKRAM
ADDITIONAL SECRETARY (GENERAL)
E&SE DEPARTMENT

CT C of

47

(19)



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT BUNIR
PHONE & FAX NO: 0939-510366
E-Mail: deofemalebuner@gmail.com



30

OFFICE ORDER:-

Whereas: Various posts advertised on 01-12-2021 including DM post for four vacancies in which two posts were filled & two were deferred & according to the vacancies published in advertisement two vacancies at GGMS Baikhanay & GGMS Badair were left for next meritorious candidates.

Whereas: The leftover two next meritorious candidates namely Mst: Faiza Bibi D/O Abdul Ghawas & Mst: Kainat D/O Faiz Rasan approached to Grievances Redressal committee in which meeting was held on 13-06-2023 & appeal of the candidates were accepted & direction issued to DEO (F) Buner for appointment while on the other hand the candidates approached to Hon: Peshawar High Court Mingora Bench Darul Qaza Swat in writ Petition No: 206-M/2023 for their appointment.

Whereas: Before appointment of these leftover candidates vacancies, already published in advertisement, scrutinized & it was pointed out that one the vacancy of DM at GGMS Badair has been filled due to transfer by then DEO (F) Buner Vide Notification under Enstt: No: 3657-61 Dated: 28-01-2022 & Mst: Shaista DM have already been transferred from GGHS Charorai to GGMS Badair (S. No: 05) which is against the rules and policy because already meritorious candidates were on waiting list & their cases were under trail before the appellate forum therefore, the transfer order is not justified according to the prevailing rules.

Whereas: To follow the decision & directions of the Grievances Redressal committee dated: 13-06-2023, was mandatory to follow in letter in spirit & the transfer order dated: 28-01-2022 needs to be cancelled for the purpose to adjust one of the left over candidate at GGMS Badair accordingly & Mst: Shaista DM needs to be returned to her original School i.e. GGHS Charorai which is still laying vacant.

In view of the above, the Undersigned Being Competent Authority **CANCELLED** transfer order under Enstt No: 3657-61 dated: 28-01-2022 in r/o Mst: Shaista DM (S No: 05) cancelled with immediate effect.

(DR. SHAMIM AKHTAR)
DISTRICT EDUCATION OFFICER (F)
BUNER

Dated: 7/7/2023

No 2159-67.1

Copy Forwarded for information and necessary action to the;

1. Director Elementary & Secondary Education khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Buner.
3. District Monitoring Officer / EMA, Buner.
4. District Account Officer Buner.
5. Budget & Account Officer Local Office.
6. Head Mistress GGHS Charorai with the direction to ensure compliance & submit report accordingly
7. Head Mistress GGMS Badair with the direction to receive the official concerned & submit report along with relieving chit immediately under intimation to this office.
8. DEMIS Local Office.
9. Teachers Concerned with the direction to ensure compliance of the order otherwise you will be considered absent at GGHS Charorai & you will be treated accordingly under E&D Rules 2011.

DISTRICT EDUCATION OFFICER (F)
BUNER

48

12

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR CAMP COURT SWAT

Service Appeal No. 2290 /2023

Mst: Shaista Begum D/O Qasim Ali

R/O Village Soora, Chamla Tehsil Mandanr District Buner ----- Appellant

VERSUS

1. Govt: of Khyber Pakhtunkhwa through Secretary E & SE Khyber Pakhtunkhwa Peshawar.
2. Director E & SE Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Buner at Daggar.

_____ Respondents

AUTHORITY LETTER

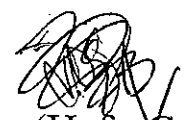
Mr. Iftikhar Ali ADEO Litigation of DEO (F) Buner is hereby authorized to submit the comments and attend the Honorable KPK Service Tribunal in service appeal No. 2290/2023 on behalf of respondent departments till the finalization and decision of the instant appeal.


(Masood Ahmad)
Secretary Elementary & Secondary Education
Khyber PakhtunKhwa Peshawar

(Respondent No. 1)

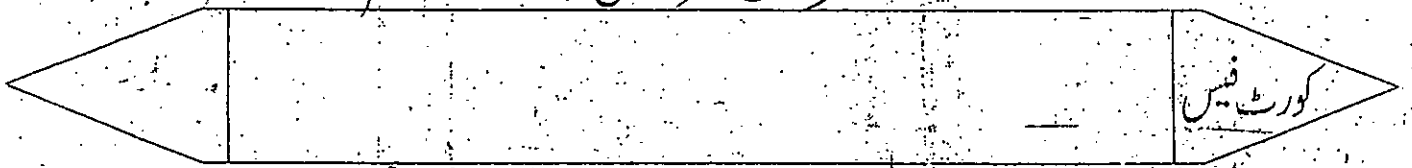

(SAMINA ALTAF)
Director Elementary & Secondary Education
Khyber PakhtunKhwa Peshawar

(Respondent No. 2)


(Hafsa Gul)
District Education Officer
(Female) Buner

(Respondent No. 3)

بعدالت جنان سرور سس ریزیمول جینر تختول حواہ بمقام پشاور ایٹو کیسٹ کورٹ سوات



کورٹ فیس

مورثہ 23 ماہ - اکتوبر 2023 منجانب ڈیشنری
 مقدمہ سماہ ثالثت بیگم بنام حکمت بیگم
 دعویٰ
 جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی وجواب ذہی وکل کاروائی متعلقہ آن مقام پشاور کیسٹ کورٹ سوات محمد جاوید خان ایڈووکیٹ سٹریٹ کورٹ آف پاکستان مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراں پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکورہ کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہاگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا احد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سدر ہے

دستبردار علیہ محتاط خاص
سطحی الخوہ سمس الباری

الرقوم

23 ماہ 10

23/10/23
Attested
کے

گواہ شدہ العبد
 پشاور کیسٹ کورٹ سوات
 Muhammad Tawaid Khan
 Advocate Supreme Court
 mob 0343 9607492