


Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 738/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.05.2024	<p style="text-align: center;">As per direction of the Hon'ble Member Judicial the present appeal is fixed for preliminary hearing before Single Bench at Peshawar on 03.06.2024. Parcha Peshi given to counsel for the appellant.</p> <p style="text-align: right;"> REGISTRAR</p>

Respected Madam,

It is submitted that the present appeal was received on 24.05.2024, which was returned to the counsel for the appellant for removing objections (Flag-A). Today i.e. on 29.05.2024 the learned counsel for the appellant re-filed the same without removing the objections no.6&7 with a note in shape of reply (Flag-B).

The appeal is submitted to your Honour under rule-7(c) of Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.


REGISTRAR
30/5/24


Hon'ble Member -J.

The appeal of Mst. Noorana received today i.e on 24.05.2024 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged /marked with annexures mark.
- 3- Affidavit is not attested by the Oath Commissioner.
- 4- Annexures/documents attached with the appeal are unattested.
- 5- Memorandum of appeal is not signed by the appellant.
- 6- Copy of departmental appeal is not attached with the appeal be placed on it.
- 7- Copy of proper rejection order of departmental appeal mentioned in the memo of appeal is not attached with the appeal.
- 8- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.


No. 71 /Inst;/2024/KPST,

DL. 27/5 /2024.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.
27/5/24

Muhammad Maaz Madni Adv.
High Court Peshawar.

→ In response to 1-8 The objection has properly been removed, how ever the rejection has been made on the base of the D.A.


29/5/24

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

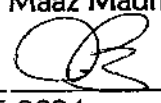
CHECK LIST

Case Title: **Mst. NOORANA** v/s **DEO (F) KURRAM**

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: MUHAMMAD MAAZ MADNI	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?		✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On	✓	
26	Whether copies of comments/reply/rejoinder submitted? On	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: **Muhammad Maaz Madni**

Signature: 

Dated: **23-05-2024**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 738 /2024

MST. NOORANA V/S DEO (F)

INDEX

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5.	Inquiry Report dated 24.02.2023	C	17
6.	Order dated 24.10.2023	D	18
7.	Order dated 08.04.2024	E	19
8.	Order dated 22.04.2024	F	20
9.	Departmental Appeal & Rejection dated 24.04.2024	G	21
10.	Posting Transfer Policy	H	
11.	Wakalatnama	

Dated: May 24TH, 2024

APPELLANT

Through:



MUHAMMAD MAAZ MADNI,

ADVOCATE HIGH COURT, PESHAWAR

Office: TF-338, 339, Deans Trade Centre,

Peshawar Cantt:

0333-9313113, 0345-9090737

muhammad.m3adv@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 738 /2024

12981

24-05-2024

MST. NOORANA(Tandori, BPS-03),
Under transfer from Female Bachelor Hostel at Parachinar.
r/oSra Gala, Karman, PO Parachinar, Tehsil Upper Kurram, District Kurram.
.....APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE),
At Parachinar District Kurram.
.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 READ
WITH ALL ENABLING LAWS & RULES AGAINST THE
IMPUGNED TRANSFER ORDER DATED 22/04/2024
WHEREBY THE APPELLANT HAS PRE-MATURELY BEEN
TRANSFERRED FROM FEMALE BACHELOR HOSTEL AT
PARACHINARTO DISTRICT GIRLS HOSTEL AT GGHS
PARACHINAR AND AGAINST APPELLATE ORDER DATED
24/04/2024 (communicated few days back) WHEREBY THE
DEPARTMENTAL APPEAL DATED 24/04/2024 OF THE
APPELLANT HAS BEEN REGRETTEED ON THE FACE OF THE
DEPARTMENTAL APPEAL WITH NO GOOD GROUND.

Filed to-day
12/05/2024

PRAYER:

That on acceptance of this appeal the impugned transfer order dated 22/04/2024& appellate order dated 24/04/2024 may very kindly be set aside and the appellant be retained atFemale Bachelor Hostel at Parachinar. Any other remedy which this August Tribunal deems fit that may also be awarded in favor of the appellant.

Respectfully Sheweth,

FACTS:

Brief facts giving raise to the instant appeal are as under:

1. That appellant is a regular employee of the respondent the Department and is performing her duty as a regular Tandorchivide order dated 07/05/2008 and accordingly service book was prepared and maintained by the department.

Copy of Service Book is attached as
ANNEXUREA.

2. That the appellant while performing her duty at Female Hostel at Parachinar the respondent issued transfer order of the appellant from Female Hostel to DEO (F) office at Parachinar without showing any cogent reason vide order 25/11/2022.

Copy of Order dated 25.11.2022
is attached as **ANNEXURE B.**

3. That due to some compelling reasons the appellant could not made her arrival at the new assignment, hence respondent initiated inquiry against the appellant wherein the inquiry officer conducted inquiry by giving recommendation for retaining the appellant at Female Hostel.

Copy of Inquiry Report dated
24.02.2023 is attached as **Annexure ...C.**

4. That after a passage of about 08 months respondents again transferred the appellant from her original post to District Girls Hostel at GGHS Parachinar vide order dated 24/10/2023.

Copy of Order dated 24.10.2023 is
attached as **Annexure D.**

5. That the transfer order dated 24/10/2023 was withdrawn without assigning any reason vide order dated 08/04/2024 after a passage of about 06 months for the 2nd time vide order dated 24/10/2023.

Copy of Order dated 08.04.2024 is
attached as **Annexure E.**

6. That just after a passage of about 16 days the order dated 24/10/2023 was again restored from ab initio vide order dated 22/04/2024 for the 3rd time pre-maturely without any plausible reason.

Copy of Order dated 22.04.2024 is
attached as **Annexure F.**

7. That feeling aggrieved from the impugned pre-mature transfer orders the appellant preferred Departmental Appeal dated 24-04-2024 before the Respondent, but the same was regretted on the face of the Department Appeal with no good ground vide order dated 24-04-2024.

Copy of Departmental Appeal Rejection dated 24.04.2024 is attached as Annexure G.

8. That the appellant feeling highly aggrieved and is left with no other remedy but to file the instant service appeal before this Tribunal on the following grounds:

GROUND:

A- That the impugned pre-mature transfer orders & appellate order dated 24/04/2024 passed by the respondents against the appellant is against the law, rules, facts, void ab initio, Norms of Natural Justice and materials available on the record hence not tenable in the eye of Law and is liable to be set aside to the extent of the appellant.

B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

C- That as per various judgments passed by the Superior Courts as *“that when the ordinary tenure posting and transfer has been specified in the Law or Rules made thereunder, such tenure must be respected and cannot be varied except for compelling reasons, which should be recorded in writing and are judicially reviewable”*.

And in the instant case the respondent has completely ignore such aspect and issued the impugned pre-mature transfer orders.

D- That the respondents acted in an arbitrary and malafide manner by issuing the impugned pre-mature transfer orders & appellate order dated 24/04/2024.

E- That the impugned pre-mature transfer orders & appellate order dated 24/04/2024 passed by the respondents is against Article 38 (e) of the Constitution of Pakistan, 1973 which is as:

“state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan.

F- That the impugned pre-mature transfer orders & appellate order dated 24-04-2024 passed by the respondents is a clear violation of Article-37 of the Constitution of Islamic Republic of Pakistan

which is regarding the eradication of social evils in the society and promotion of social justice.

G- That the impugned pre-mature transfer orders & appellate order dated 24/04/2024 passed by the respondents is a clear violation of the Fundamental Rights as enshrines the Constitution of Pakistan & also against various judgments passed by the Apex Supreme Court of Pakistan.

H- That appellant has been transfer from one place to another in such a short span of time vide the impugned pre-mature transfer orders & appellate order dated 24/04/2024 and hence the same is against the norm of Natural Justice.

I- That act & omission on the part of the respondents while issuing the impugned pre-mature transfer orders & appellate order dated 24/04/2024 is against Clause-IV of the Posting and Transfer Policy of the Provincial Government.

Copy of Posting Transfer Policy is attached as Annexure H.

J- That such pre-mature transfer is nothing but just to harass the appellant on one way or the other and to accommodate their blue eyed person.

K- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 23-04-2024

APPELLANT

MST. NOORANA

Through:

MUHAMMAD MAAZ MADNI
Advocate High Court, Peshawar
0333-9313113, 0314-9965666

CERTIFICATE

No, such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.

ADVOCATE

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Service Laws
3. Other relevant case Laws

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

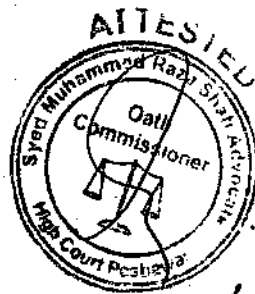
APPEAL NO. _____ /2024

MST. NOORANA V/S DEO (F)

AFFIDAVIT

I, MST. NOORANA, do hereby solemnly affirm on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

نوورنا
DEPONENT
21303-3138856-8



29/03/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

CM NO. _____/2024

IN

APPEAL NO. _____/2024

MST. NOORANA V/S DEO (F)

APPLICATION FOR SUSPENSION OF THE IMPUGNED
PRE-MATURE TRANSFER ORDER DATED 22/04/2024
TO THE EXTENT OF THE APPELLANT

Respectfully Sheweth:,

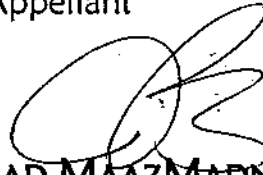
1. That the appellant has filed the above titled service appeal before this Honourable Tribunal which has not been fixed so far.
2. That the appellant has challenged the pre-mature & frequent transfer order dated 22/04/2024.
3. That balance of convenience lies in favour of the appellant.
4. That appellant has good prima facie case and is sanguine about the success of the case.
5. That appellant has pre-maturely been transferred in just a short span of TIME and if the transfer order dated 22/04/2024 has not been suspended the appellant would suffer with irreparable loss.
6. That the ingredients of the instant application may very kindly be considered as part and parcel of the main appeal.
7. That any grounds would be agitated at the time of argument with prior permission of this Honourable Tribunal.

It is, therefore, most humbly prayed that on acceptance of the instant petition the operation on the impugned pre-mature transfer order dated 22/04/2024 may very kindly be suspended to extent of the appellant and till final disposal of the main appeal.

Date: 23/04/2024

Appellant

Through:

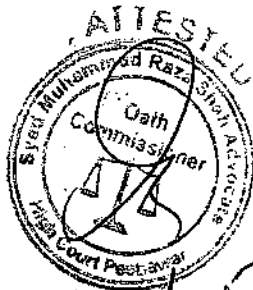


MUHAMMAD MAAZ MADNI,
Advocates, High Court, Peshawar

AFFIDAVIT

It is solemnly affirmed that the contents of the above application are true and correct to the best of knowledge & belief and nothing has been concealed from this Honourable Tribunal

نور احمد
DEPONENT
21303-3138856-8



29/05/2024

Note: The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

8

1. Name: Noorana

2. Race: Tami Hamza Ubul

3. Residence: Nil: Sree Mah Kuran Agency


4. Father's name and residence: Shuraz Khan

5. Date of birth by Christian era as nearly as can be ascertained: 01-01-1985. 1st Jan NH & Eighty five.


6. Exact height by measurement: 5-3

7. Personal marks for identification: NIL


8. Left hand thumb and finger impression of (Non-Gazetted) officer:

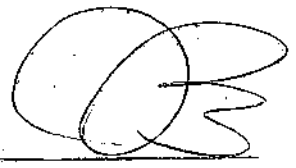
Little Finger 

Ring Finger 


Middle Finger 

Fore Finger 

Thumb 



9. Signature of Government Servant: نوران

10. Signature and designation of the Head of the Office, or other Attesting Officer. 
Agency Education Officer
Kuran Agency Pinarang

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant. Designation of the officiating officer in 1 to 8
Tandari Post at Momin Hospital Panachpur	Temp	Bds-1 (2475-75-4725)	2475/-			5/07/08	<i>[Signature]</i> A.E.O. Karnali
do	do	Bds-1 (2970-90-5670)	2970/-			7/1/08	<i>[Signature]</i>
do	do		3060/-			12/1/08	<i>[Signature]</i> A.E.O. Karnali
do	do		3150/-			12/1/09	<i>[Signature]</i> A.E.
do	do		3240/-			12/5/10	<i>[Signature]</i> A.E.O.
Revision of pay		B-1 (4800-150-9300)					
do	do		5250/-			7/12/11	<i>[Signature]</i>
do	do		5400/-			12/12/11	<i>[Signature]</i> A.E.
do	do		5550/-			12/1/12	<i>[Signature]</i>

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination: such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government			
					Period			Government to which debitible
<i>Amir Ar</i> AEO Kurram	30 ⁶ / ₀₈	Pay over	<i>Amir Ar</i>			<i>Amir Ar</i> Approved on Transfer at Wazir Hospital Peshawar vide AEO Kurram No. 635-39/2008 dt: 07/5/08.		
<i>Shamir</i>	30 ¹¹ / ₀₈	Im	<i>Shamir</i>			<i>Amir Ar</i> Agency Education Officer Kurram Agency Peshawar		
<i>Shamir</i> AEO Kurram	30 ¹¹ / ₀₉	Im	<i>Shamir</i> AEO			<i>Amir Ar</i> Service verified from 07 ⁵ / ₀₈ to 30 ¹¹ / ₀₈ from the office Kurram.		
<i>Shamir</i> AEO	30 ¹¹ / ₂₀₁₀	Im	<i>Alao</i> AEO			<i>Shamir</i> AEO		
<i>Alao</i> AEO	30 ⁶ / ₂₀₁₁	Revision of pay	<i>Alao</i> AEO Kurram Agency			<i>Amir Ar</i>		
<i>Alao</i> AEO	30 ¹¹ / ₂₀₁₁	Im	<i>Alao</i> AEO Kurram Agency			<i>Amir Ar</i> Service verified from 1 ¹² / ₀₈ to 30 ¹¹ / ₀₉ from the office Kurram		
<i>Alao</i> AEO Kurram Agency	30 ¹¹ / ₂₀₁₁	Im	<i>Alao</i> AEO Kurram Agency			<i>Amir Ar</i> Service verified on 7/11/2009 to 30/11/2011 from office record.		
<i>Alao</i> AEO	30 ¹¹ / ₂₀₁₃	Im	<i>Alao</i> AEO Kurram			<i>Alao</i> AEO Kurram Agency		

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of the Government Signature of the officer in charge
Tandori Post at Loomer Haveli Taluk	Temp		5700/-			12/1/2013	
Allowed Special Inve: wef 1.7.2014 vide Finance Deptt. No. FD (80-SR-122-123/2014							
in B1 (4800-150-9300)							
do	do		5850/-			17/2014	A.E.C. KURRA
do	do		6000/-			12/2014	A.E.C. KURRA
BPS-1(6210-195-12060) Revision of Pay 2015							
do	do		7770/-			7/2015	A.E.C. KURRA
do	do		7965/-			12/2015	A.E.C. KURRA
Revision of pay in BPS 170-1 (7640-240-14840)							
do	do		9800/-			7/2016	A.E.C. KURRA
do			10040/-			12/2016	A.E.C. KURRA

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave			14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitale to another Government			
					Period	Government to which debitale		
	30 ⁶ / ₂₀₁₄	Allowed sp. Adv.						
	30 ¹¹ / ₂₀₁₄	Inc.						
	30 ⁶ / ₂₀₁₅	Revision of Pay						
	30 ¹¹ / ₂₀₁₅	Inc.						
	30 ⁶ / ₂₀₁₆	Revision of Pay						
	30 ¹¹ / ₂₀₁₆	Inc.						
	31 ³ / ₂₀₁₇	upgraded to B-3						

Service Verified From 1-12-2013
To 30.11.2015
From Office Record

Agency Education Officer,
KURRAM Agency Patashiner


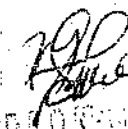
1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant.
Tandori post at Women Hostel							
Promotional B-3	Revised Entries on a/c Regarding Two pay scale upgradation to B-3 w.e.f 1-7-2015		8095/- 260/- 8355/-			2/12/2015	
B-3	Revision of pay scale on 1-7-2016		10315/-			7/1/2016	
do			10640/-			12/1/2016	
do	Revision of pay in BPS-3 (9610-390-21310/-) on 1-7-2017		12730/-			1-7-2017	
do			13120/-			1-12-2017	
do			13510/-			12/1/2018	
do			13900/-			12/1/19	
do			14290/-			1/1/2020	
do			14680/-			11/12/2021	
do	Entry Revised in BPS-03 (14250-580-31600) from 2022		21800/-			01/01/2022	

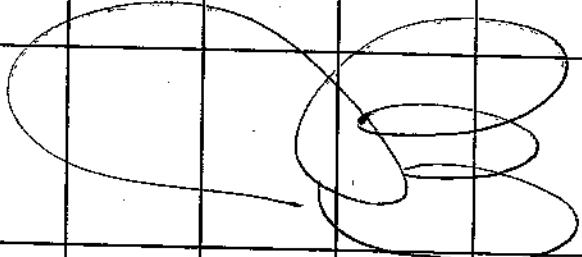
Signature of the head of the department or other authority in the column

W
W
W
W
W
W
W
W
W
W

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
<i>[Signature]</i> A.E.O. KURRAM	31-3-2016	Approached Two pay scale	<i>[Signature]</i>		Service verified w.e.f 1-12-2015 To 3-11-2016 from the office record.	<i>[Signature]</i>		
<i>[Signature]</i> A.E.O. KURRAM	30-6-2016	BPS Revised	<i>[Signature]</i>		Notification regarding two pay scale w.e.f 1-7-2015 vide Finance Deptt NO FO/SO (FR) 7-20/2015 dated 30-6-2015 & DE (PATIT) Fish Endst NO 2332-43 dt 11/3/2017	<i>[Signature]</i>		
<i>[Signature]</i> A.E.O. KURRAM	30-6-2017	Revision of Pay	<i>[Signature]</i>			<i>[Signature]</i>		
<i>[Signature]</i>	30-11-2017	Incre.	<i>[Signature]</i>		T.NO-353 5-4-2016 Transfer to...	<i>[Signature]</i>		
<i>[Signature]</i>	30-11-2018	Inst	<i>[Signature]</i> D.E.O KURRAM		from 2-12-2015 to 30-11-2018 B 9555/...	<i>[Signature]</i>		
<i>[Signature]</i> D.E.O KURRAM	30/10/2019	Inst	<i>[Signature]</i>			<i>[Signature]</i>	1-12-2016	
<i>[Signature]</i>	30/11/2020	Inst	<i>[Signature]</i>			<i>[Signature]</i>	30-11-2017	
<i>[Signature]</i>	30/11/2020	Inst	<i>[Signature]</i>			<i>[Signature]</i>	Service verified from 1-12-2017 to 30-11-2018 from the office record.	
<i>[Signature]</i>	30/6/2022	BPS Rev-2222	<i>[Signature]</i>			<i>[Signature]</i> D.E.O KURRAM		
<i>[Signature]</i>	30/11/2022	A. inst	<i>[Signature]</i>			<i>[Signature]</i>	Service verified from 01/12-2018 to 30-11-2022 from the office record.	

15

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature Government	Signature and Designation of the head of the office, attesting officer in attestation of columns 1 to 8
Tandori Post of Woman Hostel Barachni	BPS-03	(14260-580-31662)	22380/-			01/12/2022		
do			22960/-			01/12/2023		



[Handwritten signature]

District Education Officer
(Female) Kurram

Ends: No. 7787 / Edu(F)
Copy forwarded to:-
1. The District Accounts Officer, District Kurram.
2. Office Record.

Dated 25/11/2022
District Education Officer
(Female) Kurram

S.No	Name of Officials	Designation	Present Posting	Transferred (To)
1	Mst. Sadiga Nasir	Warden	Female Hostel at Parachinar	DEO (F) Kurram Office at Parachinar
2	Mst. Sabira	Cook	Female Hostel at Parachinar	DEO (F) Kurram Office at Parachinar
3	Mst. Noorana	Tandorch	Female Hostel at Parachinar	DEO (F) Kurram Office at Parachinar
4	Mst. Shahida	Sweeper	Female Hostel at Parachinar	DEO (F) Kurram Office at Parachinar

The transfer of the following Female Hostel's (CLASS-IV) are hereby ordered on their own pay and BPS noted against each in the interest of public service with immediate effect.

TRANSFER ORDER-



OFFICE OF THE DISTRICT EDUCATION OFFICER
FEMALE KURRAM

No. / 2022
Date: / / 2022
Email: kweokurram1@gmail.com



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ANNEXURE - B

To:

The District Education officer,
Female District Kurram

ANNEX - C

Subject:

INQUIRY REPORT

Memo:

With reference to your letter No. 7134 dated: 15/02/2023
I went to female hostel and called these two Govt. servants there.

1. Norana Tandoorchi female hostel
2. Shahida sweeper female hostel

I took their verbal and written statements. I met teachers residing in hostel and inquired about these two Govt. servants.

Facts Finding

As per verbal and written statement of Norana Tandoorchi, she is performing her duty regularly and is ever ready to do her work. But as she lives in residential quarter in hostel, she will face difficulties in performing duty in education office.

The 2nd official namely Shahida sweeper stated that she has serious rivalry in that area where female education office is situated and has life and dignity threat, so it is impossible for her to do her duty there. She further stated that she can perform duty in any girls school in her village (Siddra upper Kurram) or nearby.

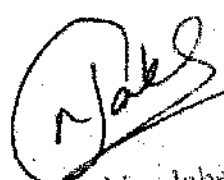
The teachers residing in female hostel stated that they are in intense need of these two servants in hostel. And by investigating I found that both are performing their duty specially tandoorchi is regularly performing her duty in hostel.

Recommendation:

Keeping in view demand of female teachers residing in hostel and hardship of tandoorchi stated by her and enmity of sweeper, their transfer order may please be retained and they should allow performing their duty in hostel.

Thanks

Dated: 24/02/2023


Mrs. Nur Jabeen
Principal
GGHSS Qabadshah Khel
District Kurram



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District Education Officer
Kurram

1. The Director E & S E KPK Peshawar.
2. The Additional Director NMDs Peshawar.
3. The Deputy Commissioner Kurram.
4. The Principal GHS Parachinar with the directions to make it sure their duty Performance & report to the undersigned.
5. Master File.

Copy is forwarded to :-

District Education Officer
(Female) Kurram

Rules 2011

Note - This transfer adjustment order is hereby made at District Girls Hostel (GHS Parachinar) for functional it for for lung areas female students as well as female teachers. They all are directed to keep it clean & neat. If you got fail to not taken over (charge at the aforesaid station, lawful action against you will be taken as per E & D Rules 2011

Sr.No	Name of Official	Design	From	To	Remarks
1	Mst Noorana	Tandorch	Female	District Girls Hostel at GHS Parachinar	
2	Mst Shahida	Sweeper	Female	District Girls Hostel at GHS Parachinar	

Whereas this office has made transfer of one Mst. Noorana from District Girls Hostel at GHS Parachinar to District Girls Hostel at GHS Parachinar. So, you all are hereby transferred & adjusted at District Girls Hostel at GHS Parachinar. Details of officials are given below -

Whereas, this office has been giving an opportunity to perform duties while made transfer to the District Girls High School Parachinar as per inquiry officer, this office has been giving an opportunity to perform duties while made transfer to the District Girls High School Parachinar. So, you all are hereby transferred & adjusted at District Girls Hostel at GHS Parachinar. Details of officials are given below -

Whereas, this office has been giving an opportunity to perform duties while made transfer to the District Girls High School Parachinar. So, you all are hereby transferred & adjusted at District Girls Hostel at GHS Parachinar. Details of officials are given below -

ANNOY -

TRANSFER & ADJUSTMENT ORDER

OFFICE OF THE DISTRICT EDUCATION OFFICER
KURRAM



WITHDRAWAL OF TRANSFER ORDER

The transfer & adjustment order vide No.10697-99/Edu-F Transfer File dated 24/10/2023 issued by this office is hereby withdrawn from the date of issuance.

(19)

ANNEX - 5

Encls: NO. 3/Edu-Transfer File

Copy is forwarded to:-

- 1. The Additional Director NVIS Peshawar.
- 2. The Principal (G) IS Parachinar District Kurram.
- 3. Master File.

District Education Officer
(Female) Kurram

[Handwritten signature]

Dated: 5/11/2024

District Education Officer
(Female) Kurram

- 501 -

[Large handwritten signature]

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Annexur-F




OFFICE OF THE DISTRICT EDUCATION OFFICER
FEMALE KURRAM
No. 740-44 / Transfer File DEO(F)KM Dated, 22/04/2024



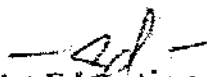
RESTORATION OF TRANSFER ORDER

The Transfer Order Vide No.10697-99/Edu Transfer File Dated, 24/10/2023 issued by this office is hereby **RESTORE** from abinitio.


District Education Officer
(Female) Kurram

Copy is forwarded to :-

1. The Deputy Commissioner Kurram.
2. The DAO Kurram.
3. The Principal GGHS Parachinar.
4. The DMO Kurram.
5. Master File.


District Education Officer
(Female) Kurram



بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر فیمل ضلع کرم

ڈیپارٹمنٹل اپیل برائے بحالی آرڈر نمبر 66-63

Ans-

G

22/4/24 خلاف Dated 08-04-2024

جناب عالی!

مودبانہ گزارش ہے کہ بمورخہ 24-10-2023 ٹرانسفر آرڈر نمبر 99-10697 پر سائلہ کا

تبادلہ گورنمنٹ گرلز ہائی سکول ہاسٹل پاراچنار میں کیا تھا۔ جو کہ آنجناب نے مورخہ 08-04-2024 وڈراول کے احکامات جاری کر کے مستوح کر دیا گیا۔

لہذا آنجناب کے دربار عالی میں نہایت ہی عاجزانہ گزارش کی جاتی ہے کہ سائلہ کے احکامات دوبارہ

گورنمنٹ ویمن پیپلز ہاسٹل کر کے مشکور و ممنون فرمائیں۔ سائلہ تاحیات دعا گورہی گی۔

مورخہ 24-04-2024

سائلہ:

۲۔ نورانہ تندوری گورنمنٹ گرلز ہائی سکول ہاسٹل پاراچنار

Rejected.

Asif

24/04/24

OB



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 (Thana) 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.

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.

Added vide Urdu circular letter No. SOR-VI (E&AD) 1-4/2008

APPROVED

- 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 APUC, 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

ATTESTED

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-VII/E&AD/1-4/2003 dated 24-6-2003).

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

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

TESTED

TESTED

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(POWER OF ATTORNEY)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2024

MST. NOORANA

V/S

DEO (FEMALE)

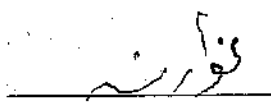
I, Mst. Noorana do hereby nominated and appointed **MUHAMMAD MAAZ MADNI**, Advocate High Court, Peshawar, to be counsel in the above matter for me/us and on my/our behalf as agreed to appear, plead, act and answer in the above court or any appellate court or any court to which the business is transferred in the above matter as and is agreed to sign and file petition, appeals, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc and to apply for and issue summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrants or order and to conduct any proceedings that may arise there out; and to apply for and receive payment of any or all sums or submit the above matter to arbitration, and to employ an other legal practitioner authorizing him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

AND to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.

AND I/WE hereby agree to ratify and confirm all lawful acts done on my/our behalf; under or by virtue of these present or of the usual practice in such matter. PROVIDED always that I/WE undertake at the time of calling of the case by the court I/MY authorized agent shall inform the advocate and make him appear in the court, if the case, may be dismissed in default, it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHERE OF I/We hereunto set MY/OUR hand to these presents, the contests of which have been explained to and understood by ME/US this 23rd day of May 2024.

EXECUTANT


(Mst. Noorana)

Accepted subject to the terms regarding fees:


MUHAMMAD MAAZ MADNI,

ADVOCATE HIGH COURT, PESHAWAR

BC No. (BC-11-1460)

CNIC No. 17101-9263898-1

OFFICE: **TF-291, 292**, Deans Trade Centre, Peshawar Cantt.
0333-9313113, 0314-9965666