



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

Dated Peshawar the May 11th, 2018

OFFICE ORDER

No. SO(S/F)E&SED/4-16/2018/Mst. Alia Naz/ASDEO/Peshawar: WHEREAS the services of Mst. Alia Naz, ASDEO (F) Hayatabad Circle Peshawar were transferred and placed at the disposal of Directorate of E&SE, against which she filed an appeal to Director E&SE which was regretted. Later on she filed a writ petition against the said order in Peshawar High Court Peshawar.

2. **AND WHEREAS** the Peshawar High Court has directed the Secretary E&SED to consider and decide upon the appeal of the appellant regarding her transfer out from post the of ASDEO vide order dated 27-03-2018.

3. **AND WHEREAS** the appellant appeared before the Secretary E&SED at his office and stated the following facts of the case during personal hearing:

- a. That while working as ASDEO (F) Hayatabad Peshawar she received communication from IMU regarding rationalization of the teachers working under her jurisdiction as per rationalization policy on the basis of which she examined and proposed to DEO (F) concerned the transfer order of Mst. Aneela, PST from GGPS Police Colony (UC Malakandher) to GGPS Regilalma No. 2 (UC Malakandher) due to firstly being above the strength of the school in question and secondly being the junior most in that school and the same proposal was approved by DEO (F) concerned in her discretion but consequently she (appellant) was posted out from Peshawar and her services were placed at the disposal of Directorate of E&SE.
- b. That if the proposal was based on tenure then most of the ASDEOs in Peshawar have completed their tenures similar to her, therefore, she submitted an appeal to Director E&SE through proper channel against the said order which has been filed.
- c. That therefore, the appellant filed appeal in Peshawar High Court for seeking remedy.

4. **AND WHEREAS** the representative of Directorate of E&SE Mst. Dilshad Begum, Deputy Director (Estab) during the course of personal hearing has stated that ASDEO (F) had acted as per government policy on rationalization.

5. **AND WHEREAS** the Director E&SE had no competency to file her departmental appeal as he had issued the initial order and the appeal should have been moved to the Secretary E&SED or the Chief Secretary for consideration.

6. **AND WHEREAS** I find that the ASDEO (F) Mst. Alia Naz was under departmental directives on a criteria officially given by IMU to accommodate surplus teachers working over and above the strength as required in public interest in schools. And I find that she has done her duty by submitting the details for order of the senior official i.e. DEO. And I find that there are no faults on record of any irregularity committed by her.

7. **AND WHEREAS** I am of the opinion that her transfer orders exclusively on the above reason, without asserting other reason, are arbitrary and not covered under the rules.

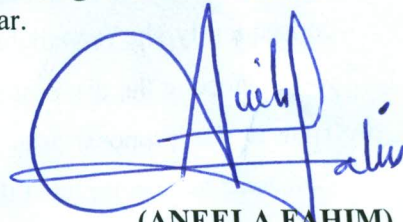
8. **NOW, THEREFORE,** I hereby cancel these orders and direct that these orders be withdrawn and she be allowed to assume her duty as ASDEO (F) Hayatabad Circle Peshawar in acceptance of her appeal.

SECRETARY

Endst: of even No. & date:

Copy forwarded to the:

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Registrar, Peshawar High Court Peshawar for record.
3. Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) Peshawar.
5. District Accounts Officer Peshawar.
6. In-charge EMIS, E&SE Department **for uploading at official website.**
7. PS to Secretary E&SE Department, Peshawar.
8. ASDEO (F) concerned.
9. Office order file.



(ANEELA FAHIM)

SECTION OFFICER (SCHOOLS FEMALE)