

PESHAWAR HIGH COURT, PESHAWAR

NOTIFICATION

Dated Peshawar the 13th June, 2024

No. 256-J Hon'ble the Administration Committee in its meeting dated: 10-06-2024, has been pleased to unanimously amended the transfer and posting policy of judicial officers issued vide Notifications No. 69-J, dated: 13-03-2017 and No. 78-J, dated: 07-04-2017, with aims to establish a structured approach to decision-making and implementation thereof, within the organization to promote consistency, fairness, and alignment with the institutional goal and values, emphasizing on fairness, efficiency and compassion, ensuring equitable treatment with all the judicial officers, respecting individual preferences. The transfers and posting policy is outlined as under:

ZONES:

For the purpose of transfer and posting of the judicial officers, the province of the Khyber Pakhtunkhwa is divided into the following three (03) Zones:

Zone-A (Soft)	Peshawar, Kohat, Khyber, Nowshera, Charsadda, Mardan, Swabi, Malakand, Haripur, Abbottabad, Mansehra, Swat and all Ex-cadre posts falling in these Districts.
Zone-B (Temperate)	D.I.Khan (HQ), Lakki Marwat, Bannu, Karak, Hangu, Orakzai (except Qalaya), Mohmand, Buner, Shangla (except Chekasar, Poran & Besham), Dir Lower, Dir Upper (except Sheringal), Chitral Lower and all Ex-cadre posts falling in these Districts.
Zone-C (Hard)	Tank, Kolai Palas, Kohistan Lower, Kohistan Upper, Chitral Upper, Battagram, Tor Ghar, Kurram, South Waziristan, North Waziristan, Bajour and all Ex-cadre posts falling in these Districts. Tehsils: <ul style="list-style-type: none">• Paroa, Paharpur, Daraban, & Kolachi of District D.I. Khan.• Qalaya of District Qarakzai.• Chekasar, Poran & Besham of District Shangla.• Sheringal of District Upper Dir.• Thall of District Hangu.• Lal Qila of District Lower Dir.

TIME AND MANNER OF GENERAL TRANSFERS:

- General transfers and postings shall be made biannually, ideally in the months of April and September, considering the climatic/seasonal conditions and academic semesters schedules to facilitate the judicial officers and their families, to minimize chances of disruptions.
- Transfers and postings shall be made in batches to prevent the stations from having entirely new teams.

- Proposals for general transfers and postings shall be initiated through a notification inviting representations and allowing the officers ample time to organize their affairs, within the districts.

TENURE:

- The period of posting at:
 - (1) Zone-C (Hard Stations) be one (1) year.
 - (2) Zone-A & B (Soft & Temperate Stations) may be three (3) and two (2) years respectively, unless there arise institutional need and public interest, necessitating early transfers/postings, which will be considered as exceptions.
- The duration of posting in Ex-Cadre posts at falling in:
 - (1) Zone-C (Hard Stations) be one (1) year, subject to statutory period of deputation.
 - (2) Zone-A & B (Soft & Temperate Stations) may be three (3) and two (2) years respectively, subject to statutory period of deputation, unless there arise institutional need and public interest, necessitating early transfers/postings, which will be considered as exceptions.

RELINQUISHMENT OF CHARGE:

- The judicial officers reallocated to new place of postings shall relinquish charge within seven (7) days, positively to ensure seamless transition, curtailing disruptions of the proceedings in their respective courts and administration, caused by arrivals and departures of the judicial officers.

ROTATION:

- A judicial officer shall serve in all Zones, after completion of his/her term in each Zone before being posted to the initial Zone.
- Rotation shall not be limited solely to regional placements, it shall also encompass subject matters and jurisdictions i.e. Civil, Criminal, Rent, PHC and KPJA, allowing judicial officers to develop and advance in their careers through varied experiences.
- Promotion and reversion from Ex-cadre postings should adhere to the rotation criteria, mentioned earlier.

MUTUAL:

- The exchange of posting locations upon the judicial officers' requests shall be subject to recommendation by the District & Sessions Judge and approval of Hon'ble the Chief Justice.

DOMICILE/PERMANENT RESIDENCE:

- Considering the nature of judicial responsibilities, measures shall be taken to avoid posting of judicial officers to their districts of domicile or places of permanent residences, to curtail risks of vulnerability to undue pressures.

RECOGNITION OF PERFORMANCE:

- Hard work, commitment, dedication and outstanding performance shall be recognized as preferential factors and considered at the time of transfers and postings.

SPOUSES AND UNMARRIED FEMALE OFFICERS:

- To preserve matrimonial harmony, spouses will ideally be stationed either in the same or in neighboring districts, if possible. Similarly, unmarried female judicial officers will be posted to districts nearer to their permanent residences.

REPRESENTATION:

- A judicial officer who has been proposed to be transferred / posted may file representation within three (03) days, which will be placed before Hon'ble the Chief Justice, for final order and accordingly, final transfer/posting order shall be issued.

EXCEPTIONS:

- Urgent institutional needs, outstanding performance, personal circumstances of the judicial officers (considered and recognized by the Competent Authority) and unforeseen future situations shall be valid exceptions to the guidelines, outlined above (Emphasized).

By order of Hon'ble the Chief Justice & Judges

(IKHTIARKHAN)
REGISTRAR

Endst: No. 5174-84 / Admn:
Copy forwarded to: -

Dated Pesh the 13/06/2024

1. All the District & Sessions Judges/Zilla Qazis in the Khyber Pakhtunkhwa for further circulation amongst all the Judicial Officers within the district.
2. The Member Inspection Team, Peshawar High Court, Peshawar.
3. All the Additional Registrars of the Peshawar High Court Benches.
4. All the Principal Officers, Peshawar High Court, Peshawar.
5. All the Ex-Cadre Judicial Officers.
6. The PSO to HCJ, Peshawar High Court, Peshawar.
7. The Director IT, Peshawar High Court, Peshawar.
8. The Director B&A, Peshawar High Court, Peshawar.
9. The Private Secretary (Admn), Peshawar High Court, Peshawar.
10. All the Private Secretaries of this Court for placing the same before the Hon'ble Judges for their kind information.
11. The Deputy Registrar (Confidential), Peshawar High Court, Peshawar.

(IKHTIARKHAN)
REGISTRAR