


FORM OF ORDER SHEET

Court of _____

Appeal No. 1329/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04-Sep-24	<p>The appeal of Mr. Anwar Zaman submitted today by Mr. Muazam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 13.09.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

Anwar Zaman

V/S

Government of KP & others

INDEX

S#	DESCRIPTION OF THE DOCUMENTS	ANNEX	PAGES
1.	Appeal and Verification	*	1-4
2.	Application for suspension	*	5
3.	Copy of Monthly Salary account	A.	5-8
4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	B.	9-10
5.	Copy of Impugned Letter dated June 06th, 2023	C.	11-15
6.	Copy of Minutes of Meeting dated 06-07-2023	D.	15-19
7.	Copy of Letter dated 23-08-2023	E.	20-21
8.	Copy of Impugned letter dated 07-09-2023	F.	22-23
9.	Copy of Representation against the said notification and representation made by APTA President	G & H	24-26
10.	Wakalat Nama		27


ADVOCATE

-1-

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No _____/2024

Anwar Zaman Son of Amir Zaman Resident of Tehsil & District Swabi

Designation: Primary School Head Teacher at GPS Dhera Swabi

.....Appellant

V E R S U S

- 1) Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar
- 2) Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Civil Secretariat, Peshawar
- 3) Director Elementary and Secondary Education Department

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

PRAYER:

ON ACCEPTANCE OF INSTANT SERVICE APPEAL, THE IMPUGNED NOTIFICATION BEARING NO: SO (POLICY) E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, MAY BE DECLARED AND ORDERED TO BE STRUCK DOWN BEING VOID AND ULTRA VIRES TO THE CONSTITUTION OF PAKISTAN AND FUNDAMENTAL PRINCIPLES OF NATURAL JUSTICE AND AGAINST THE RIGHTS OF APPELLANT.

ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT.

RESPECTFULLY SHEWETH:

1. That the Respondents Department appointed the Appellant as Primary School Head Teacher.
Copy of Monthly Salary account is annexed as Annexure A

2. That as per Khyber Pakhtunkhwa (Appointment/ Promotion/ Transfer) Rules, 1989, as well as in other sister services of the other Provinces and Federation as well, availing of promotion by the employees is always optional and the employees as a matter of right may avail or forego their promotion and the next employee in seniority list is to be promoted.
3. That some employees specifically have foregone their promotion as they could not serve in the areas where there is no facility of accommodation and no houses of their elders are available to look after them in far-flung and solitary mountainous hard areas, and as per Section 25 of per KP Civil Servant Act, 1973, rules to the extent of terms and condition is framed by the Chief Minister and such promotion rules are not made applicable with retrospective effect. The rules framed are published in the Gazette notification and part and parcel of KP Civil Servant Appointment, Transfer and Promotion Rules 1989.
4. That Government of K.P without following the rules position mentioned in Para 6 above promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Respondent No.2 vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. The impugned Notification is reproduced as under:-

"Furthermore, those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency Discipline) Rules, 2011, please".

5. That as per notification No. SD (Policy) /EDAD/1- 3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. Copy of notification No. SD (Policy) EV AD/1- 3/2020 dated 06/08/2020 is attached as Annexure B.
6. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the respondent No. 1 vide its letter No. SO(Policy) E&AD/1-3/2020 dated Peshawar the June 06th, 2023 directed the respondent No 3 (Directorate of Elementary & Secondary Education) that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and ,therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. Copy of Impugned Letter dated June 06th, 2023 is attached as Annexure C.
7. That thereafter the meeting was also held in the office of Additional Secretary Establishment on 06-07-2023 in which it was decided to examine the case properly and submit a self-contained/ consolidated case for onward submission to the Establishment Department for further necessary action. Copy of Minutes of Meeting dated 06-07-2023 is attached as Annexure D.
8. That the Respondent No.3 i-e. Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber

Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. Copy of Letter dated 23-08-2023 is attached as Annexure E

9. That the respondent vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa that necessary guidance has already been provided to the department and therefore no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011. Copy of Impugned letter dated 07-09-2023 is attached as Annexure F
10. That the petitioner feeling aggrieved, filed Representation to the respondents in person, and also approached to respondents through APTA President but the grievances of the appellant have not so far been redressed. Copy of Representation against the said notification is annexed as Annexure G & H
11. That feeling aggrieved from the letters dated 06-06-2023 and 07-09-2023 and the deletion of Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989; the petitioners filed this Hence, the instant service appeal is filed on the following grounds:-

GROUND:-

- a. That as per various judgments it is established and settled principle that executive notifications cannot be given retrospective effect. A valid Notification which confers rights is always applicable with prospective effect, however, if an amendment notification that adversely affects the interests of the employees or causes disadvantage to the employee is not tenable in the eyes of law. The notification/guidance dated 06/08/2020 06/06/2023 are liable to be set-aside.
- b. That there are no terms and conditions of service mentioned in the appointment order of the appellant wherein, availing of promotion is mandatory. It is further submitted that employees in the past, have foregone their promotion along with their posting. It is submitted that when domestic and other personal issues do not permit the employees/appellant to avail the promotion order and in that case, the employees who foregone their promotion were allowed not to avail the promotion for a period of 04 years and on second refusal the employees were permanently debarred from availing the facility of promotion during their entire service. Hence the employees himself/herself forebear agonies of foregoing their promotions. As a result, junior to the appellant according to the order of seniority cum fitness are granted promotion to next rank.
- c. That as per Civil Servant laws, promotion is a kind of appointment which is always optional to get promotion or not, hence the impugned notification is void, illegal and against the law and the same to the extent of the appellant is liable to be set-aside.
- d. That it is further submitted that on account of grant of promotion, some employees who are suffering from severe medical ailment or facing acute domestic issues cannot avail promotion with transfer in other areas, therefore, no employee can be compelled to accept the promotion compulsorily which is not beneficial to the employee but if an employee does not avail and get benefit of her promotion it must be optional for the employees as to whether to avail or forego the benefits. Any promotion without willingness of employee is illegal and liable to be setaside.

- e. That non-availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, pave way to the next employee in seniority, aspiring for promotion could be promoted.
- f. That the impugned promotion Notification dated 06/08/2020 communicated on 06/06/2023 is perverse, discriminatory, against the law, pungent and is a blunt blow of hammer on the rights of the appellant. It is not out of place to mention here that the appellant are teachers and have to look after their children as well as ailing dependent family members and in these circumstances in the presence of impugned Notification dated 06/08 /2023 communicated on 06/06/23 would not be able to serve in the department and which shall amount to the snatching of bread and butter of the poor employees

It is, therefore, humbly prayed that on the acceptance of the instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, communicated to Respondent No.2 by Respondent NO.1, vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.

It is further prayed that no penal action as proposed and envisaged in letter dated 06/06/2023 may be declared as unlawful, illegal and without having any legal effect.

Any other relief, which this honorable Tribunal deems fit and proper in the circumstances of the case, may also be granted to the appellant.

[Signature]
Appellant

AFFIDAVIT:

I, Anwar Zaman Son of Amir Zaman Resident of Tehsil & District Swabi solemnly declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

[Signature]
Deponent

Through:

[Signature]
Muhammad Muazzam Butt
Advocate Supreme Court

[Signature]
Muhammad Adeel Butt
Advocate High Court

[Signature]
Bassam Ahmad Siddiqui
Advocate High Court
LL.M- Human Rights

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____ -P of 2024

In Ref to

Service Appeal No _____/2024

Anwar Zaman

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

APPLICATION FOR SUSPENSION OF IMPUGNED NOTIFICATION BEARING NO. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO.2 BY RESPONDENT NO.1, VIDE LETTER DATED 06/06/2023 TILL THE FINAL DISPOSAL OF CASE IN HAND.

Respectfully Submitted:-

1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
3. That there is likelihood success of the appellant in the lis. And if the notification bearing No. So (Policy) E&D/1-3/2020 Dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Vide Letter Dated 06/06/2023 is not suspended the appellant would suffer irreparable loss.
4. That valuable rights of the appellant is involved in the case.

In view of the reasons, it is humbly requested that the notification bearing No. So (Policy) E&D/1-3/2020 dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Vide Letter Dated 06/06/2023 may kindly be suspended till the final disposal of the main appeal in hand.

AFFIDAVIT:

I Anwar Zaman Son of Amir Zaman Resident of Tehsil & District Swabi do hereby solemnly stated on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court

Deponent

Through

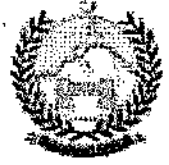
Appellant

Muhammad Muazzam Butt
Advocate Supreme Court

Muhammad Adeel Butt
Advocate High Court

Annexure H
- 6 -

Dist. Govt. KP-Provincial
District Accounts Office Swabi
Monthly Salary Statement (January-2024)



Personal Information of Mr ANWAR ZAMAN d/w/s of MIR ZAMAN

Personnel Number: 00236260 CNIC: 1620208455483 NTN: 0
Date of Birth: 01.01.1971 Entry into Govt. Service: 21.10.1993 Length of Service: 30 Years 03 Months 012 Days

Employment Category: Vocational Permanent

Designation: PRIMARY SCHOOL HEAD TEACH 80595750-DISTRICT GOVERNMENT KHYBE

DDO Code: SU6303-Government Primary Schools (Male) Razzar, Swabi

Payroll Section: 003 GPF Section: 001 Cash Center: 07

GPF A/C No: GPF Interest applied GPF Balance: 567,427.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 24

Wage type		Amount	Wage type		Amount
0001	Basic Pay	71,440.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	2148	15% Adhoc Relief All-2013	919.00
2199	Adhoc Relief Allow @10%	614.00	2316	Teaching Allowance 2021	3,224.00
2341	Dispr. Red All 15% 2022KP	6,807.00	2347	Adhoc Ref Al 15% 22(PS17)	6,807.00
2378	Adhoc Relief All 2023 35%	24,311.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-4,290.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-3,004.00	3990	Emp.Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	585,000.00	-16,250.00	325,000.00

Deductions - Income Tax

Payable: 46,825.38 Recovered till JAN-2024: 20,102.00 Exempted: 11705.83 Recoverable: 15,017.55

Gross Pay (Rs.): 122,042.00 Deductions: (Rs.): -25,479.00 Net Pay: (Rs.): 96,563.00

Payee Name: ANWAR ZAMAN

Account Number: 1181-9

Bank Details: NATIONAL BANK OF PAKISTAN, 231870 TORLANDAI BRANCH SHWA ADA SWABI TORLANDAI BRANCH SHWA ADA SWAB, SWABI

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: SWABI

City: SWABI

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: anwarzaman236260@gmail.com

System generated document in accordance with APPM 4.6.12.9(232/28/25.01.2024/v3.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICES/02.02.2024/20:12:04)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY SWABI.
OFFICE ORDER.

The following appointments of Trained PTC candidates of Swabi District are hereby ordered in GFS-7 (Rs. 1095-60-1995) plus usual allowances with effect from the date of taking over charge, purely on merit basis and strictly in accordance with the prescribed Rules/Regulations and the instructions of the concerned authorities, on the terms and conditions given on page No.2.

Const.No:	S.No:	Name of Candidate & Address	Qualification	Where appointed	Remarks
PF-24	1. ✓	Amal Zaman s/o M. Zaman Mawan Killi.	PTC/AIOU 50%/G-C	GPS Dhera Sudlowa	Against vacant post.
PF-25	1.	Sadeer ur-Rehman s/o M. Zaman Mawan VFO: Maini	PTC/AIOU 70%/G-A	GPS Lyren	Against vacant post
	2.	Abdul Ahad s/o Abdul Subhan ET GEPS Nobat Abad	PTC/AIOU 57%/G-B	GMPS Neher Banda Zeida	----do----
	3.	Mohammad Ijaz s/o Sahib Zada VFO: Gar Munara.	PTC/AIOU 54%/G-C	GPS Funawal	----do----
	4.	Noor Shah s/o Mehrenban Shah Chowkidar GPS Banjo Dhaki Gadoon	PTC/AIOU 53%/G-C	GPS Banjo Daki	----do----
PF-26	1.	Tila Mohammad s/o Mohammad Abram Chowkidar GPS Wisal Abad Jehangira.	PTC/AIOU 63%/G-B	GPS Abdul Ajab Banda (Gadoon)	Against vacant post.
	2.	Abdus Samad s/o Ghulam Jilani VFO: Shewa.	PTC/AIOU 56%/G-B	GPS Gohar- Abad Aman- Kot.	S.A.P
	3.	Khan Bad Shah s/o Gul Bad Shah VFO: Mian Killi	PTC/AIOU 54%/G-C	GMPS Kunj banda Lyren.	Vacant post
	4. ✓	Liaqat Ali s/o Fajle Rahman VFO: Tarakai	PTC/AIOU 51%/G-C	GPS Funawal	----do----

DISTRICT EDUCATION OFFICER
(MALE) PRIMARY SWABI.

Page 2 Contd:

TERMS AND CONDITIONS.

1. These appointments are purely temporary and liable to termination without assigning any reason and without any prior notice.
2. They will have to produce the following certificates;=
 1. Medical certificate of physical fitness from the MS, DHQ Hospital Swabi.
 - ii. Verification of antecedents by the DSP Swabi/Lahor.
3. They should not be handed over charge if their Age is below 18 or above 25 years.
4. They must take over charge of the post within 14 days of the issue of this order thereafter the appointment will stand cancelled.
5. In case of resignation they will have to submit 14 days prior notice. After tendering resignation, they will not leave their jobs until the acceptance of their resignations by the competent authority nor shall they be granted any leave. In case they leave their jobs without acceptance of their resignations they will be treated as absconders and disciplinary action will be initiated against them.
6. The SDEOs/ASDEOs must check and verify the documents. If any forgery is detected the case be registered with the Police for legal action. The SDEOs, ASDEOs will be held responsible for any lapse in this regard.
7. Charge report should be submitted to all concerned.
8. NO: TA/DA/TG is allowed.
9. The following undertaking must be obtained from the candidates and be placed in their services books.
 - a. I understand that my employment under Govt: is temporary and that my service may be terminated by Govt: at any time, without assigning any reason, by giving a notice for a period not less than 14 days or payment in lieu of the notice, of a sum equivalent to my pay for 14 days or for the period by which the notice falls short of 14 days.
 - b. I agree that if I wish to terminate my services under Govt: at any time, I shall resign in writing and shall thereafter continue to service Govt: until my resignation is accepted.
 - c. I also understand that if I absent myself from duty without resigning in writing or before the acceptance by Govt: of my resignation, I shall be liable to disciplinary action, which may involve dis-qualification from future employment under Govt:.

(SAHIB ZADA)
 DISTRICT EDUCATION OFFICER
 (MALE) PRIMARY SWABI.

Endst: No: 4725-5 / P. No. 31/DA-I/PTO/Abtdt: Dated: 19-12 /1993.

Copies forwarded to the:-

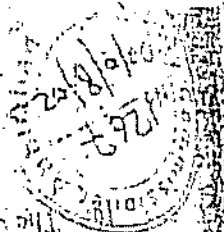
1. Additional Director-I Director of Primary Education NWFP Hayat Abad Peshawar.
2. District Accounts Officer Swabi.
3. DSP Swabi and Lahor with reference to the above 2(i).
4. Medical Superintendent DHQ Hospital Swabi with reference to above 2(i).
- 5-6 Sub-Divisional Education Officers (M) Swabi and Lahor.
7. Candidates concerned.
8. Head Teacher/Head Master of concerned schools.
9. Superintendent local office.

DISTRICT EDUCATION OFFICER
 (MALE) PRIMARY SWABI.

ATTESTED

DEPUTY SECRETARY (POLICY)
(VAJIDAH LATIF)

[Signature]



- 1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
- 2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- 3. The Administrative Secretary to Govt. of Khyber Pakhtunkhwa.
- 4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
- 5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 6. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 7. All Officers of Attached Departments in Khyber Pakhtunkhwa.
- 8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa.
- 10. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 12. The Deputy Director (IT, E&A) Department.
- 13. The Deputy Director in Establishment & Administration Department with the request to all Section Officers in Establishment & Administration Department.
- 14. The Section Officer (Admn), Administration Department.
- 15. The Director, Genetic Copies.
- 16. The Director, Administration Department.

RECORDED & REVENUE DATE

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

In rule 7, sub-rule (5) shall be deleted.

AMENDMENT

Under the powers conferred by section 25 of the Government of Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) in exercise of the powers conferred by section 25 of the Government of Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989, the following further amendment shall be made, namely:

NOTIFICATION

Dated Peshawar the 06/10/2020

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION-WING)



Annexure - B -

B/c - 10-

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/08/2020

In exercise of the powers conferred by section 26 of the Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII) the chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 1989, the following further amendment shall be made, namely:

AMENDMENT

In rule 7, sub-ruler (5) shall be deleted.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

Copy is forwarded to :-

1. Additional Chief Secretary, Govt of Khyber Pakhtunkhwa. Planning & Development Department)
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. The Deputy Director (IT), E&A Department.
14. All Section Officers in Establishment & Administration, Department.
15. The Section Officer (Admin), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

(WARDAH LATIF
DEPUTY SECRETARY (POLICY)



[Handwritten signature]

WPKM-2023 AZIZULLAH VS GOVT OF POK

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO (Policy) 1071/2020
Dated: Islamabad the June 06, 2023



62

Annexure - C

- 11 -

The Government of Khyber Pakhtunkhwa,
Ministry of Secondary Education Department,
Subject: CHANGE REGARDING DIRECTION OF STUDY IN THE
KHYBER PAKHTUNKHWA CIVIL SERVICE EXAMINATION
PROMOTION AND TRANSFER RULES, 1987

Dear Sir,
I am directed to refer to your letter No. SO (Policy) 1071/2020 dated 18.04.2023 and to state that Sub-Rule 7A of Rule 7 of Khyber Pakhtunkhwa Civil Services (Appointments, Promotions and Transfer) Rules, 1987 stands deleted with the departmental notification dated 06.08.2020; thus, no provision exists to decline or forgo promotion.

The basic rationale behind the deletion of the bid rule is aimed at preventing a civil servant from competing for a single lucrative position or to prevent those who tend to forgo promotion in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

Furthermore, these officials/officers who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011, para 6.

Yours faithfully,
[Signature]
(Asst. Secretary (Policy))

(Asst. Secretary (Policy))

(Asst. Secretary (Policy))

- 1. PS to Director (Reg), Establishment Department.
- 2. PS to Additional Secretary (Reg-II), Establishment Department.
- 3. PS to Deputy Secretary (Policy), Establishment Department.

Copy forwarded to the:
Ruler, Government of Khyber Pakhtunkhwa

7/6
7/6
7/6

[Handwritten notes and signatures]

To, The Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department.

SUBJECT: GUIDANCE REGARDING DELETION OF RULE 9(5)
IN THE KHYBER PAKHTUNKHWA CIVIL
SERVANTS (APPOINTMENT, PROMOTION AND
TRANSFER) RULES 1989.

Dear Sir,

I am directed to refer to your letter No. 30 (Primary-M) /EEpSED/2-2/Appointment/2023 dated 18.04.2023 on the subject noted above and to state that sub-Rule (5) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointments, Promotion and Transfer) Rules, 1989 stands deleted vide this department notification dated 06.08.2020; thus, no provision exists to decline or forgo promotion.

2. The basic rationale behind the deletion of the ibid rule is aimed to preventing a civil servant from temptation for illicit gain by sticking to a single lucrative post/position or to prevent those who tend to forgo promotion to evade posting/transfer or show lack of capacity to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

3. Furthermore, those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011, please.

-13-

-B/c-

Yours faithfully,

(Issa Muhammad Khan)
Section Officer (Policy)

Enclt. of even. No Ep date

Copy forwarded to the :-

1. PS to Special Secretary (Reg), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

Section Officer
(Policy)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-9223587)

No. SQ (Primary-MYE&SED/2-6/2023
Dated Peshawar the. June 26th. 2023

To

The Director
Elementary & Secondary Education Department
Khyber Pakhtunkhwa, Peshawar.

Aziz Ullah Khan
President,
All Primary Teacher's Association, KP

[Handwritten signature]
26/6/23

Subject: **GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1989.**

I am directed to refer to the subject noted above and to enclose here with
a letter of Establishment Department letter No. SQ (Policy)E&AD/1-3/2020 dated
06 June, 2023 and to state that the subject meeting is to be held on 06 July, 2023 at
11:00 AM in this department under the Chairmanship of Additional Secretary (E&AD)
E&SE Department in his office.

2. You are, therefore, requested to depute a representative of your
respective Department to attend the meeting on a date, time & venue as mentioned
above, please.

Encl: AA

[Handwritten initials]

[Handwritten signature]
(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

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SECTION OFFICER (PRIMARY MALE)
26/6/23

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B/c

-15-

No 50 (Primary-M)/E&SED/2-6/2023
Datad Peshawar the June 25th 2023

To
The Director
Elementary & Secondary Education Department
Khyber Pakhtunkhwa, Peshawar

Aziz Ullah Khan President
President
All Primary Teacher's Association, KP

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1989.

I am directed to refer to the subject noted above and to enclose here with a letter of

Establishment No. 50/2023/AD/

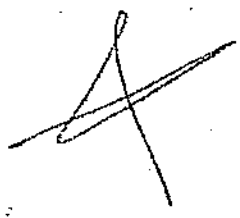
Encl: AA

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

SECTION OFFICER (PRIMARY MALE)



MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(S) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).


Annexure
D

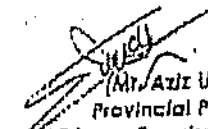
A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting.

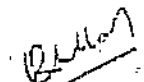
S#	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar


- The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.
- After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.

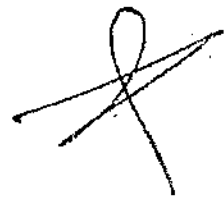

(Mr. Fazal Wahid)
Deputy Director
E&SE Department


(Mr. Aziz Ullah)
Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa


(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar


(Muhammad Ishaq)
Section Officer (Primary-Male)
E&SE Department

(Aboullah)
Additional Secretary (Establishment)
E&SE Department



- B/C - 17 -

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(S) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting

S#	NAME	DESIGNATION
1.	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2.	Mr. Aziz Ullah	Provincial President All Primary Teachers Association: Khyber Pakhtunkhwa
3.	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4.	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.

(Mr. Fazal Wahid)
Deputy Director-1
E&SE Department

Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

(Muhammad Ishaq)
Section Officer (Primary-Male)
E&SE Department

(Abdullah)
Additional Secretary (Establishment)



[Handwritten signature]

Assistant Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa

[Signature]
21/7/2023
Assistant Director (Establishment)
Elementary & Secondary Education
Khyber Pakhtunkhwa

1. PA to Director Local Directorate.
2. Master Copy.

Copy of the above is in:-

Encls. No.

The case is submitted for perusal and necessary actions please.

Departmental Promotion Committee.
provided they submit their written refusal prior to conclusion of the meeting of
Teachers below D/S-16 may be exempted of implications of the amendment in the rules laid
7(S) have affected negatively a huge number of Female Teachers. Thus it is proposed that
In view of the above, this office is of considered opinion that the deletion of Rules
been asked for submission of consolidated case.
Chairman/Member of the Committee, Ministry of Education, Government of Khyber Pakhtunkhwa
That, in the light of the minutes of meeting dated 6-07-2023 held under the
(Primary-4) E&SED-2/1/Appointment/2023 dated 12-06-2023.
The same was received by this office from your good office vide letter No.50
civil servant to accept promotion under every condition.
that there exists no provision in decline or forgo promotion. It is obligatory upon every
No.50 (Primary-4) E&SED-2/1/Appointment/2023 for necessary guidance.
That your good office forwarded the same to the quarter concerned vide letter
promotion.
(ii) It is the prerogative of the civil servant to either accept or turn down the offer of
(i) Now it is obligatory upon the civil servant to accept promotion in every condition.
No. 987 dated 06-02-2023.
That this office should guide from your good office in the following words vide letter
vide notification No. 50R-1 (E&AD)/1-3/2020 dated 06-08-2020.
That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing)
dated Rule 7(S) in the Civil Servants (Appointment, promotion & Transfer Rules 1989)
The Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing)

I am directed to refer to the letter No.50R Primary-4/E&SED/5-11
G.A. No. 34/SST/General Cases dated 10-07-2023 on the subject cited above and in
present brief history about the background of the case as under:

Subject - MINUTES OF THE MEETING

The Section Officer (Primary-Wale),
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa Peshawar.

Dear Sir,



No. 8145
Khyber Pakhtunkhwa, Peshawar
P.N. 34/SST/General Cases
Date: 21-7-2023
Phone: 091-9221111
Email: establishment@pki.gov.pk

Richard Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

Copy of the above to:
1. PA to Director Local Directorate
2. Master Copy

The case is submitted for perusal and necessary action please.

In view of the above, this office is of considered opinion that the deletion of Rules 7(S) have effected negatively a huge members of Female teachers.

That in light of the minutes of the meeting dated 6-07-2023 held under the chairmanship of Hon. Additional Secretary Education at his office. This office has been asked for submission of consolidated case.

That the government of KP-ED (Regulation wing) vide letter No. 50 (Policy) EQAD/1-2/2020 dated 6-06-2023 categorically stated that there exists no provision to declare /forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.

That your good office forwarded the same to quater concerned vide letter No. 50 (Policy) EQAD/2-2/Appointment/2023 for necessary guidance.

That Government of KP Establishment department (Regulation wing) added rule 7(S) in Civil Servants (Appointment, Promotion, Transfer, etc) 1997 vide notification No. SDR-VI (EQAD) 1-3/2020 dated 06-08-2020. That this office sought guidance from your good office in the following words vide letter No. 6983 dated 06-08-2023.

I am directed to refer to letter No. 50 (Policy) EQAD/1-2/6/2023/Ministry of meeting/RS/2023 dated 30-7-2023 on subject cited above and to present brief history, along background of case as under.

Subject: Minutes of Meeting
KPK, Peshawar
Elementary & Secondary Education Department
Section Officer (Primary-Male)
PESHAWAR
[21-7-2023]

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

-B/C-



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8221587)

No. SO(Primary-M)E&SED/2-2/Appointment-Rule /2023
Peshawar Dated 23rd August, 2023

Annexure
E

The Secretary to Govt. of Khyber Pakhtunkhwa,
Establishment & Administration Department,
Peshawar

**SUBJECT: - GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL
SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES
1989).**

Dear Sir,

I am directed to refer to your letter No. SO(Policy)/ E&AD/ 1-3/2020 dated 05th June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been intimated that those officers/ officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father of mother-in-law who need care. In such cases, there are negative effects on service delivery.

3. In view of the above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa,
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

(Officer)
SECTION OFFICER (PRIMARY MALE)
23/8/23

- B/c -

- 21 -

No. 50 (Primary - M) E & SE D / 8-2 /
Appointment - Rule / 2023

Peshawar Dated 23rd August, 2023.

To

The Secretary to Government of Khyber Pakhtunkhwa,
Establishment and Administration Department,
Peshawar.

SUBJECT: Guidance regarding deletion of Rule 7(S) in the
Civil Servant (Appointment, Promotion & Transfer Rules
1989).

Dear Sir,

I am directed to refer to your letter No. 50 (Primary) / E & AD /
1-3/2020 dated 3rd June 2023 and to state that after
deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment,
Promotion and Transfer Rules 1989) it has been intimated that
those officers/officials who do not comply with promotion order
of the competent authority or try to evade promotion through
different means shall be proceed under Khyber Pakhtunkhwa
Civil Servant (Efficiency and Discipline) Rule 2011.

In this connection, it is submitted that in some cases lady
teachers of primary level who avail such promotion have to
face serious inconvenience while they have to perform duties
in the remotest stations with no residential/transport facilities.
Most of them are married with kids and elder father of
Mother-in-law who need care. In such cases there are negative
effects on service delivery.
In view of above, the said amendment may be reconsidered to
the extent of lady teacher in primary schools.

Copy forwarded to;

1. Director E & SE Khyber Pakhtunkhwa.

2. PS to Secretary, E & SE Department of Khyber Pakhtunkhwa
WP4442-2023 A2124/2023

(Muhammad Ishaq)
Section Officer (Primary
Male)

Annexure - F

-22-



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2020
Dated Peshawar the September 07, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department.

Subject: - GUIDANCE REGARDING DELETION OF RULE 7(S) IN THE
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,
I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-
2/Appointment-Rule/2023 dated 23.08.2023 on the subject noted above and to state that
necessary guidance has already been rendered to your good office vide this department letter of
even No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Enclst. Of even No & date

Copy forwarded to the:-

1. PS to Special Secretary (Reg). Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

VP/14/22-2023 AZIZULLAH VS GOVT OF PK-11

-23-

- B/c -

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2020
Dated Peshawar the September 07, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department

Subject: - GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-2/Appointment-
Rule/2023 dated 23.08.2023 on the subject noted above and to state that necessary
guidance has already been tendered to your good office vide this department letter of even
No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Encls. Of even No. & date

Copy forwarded to the:-

1. PS to Special Secretary (Reg), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

Section Officer (Policy)

Annexure G

-24

To,

Dated: 16-03-2024

- 1) Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar
- 2) Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Civil Secretariat, Peshawar
- 3) Director Elementary and Secondary Education Department

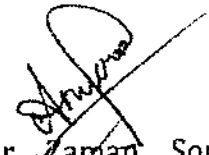
REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

Sir/ Madam:-

Your Honorable authority promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Elementary & Secondary Education vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. That, as per notification No. SD (Policy) /EDAD/1- 3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no. SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the Establishment Department vide its letter No. SO.(Policy) E&AD/1- 3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and, therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. That Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the E. ec. of Elementary & Secondary Education Khyber Pakhtunkhwa that necessary guidance has already been provided to the department and therefore no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, communicated to vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void Ultra vires to the Constitution of Pakistan.

Best Regards


Anwar Zaman Son of Amir Zaman
Resident of Tehsil & District Swabi

Aziz Ullah Khan
President
0333-0412648
azizullah1973@gmail.com
01 notalpk



APTA House:
Govt. Primary School No.1,
Quabbar Panhwar City,

آل پرائمری ٹیچرز ایسوسی ایشن (اپٹا) خیبر پختونخوا

Annexure - A

بہاب: سیکرٹری پبلک سروسز ایجنسی خیبر پختونخوا
مقام: آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا
جناب نا

گزارش ہے کہ پروسسنگ ہارڈسٹے میں ہوتے ہیں اور کہ سرکاری ملازم کی خواہش ہوتی ہے پروسسنگ کا ایک سالوں کا ہتا کہ جو ملازم ایک ایک کس
مہرہ کے تحت ایک سال پروسسنگ نہ لیں تو وہ پھر آئے ہمارے سال تک پروسسنگ نہیں لے سکتے تھے۔ مطلب ہمارے سال تک پھر اس کی پروسسنگ نہیں ہو سکتی تھی
پھر اس سالوں میں سرکاری رعایت دیا گیا ہمارے سالوں کے ختم کر دی گئی کہ اگر ایک ملازم ایک سال پروسسنگ نہ لیں تو وہ دوسرے سال لے سکتا ہے
لیکن اب ایک وقت پہلے ایک اور نوٹیفکیشن ہوا ہے

میں کے مطابق اب ہر ملازم پروسسنگ ضرور لیں گے اگر نہیں لیں گے تو اس کے خلاف ای سی ڈی رولز کے مطابق کارروائی کر کے کہا گیا ہے
اور اصل یہ آئی نوٹیفکیشن پی ایچ ڈی ایس ای کے تحت کی گئی خلاف رولز ہے جسے کہ وہ رولز اور پڑھی ملاحظہ میں خاص کر سرگرمی ایس ای کے اہلکے شکایت کا
سامنا کرنا پڑے گا

بیک عام حالات میں بھی ڈیڑھ پروسسنگ اور دو سال بھی ہوا اس آسانی کے خلاف رولز ہے کہ ایک ٹیچر پختونخوا میں پوسٹس سے فارغی و شہدیاں
کیا ہوتی ہے لیے حالات میں یہ چال نوٹیفکیشن ہے ڈی ایس ای کی خاطر اس لیکر کہ جناب میں کیا گیا ہے جو بددینی اور بیادگی آسانی کے خلاف ہے
میں اس کے خلاف کارروائی ہونی کا حق نہیں منظور رکھتے ہیں

لہذا ہم آپ سے درخواست کرتے ہیں کہ نوٹیفکیشن کو واپس لیا جائے یا اس میں ترمیم کر کے پرائمری ایس ای کے (Retraction) دیا جائے اور ان کو
ڈیڑھ پروسسنگ لینے کا ہلکا ان کو مرضی سے لینے دیا جائے
اور پوسٹس نہ لینے کی صورت میں ہاتھ دھوا دیا جائے لیکن یہ ضرورتی نہ کی جائے

اس سلسلے میں آپ جلد از جلد تمام (DEOs) کو ای ای اور کہ ایک قسم میں رابطہ جاری کیا جائے تاکہ اطلاع میں آپ سب کو سبیل پرائمری ایس ای کے ذہن
البت اور ہر جگہ سے پھیلانے

کیونکہ نوٹیفکیشن جاری ہوتے ہی پرائمری ایس ای کے اسٹیٹس ہارڈ چر کرنے کا سلسلہ شروع ہو چکا ہے
لہذا ہم یہ چاہتے ہیں کہ آپ صاحبان کوئی ایجنس لیکر سبب ہر کے پرائمری ایس ای کے ختم سائیل پرائمری ایس ای کو اس آسانی کے اہلکے شکایت سے اہلکے شکایت کے

شکریہ

عزیز اللہ خان سوہانی صدر
آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا

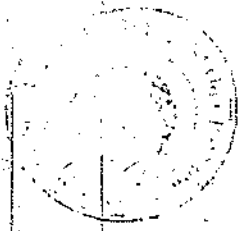
[Handwritten signature]

Date of Presentation of Application: 10-03-23
 Name of Applicant: [illegible]
 Name of Respondent: [illegible]
 Title of Respondent: [illegible]
 Designation: [illegible]
 Department: [illegible]
 Date of Issuance of Order: [illegible]

[Signature]
 Member (B)

Directed to be served copy (Muhammad Akbar Khan)

1. Learned counsel for the appellant present.
 2. For a pre-admission notice be issued to the respondents through TCS for submission of applications as well as preliminary hearing on 10.06.2023 hence S.M. P.T. given in learned counsel for the appellant.
 3. Alongwith the service appeal there is an application for suspension of Notification dated 06.06.2023 and letter dated 23.08.2023 till the final disposal of main service appeal. In the meanwhile, no adverse action shall be taken against the appellant till next date of hearing.



07 08 2024

WAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Anwar Jamar

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC

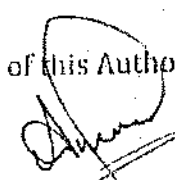
BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM


to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any petition connected with the same or any decree or order passed therein and Applications for review to file and obtain return of documents, and to represent me/us and to take all necessary steps on my/our behalf in the above matter.

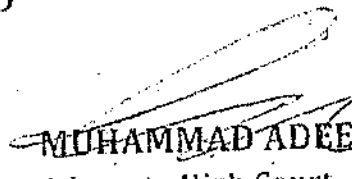
I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.

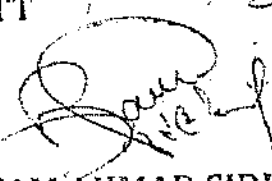


APPELLANT

ACCEPTED


MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court


MUHAMMAD ADEEL BUTT
Advocate High Court


BASSAM AHMAD SIDDIQUI
Advocate High Court