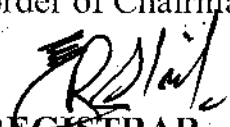


FORM OF ORDER SHEET

Court of _____

Appeal No. 1360/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06-Sep-24	<p>The appeal of Mr. Rashid Jalil 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

RASHID JALIL

V/S

Government of KP & others

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4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	B.	12-13
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6.	Copy of Minutes of Meeting dated 06-07-2023	D.	19-22
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ADVOCATE
M. Muazzam Butt

- 1 -

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1360 /2024

Rashid Jalil Son of Abdul Jalil SPST,

GPS- 2 Pabbini Tehsil & District 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 Senior Primary School 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:-

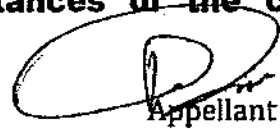
- a. That as per various judgments it is established and settled principle that executive notifications cannot be given retrospective effect. A valid Notification which confers rights is always applicable with prospective effect, however, if an amendment notification that adversely effects the interests 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.

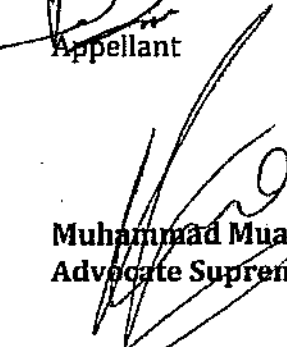

Appellant

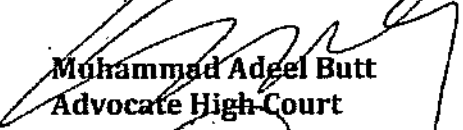
AFFIDAVIT:

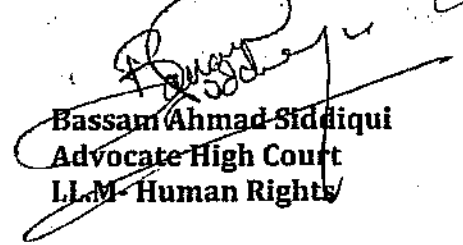
I Rashid Jalil solemnly declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


Deponent

Through


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court


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

-5-

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____ -P of 2024

In Ref to

Service Appeal No _____/2024

Rashid Jalil
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:-

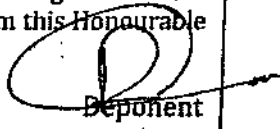
1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
3. That there is likelihood success of the appellant in the lis. And if the notification 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.



Appellant

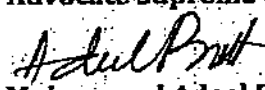
AFFIDAVIT:

I (the appellant) 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


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court

Dist. Govt. KP-Provincial
District Accounts Office Swabi
Monthly Salary Statement (December-2023)

-6-



Annex-A

Personal Information of Mr RASHID JALIL d/w/s of ABDUL JALIL

Personnel Number: 00343799 CNIC: 1620209248773

NTN:

Date of Birth: 22.01.1979 Entry into Govt. Service: 23.10.2004

Length of Service: 19 Years 02 Months 010 Days

Employment Category: Active Permanent

Designation: SENIOR PRIMARY SCHOOL TEA

80004527-DISTRICT GOVERNMENT KHYBE

DDO Code: SU6130-Government Primary Schools (Male) Swabi

Payroll Section: 003

GPF Section: 001

Cash Center:

GPF A/C No: 343799[V5P148 GPF Interest applied

GPF Balance:

450,168.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 14

Pay Stage: 15

Wage type		Amount	Wage type		Amount
0001	Basic Pay	48,630.00	1001	House Rent Allowance 45%	3,321.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	550.00	2199	Adhoc Relief Allow @10%	373.00
2316	Teaching Allowance 2021	3,036.00	2341	Dispr. Red All 15% 2022KP	4,559.00
2347	Adhoc Rel Al 15% 22(PS17)	4,559.00	2378	Adhoc Relief All 2023 35%	16,411.00

Deductions - General

Wage type		Amount	Wage type		Amount
3014	GPF Subscription	-3,900.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-671.00	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

Deductions - Income Tax

Payable: 10,520.98 Recovered till DEC-2023: 3,866.00 Exempted: 2630.06 Recoverable: 4,024.92

Gross Pay (Rs.): 85,795.00 Deductions: (Rs.): -6,506.00 Net Pay: (Rs.): 79,289.00

Payee Name: RASHID JALIL

Account Number: 277-5

Bank Details: NATIONAL BANK OF PAKISTAN, 231698 NBP PABAINA NBP PABAINA,

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: V/PO PABNAI

City: SWABI

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: aburehan979@gmail.com

ATTESTED

System generated document in accordance with APPM 4.6.12.9(232428/23.12.2023/v3.0)

All amounts are in Pak Rupees

Errors & omissions excepted (SERVICES/31.12.2023/18:39:35)

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LITERACY) SWABI
APPOINTMENT OF PST (MALE) OFFICE ORDER**

Consequent upon the approval of the competent authority, the following Male candidates are hereby appointed as PST in BPS-07 (Rs.(2220-120-5820) plus usual allowances as admissible under the rules on regular/contract basis, school specific in the school noted against each in the best interest of public service with immediate effect.

25% Open Merit

S#	Name	Father's Name	U/Council	Address	Score	Posted	Remarks
1	Mohammad Zahid	Ibraz Khan	Jalal	Jalal	64.57	GPS-1 Jalal	AVP/Contract
2	Hassid Iqbal	Tyasa Khan	Sw. Maneri	Sw. Maneri	63.68	GPS Nawan Shah Koro	AVP/Contract
3	Jalid Ahmad	Ghulam Syed	Lahor-E	Lahor	63.65	GPS Wadi Abad	AVP/Regular
4	Aurang Zeb	Diyar Khan	Panj Pbr	Kah	62.94	GPS A.Malik Kotly	AVP/Contract
5	M.Rawal Khan	Gul Mohammad	Gabazai	M. Chai	61.66	GPS-3 Chandi	AVP/Contract
6	Ijaz Hussain	Subhanullah	KSK	KSK	61.52	GPS Jamal Abad KSK	AVP/Contract
7	M.Fayyaz	Ahaz Bar	Kahbat	Kahbat	61.48	GPS-17 Topi	AVP/Contract
8	Saifur Aji	Khan Saif	Budai	Wakherbad	61.47	GPS Mahab Bando Dep	AVP/Contract
9	Ahmed Khan	Fazal Akbar	Tankal	Tankal	61.39	GPS Mahab Khabli	AVP/Contract
10	Faisal Rahman	Salah Shah	Mandi	Mandi	61.17	GPS-1 Tiso	AVP/Contract
11	Rafiq Ullah	Dilawar Khan	Panj Pbr	Panj Pbr	61.13	GPS Shagol	AVP/Contract
12	Munjab Shah	Babar Shah	Jalal	Jalal	60.77	GPS-1 Jalal	AVP/Contract
13	S.Zamra Khan	Zamra Shah	Gabazai	M. Chai	60.23	GPS Kahpari	AVP/Contract
14	Qutub Ahmad	Sher Aman	Sahin Khan	Sahin Khan	60.17	GPS Sher Dil Kotly	AVP/Regular
15	Ambal Haq	Sard Muhammad	Swabi Khan	Swabi	59.82	GPS-1 Swabi	AVP/Contract
16	Bashir Ali	Said Quresh	Tankal	Tankal	59.7	GPS Batakara	AVP/Contract
17	Irfanullah	Azma Sah	KSK	KSK	59.68	GPS 1 Swabi	AVP/Contract
18	Mohammad Ali	Lahri Khan	Sudhar	N.Siddi	59.66	GPS Ghamb Abad (Tg)	AVP/Contract
19	M.Usair	Bashir Ullah	K/Khan	K/Khan	59.56	GPS, Nangal	AVP/Contract
20	Tarab Ali	Hameed Gul	Shikra	Shikra	59.26	GPS-Dar ha Banda (BK)	AVP/Contract
21	Saifur Khan	Akbar Shah	Gabazai	Saidhar	59.22	GPS Sher Shah Banda	AVP/Contract
22	Anwar Ali	Rizwanullah	Mandi	Mandi	59.1	GPS-1 Jhangpura	AVP/Contract
23	Zahar Ali	Sahib Zaid	Pemoli	Ghulam	59.2	GPS-3 Sher Daira	AVP/Contract
24	Hazir Khan	Muhammad Ghani	Jalal	Jalal (Sh)	58.9	GPS Jalal Shamsul	AVP/Contract
25	Waqar Ahmad	Fazil Wahid	Jamalia	Jamalia	58.82	GPS Qutub Abad	AVP/Contract
26	Razi Rahman	Razi Aman	Bamkhal	Bamkhal	58.82	GPS-1 Bamkhal	AVP/Contract
27	Ash Khan	Sarifur Khan	Pemoli	Pemoli	58.56	GPS Khaha	AVP/Contract
28	Muhammad Amin	M. Amin	Pemoli	Pemoli	58.23	GPS Khadi	AVP/Contract
29	Mohammad Shabbir	Majidur Khan	Zarobi	Zarobi	58.78	GPS Batakara	AVP/Contract
30	Ali Jaber	Jamali	Lahor-W	Lahor	58.72	GPS Saamad Depo	AVP/Regular
31	Noorul Wadud	Abdul Ghaffar	Jalal	Jalal	58.72	GPS Shamsul Jalal	AVP/Contract
32	Muhammad Ali Shah	M. Anwar	Doblan	Doblan	58.69	GPS Shabbir (Jhang)	AVP/Contract
33	Fika Muhammad	Noor Muhammad	Gabazai	M. Chai	58.69	GPS Qutub Abad Maki	AVP/Contract
34	Sher Khan	Said Mida Khan	Rudhar	Sara	58.61	GPS-2 Jhangpura	AVP/Contract
35	Sahin Zaid	Wazir Zaid	Gabazai	Gabazai	58.54	GPS Said Bahawal Ban	AVP/Contract
36	Bicwan Ullah	Sher Afrid	Sahin Khan	Sahin Khan	58.52	GPS Sher Dil Kotly	AVP/Contract
37	Nikar Ahmad	Said Jamal	Amber	Sh.Dhari	58.48	GPS-1 Amber	AVP/Contract
38	Mir Hossain	Rahim Zaid	Yaqubi	Bel Banda	58.42	GPS Naro Jaded	AVP/Contract
39	Zar Muhammad	Munir Khan	Jalal	Jalal	58.25	GPS-Ah Dhar	AVP/Contract
40	Qadar Zaman	Muhammad Khan	Gabazai	M. Chai	58.24	GPS-Gaha	AVP/Contract
41	H.Munir Khan	Fazil Muhammad	Jalal	Jalal	58.18	GPS-6 Jalal	AVP/Contract
42	Ashraf Ali	Usman Ghani	Yaqubi	Jhangpura	58.13	GPS-1 Tordhar	AVP/Contract
43	M.Hidal	Sanober Khan	Batakara	Batakara	57.99	GPS, Haniot	AVP/Contract
44	Mohammad Rehman	Said Arif	Kinada	Kinada	57.9	GPS-4 Kinada	AVP/Contract
45	Kabar Ali	Yousaf Khan	C.Noddi	Ahad Khan	57.80	GPS Aman Kot	AVP/Contract
46	Iqbal Ullah	Fazil Malik	Thandkol	Thandkol	57.83	GPS, W. Bar K. Kowra	AVP/Contract
47	S.Kazim Ali	S. Bacha Khan	KSK	KSK	57.81	GPS Sher Ali Banda	AVP/Contract
48	Yash Ali	Hassan Muhammad	Pemoli	Pemoli	57.81	GPS Aash Start	AVP/Contract
49	Imroz Ahmad	Sawar Khan	Adina	Adina	57.81	GPS Qamar Ghani Ny	AVP/Contract
50	Akmal Khan	Qasim Shah	Ghamb Baku	Ulla	57.75	GPS Batak	AVP/Contract
51	Noorul Haq	Muhammad Din	Lahor-W	Lahor	57.67	GPS, Lahor Pury	AVP/Contract
52	Feroz Shir	Fazil Akbar	Adina	Adina	57.59	GPS Qadar Abad	AVP/Contract
53	Fazil Malik	Fazil Ghani	Sw. Maneri	Sw. Maneri	57.54	GPS Nawan Shah Koro	AVP/Contract
54	Shamshir Faraz	Shaukat Hussain	Kahbat	Kahbat	57.54	GPS Nawan Shah Koro	AVP/Contract
55	Ashraf Ali	Moham Tj	K/Khan	K/Khan	57.53	GPS-1 Bamkhal	AVP/Contract
56	Gul Ayesha Shah	Nazir Shah	Ghamb Baku	Ulla	57.49	GPS-2 Paband	AVP/Contract
57	Sirajul Islam	Sher Aman	Sahin Khan	Sahin Khan	57.49	GPS Jamal Abad Dera	AVP/Contract
58	Shahwan Khan	Sherin Khan	Ghamb Baku	Dowal	57.47	GPS Paband	AVP/Contract
59	Rangoon Khan	Gul Rox Khan	Sahin Khan	Sahin Khan	57.43	GPS Nawan Shah Koro	AVP/Contract
60	Rewaiz Khan	Muhammad	Gabazai	Gabazai	57.41	GPS, Sarai (Maneri B)	AVP/Contract
61	Muhammad Rehman	M. Iqbal	Lahor-E	Lahor	57.31	GPS, Batak	AVP/Contract
62	Shah Khalid	Abdul Qadir	Yaqubi	Shahdud Khab	57.28	GPS, Uch Khawar	AVP/Contract
63	Hassan	Shamshir Qamar	Tordhar	Tordhar	57.28	GPS-2 Tordhar	AVP/Contract

ATTESTED

64	Nizar Ullah	Dacha Gul	Jahid	Jahid	57.27	GPS Saad Khal	AVP/Contract
65	Munir Ali	Gimbar Ullah	Shir Jara	Shir Jara	57.51	GPS Chachyano Kill	AVP/Contract

DECEASED GOVT SERVANTS

1	Arifullah	Wazir Ullah	Majid	Majid	43.86	GPS-1 Majid	AVP/Contract
2	Ahmad Nawaz	Mughal Raz	Swabi	Swabi	44.21	GPS Naeem Shah Koro	AVP/Contract
3	Zahir Rehman	Rahat Khan	Ismail	Ismail	43.45	GPS Qadir	AVP/Contract

DISABLE CANDIDATES

1	Wahab Shah	Munir Shah	Chackhara	Amir Bala	53.02	GPS Ali Sher Khan Gen	AVP/Contract
2	Rauf Khan	Sher Afzal	M/Payan	M/Payan	53.79	GPS-2 Swabi	AVP/Contract
3	Maharajad Ahd	Said Qamar	K.S.K	K.S.K	50.97	GPS Rber Ali Nand NW	AVP/Contract
4	Asraf Ali	Khan Zada	Ambar	Khanda	43.69	GPS-1 Ambar	AVP/Contract

75% UNION COUNCIL WISE CANDIDATES

1	Jamshaid Khan	Bekir Rehman	Swabi Khan	Swabi	43.90	GPS-2 Swabi	AVP/Contract
2	Muhammad Ali	Sher Afzal	Swabi Khan	Swabi	51.83	GPS Guloo Dheri	AVP/Contract
3	Said Arab Khan	Shahar Rehman	Swabi Khan	Swabi	52.23	GPS Guloo Dheri	AVP/Contract
4	Fariq Hani	Fariq Rathi	Swabi Khan	Swabi	50.58	GPS Guloo Dheri	AVP/Contract
5	Zahir Shah	Sulhan Jan	Swabi Khan	Swabi	50.47	GPS-2 Swabi	AVP/Contract
6	Muhammad Islam	Muhammad Im	Swabi Khan	Swabi	50.24	GPS Habib Ullah Ba	AVP/Contract
7	Niaz Muhammad	Muhammad Akber	Swabi Khan	Swabi	47.96	GPS Guloo Dheri	AVP/Contract
8	Sajid Ali Khan	Razi Khan	Swabi Maneri	Swabi Maneri	55.37	GPS Laman Dheri	AVP/Contract
9	Muhammad Zubair	Muhammad Hanif	Swabi Maneri	Swabi Maneri	55.35	GPS Nuro Jaleed	AVP/Contract
10	Fazal Bacha	Gul Bacha	Swabi Maneri	Swabi Maneri	54.57	GPS Saad Khal	AVP/Contract
11	Syed Thawal Shah	Said Maza	Swabi Maneri	Swabi Maneri	53.50	GPS Mir Said Koroona	AVP/Contract
12	Muhammad Shah	Gul Bacha	Swabi Maneri	Swabi Maneri	52.70	GPS Mir Said Koroona	AVP/Contract
13	Aziz Ahmed	Shera Zar Khan	Swabi Maneri	Swabi Maneri	51.11	GPS Mir Said Koroona	AVP/Contract
14	Hafizul Haq	Abdul Majid	Swabi Maneri	Swabi Maneri	50.38	GPS Pirab Banda	AVP/Contract
15	S. Muhammad Noor	Fazal Ghani	Swabi Maneri	Swabi Maneri	49.15	GPS Mir Said Koroona	AVP/Contract
16	Fayaz Bacha	Shahin Bacha	Swabi Maneri	Swabi Maneri	47.42	GPS Saad Khal	AVP/Contract
17	Mir Rehman	Bazal Ullah	Swabi Maneri	Swabi Maneri	47.20	GPS Nuro Jaleed	AVP/Contract
18	Sahib Muhammad	Faqir Muhammad	Swabi Maneri	Swabi Maneri	46.98	GPS Saad Khal	AVP/Contract
19	Aamir Zaid	Jamir Khan	Maneri Bala	Maneri Bala	52.48	GPS-1 Shagol Maneri	AVP/Contract
20	Muhammad Nawaz	Fazal Qadir	Maneri Bala	Maneri Bala	46.75	GPS-2 Shagol Maneri	AVP/Contract
21	Muhammad Khan	Waseel Khan	Maneri Bala	Maneri Bala	45.57	GPS-2 Shagol Maneri	AVP/Contract
22	Fazal Jambur	Rafiq Ullah	Maneri Bala	Maneri Bala	42.92	GPS-2 Shagol Maneri	AVP/Contract
23	Gul Was Khan	Aamir Khan	Maneri Bala	Maneri Bala	35.58	GPS-1 MBala	AVP/Contract
24	Fariq Hani	Nawab Din	Maneri Payan	Maneri Payan	51.81	GPS-3 M/Payan	AVP/Contract
25	Aamir Ali	Rohat Khan	Maneri Payan	Maneri Payan	52.71	GPS Bahrol Qadim	AVP/Contract
26	Sajid Ahmad	Gul Shar	Maneri Payan	Maneri Payan	49.87	GPS Kaha Dhand	AVP/Contract
27	Fayaz Ullah	Sher Ahar	Maneri Payan	Maneri Payan	48.50	GPS Kaha Dhand	AVP/Contract
28	Muhammad Zubair	Said Rehman	Maneri Payan	Maneri Payan	47.83	GPS-3 M/Payan	AVP/Contract
29	Niaz Ali	Rohat Khan	Maneri Payan	Maneri Payan	46.18	GPS Kaha Dhand	AVP/Contract
30	Niaz Ali	Hakim Khan	Maneri Payan	Maneri Payan	45.04	GPS-3 M/Payan	AVP/Contract
31	Fayaz Ali	Amir Ghulam	Sahin Khan	Sahin Khan	53.09	GPS Khamir/Abad	AVP/Contract
32	Zahid Ahmad	Shamim Haq	Sahin Khan	Sahin Khan	53.02	GPS Qad Abad (S.Khan)	AVP/Contract
33	Khalid Baqar	Mir Qasim	Sahin Khan	Qad Abad	54.00	GPS Sahin Khan Jaleed	AVP/Contract
34	Muhammad Iqbal	Rahim Gul	Sahin Khan	Sahin Khan	54.23	GPS Feroz Banda	AVP/Contract
35	Ahmad Shah	Said Laif Shah	Sahin Khan	Sahin Khan	53.84	GPS Sher Dil Koley	AVP/Contract
36	Sher Afzal	Abdul Rahim	Shahmansoor	Shahmansoor	53.53	GPS-1 Shahmansoor	AVP/Contract
37	Fayaz Muhammad	Muzar Muhammad	Shahmansoor	Shahmansoor	51.73	GPS-2 Shahmansoor	AVP/Contract
38	Shera Zaid	Gul Nazir	Thandrol	Thandrol	53.44	GPS Dodher	AVP/Contract
39	Gul-o-Aamir	Sher Aman	Thandrol	Thandrol	54.95	GPS Dodher	AVP/Contract
40	Zakir Ali	Ali Hafiz	Thandrol	Thandrol	53.81	GPS Dodher	AVP/Contract
41	Abdul Qadir	Shahdad Khan	Pay Pir	Kaha	53.84	GPS-1 Min Dheri	AVP/Contract
42	Shaukat Hayat	Noor Rehman	Pay Pir	Pay Pir	53.00	GPS Dara	AVP/Contract
43	Nazimullah	Rehmat Ullah	Pay Pir	Kaha	52.49	GPS/Abdul Aziz Koley	AVP/Contract
44	Said Arab Khan	Mir Javed	Pay Pir	Imam Abad	51.30	GPS Shah Bazar Koley	AVP/Contract
45	Syar Khan	Munir Khan	Ban Khol	Ban Khol	51.00	GPS Wal Baz Khan Ko	AVP/Contract
46	Abdul Naeem	Ayub Khan	Ban Khol	Ban Khol	48.37	GPS Wal Baz Khan Ko	AVP/Contract
47	Kifayat Ullah	Abdul Akbar	Ban Khol	Ban Khol	50.53	GPS Wal Baz Khan Ko	AVP/Contract
48	Ali Akbar	Ghulam Mubarr	Ban Khol	Ban Khol	50.72	GPS Boga	AVP/Contract
49	Muhammad Jafar	Abdul Jalil	Pabani	Pabani	53.23	GPS-2 Pabani	AVP/Contract
50	Imtiaz Muhammad	Wali Muhammad	Pabani	Pabani	53.03	GPS-2 Pabani	AVP/Contract
51	Said Man Ghani	Usman Ghani	Pabani	Pabani	48.01	GPS-1 Pabani	AVP/Contract
52	Gul Zaid	Ehtesam	Pabani	Pabani	28.54	GPS-1 Pabani	AVP/Contract
53	Amir Rehman	Abdur Rehman	Pabani	Pabani	54.96	GPS-3 Zaida	AVP/Contract
54	Abid Hussain	Sher Ghazwan	Zaida	Zaida	42.84	GPS-1 Zaida	AVP/Contract
55	Muhammad Amir	Muhammad Nazir	Zaida	Zaida	51.76	GPS-2 Zaida	AVP/Contract
56	Haris Ahmad	Nawab Zaid	Marghar	Marghar	50.69	GPS-3 Zaida	AVP/Contract
57	Fayaz Nabil	Wazir Muhammad	Marghar	Marghar	53.91	GPS Marghar P/Center	AVP/Contract
58	Taufiq Ahmad	Arif Khan	Marghar	Marghar	53.23	GPS Marghar P/Center	AVP/Contract
59	Muhammad Ghazan	Abdul Hakim	Kotla	Kotla	54.10	GPS Bughday	AVP/Contract

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60	Jayal Ullah	Anar Gul	Kotha	Kotha	53.48	GPS Sughanday	AVP/Contract
61	Khalid Ahmad	Mohammad Zahir	Kotha	Kotha	46.76	GPS-1 Kotha	AVP/Contract
62	Mir Zaman Khan	Nawas Khan	Gandaf	JC Gandaf	45.86	GPS Mitha Khal	AVP/Contract
63	M. Shaukat Ali	Nawas Khan	Gandaf	Gandaf	39.88	GPS Mitha Khal	AVP/Contract
64	Amir Rehman	Gul Rehman	Obanichan	Dawal	56.23	GPS Chok Sokhal	AVP/Contract
65	Muhammad Amin	Muhammad Qayon	Kabganj	Chal	47.77	GPS Mandar Hort Gata	AVP/Contract
66	Said Faraz Shah	Saam Shah	Kabganj	Beasak	47.53	GPS Beasak	AVP/Contract
67	Gul Muhammad	Noor Muhammad	Kabganj	Kabganj	45.35	GPS Qadri	AVP/Contract
68	Alam Zaid	Raider Jang	Kabganj	Beasak	41.78	GPS Oden Takal	AVP/Contract
69	Noor Ali Shah	Azra Shah	Kabganj	Beasak	40.75	GPS Kambla	AVP/Contract
70	Sher Wali Khan	Sher Aziz	Kabganj	Sci	36.32	GPS Aziz Abad Qadri	AVP/Contract
71	Gul Faraz	Derwish Kamra	Kabganj	Takal	30.41	GPS Qadri Banda	AVP/Contract
72	Sher Wali Khan	Umair Khan	Kabganj	Takal	34.93	GPS-1 Takal	AVP/Contract
73	Isyat Ullah	Muhammad Ullah	Mahli	Mahli	55.13	GPS Qadri Abad	AVP/Contract
74	Noor Khalid	Qasr Khalid	Mahli	Mahli	54.73	GPS Haji Khal Mahli	AVP/Contract
75	Sobhan Ullah	Roman Ali	Mahli	Mahli	53.00	GPS Shauheen Mahli	AVP/Contract
76	Hilal Zaman	Qasim Khan	Mahli	Mahli	52.53	GPS Hida Wan Mahli	AVP/Contract
77	Zahid Zaman	Laj Zaman	Debakra	Debakra	49.03	GPS Galla	AVP/Contract
78	Muhsin Ahmad	Hussain Shah	Topi (W)	Topi	48.08	GPS-4 Topi	AVP/Contract
79	Muhammad Farid	Muhammad Zaman	Topi (W)	Topi	47.82	GPS-4 Topi	AVP/Contract
80	Mohar Rahman	Hazrat Rahman	Topi (B)	Topi	47.28	GPS-2 Topi	AVP/Contract
81	Misar Ahmad	Sahz Ali	Topi (B)	Topi	45.77	GPS-1 Topi	AVP/Contract
82	Adnan Ali	Jehan Zaid	Topi (B)	Topi	41.73	GPS-2 Topi	AVP/Contract
83	Hameed Sher	Muhammad Sher	Topi (E)	Topi	40.49	GPS-6 Topi	AVP/Contract
84	Said Nawaz	Tahir Shah	Ghazal	Mangal Ghaz	36.57	GPS-3 Chawal	AVP/Contract
85	Saeed Ullah	Farid Wabab	Ghazal	Dawal	35.78	GPS Ghazal	AVP/Contract
86	Muhammad Zahir	Hayat Khan	Ghazal	Dawal	34.07	GPS Shauhan	AVP/Contract
87	Muhammad Anwar	Rafiq Ullah	Gar Muzara	Dodber	53.12	GPS Mitha Banda	AVP/Contract
88	Abdul Samad	Abdul Malik	Gar Muzara	Gar Muzara	41.16	GPS Gar Ala Khat	AVP/Contract
89	Faiz Ahmad	Imtiaz Dad	Gar Muzara	Gar Muzara	36.82	GPS Gar Ala Jhal	AVP/Contract
90	Khan Saad	Gul Shad	K.S.K KH	K.S.K KH	36.59	GPS Jamal Abad (KSK)	AVP/Contract
91	Farooq Syar	Abdul Qadir	K.S.K KH	K.S.K KH	36.33	GPS Jamal Abad KSK	AVP/Contract
92	Muhammad Ishtiaq	Said Iqbal	K.S.K KH	K.S.K KH	34.29	GPS Adra KSK	AVP/Contract
93	Shah Ullah	Farman Ullah	K.S.K KH	K.S.K KH	32.56	GPS Adra KSK	AVP/Contract
94	Muhammad Iqbal	Prdil Khan	Sheikh Jann	Sheikh Jann	54.17	GPS-6 Sheikh Jann	AVP/Contract
95	Mohar Zaman Shah	Azfar Shah	Sheikh Jann	Sheikh Jann	52.53	GPS-7 Sheikh Jann	AVP/Contract
96	Shahid Afzar	Ali Gohar	Sheikh Jann	Sheikh Jann	51.50	GPS-3 Sheikh Jann	AVP/Contract
97	S. Malik Shah	Misrar Shah	Pennall	Pennall	50.87	GPS Pennall	AVP/Contract
98	Abdur Raj	Lal Bahadar	Pennall	Mohar AB	32.72	GPS Muzra Mahala Pe	AVP/Contract
99	Javed Khan	Rahim Dadgar	Pennall	Pennall	51.17	GPS Muzra Mahala Pe	AVP/Contract
100	Rasool Ali Shah	Masrur Shah	Pennall	Pennall	51.03	GPS Muzra Mahala Pe	AVP/Contract
101	Pervez Khan	Shahid Ghil	Pennall	Sher Dera	50.09	GPS-1 Sher Dera	AVP/Contract
102	Shereez Amir	Muhammad Ataul	Pennall	Pennall	48.79	GPS-1 Sher Dera	AVP/Contract
103	Muhammad Iqbal	Azhar Rehman	Naranjo	Naranjo	50.36	GPS Paloral	AVP/Contract
104	Muhamma Amir	Said Amir	Naranjo	Takla KKH	49.94	GPS Paloral	AVP/Contract
105	Sana	Ghazal Muhammad	Naranjo	Naranjo	48.05	GPS Qamar Dhand	AVP/Contract
106	Shaukat Ali	Rudwan Ullah	Naranjo	Naranjo	42.21	GPS Gohar Abad	AVP/Contract
107	Naseem Ullah	Azra Ullah	Naranjo	Naranjo	39.10	GPS Naranjo Dama	AVP/Contract
108	Muhammad Qasim	Abdur Rahim	Chok Nodch	Ahad Khan	56.61	GPS Ahad Khan	AVP/Contract
109	Kiran Ullah	Qasim Ullah	Turandil	K.S.K KH	51.54	GPS-1 Turandil	AVP/Contract
110	Amir Ali	Nasir Shah	Turandil	Turandil	51.51	GPS-1 Turandil	AVP/Contract
111	Tahir Johar	Said Johar	Turandil	Turandil	51.53	GPS Rahan	AVP/Contract
112	Muhammad Hayat	Alhan Yar	Asota Shahid	Spin Kani	46.77	GPS Spin Kani	AVP/Contract
113	Shahid Anwar	Said Jermal	Asota Shahid	Asota Shahid	56.58	GPS Spin Kani	AVP/Contract
114	Anwar Ali	Faisal Qadir	Asota Shahid	Asota Shahid	50.56	GPS Spin Kani	AVP/Contract
115	Asheq Muhammad	Abdul Sattar	Asota Shahid	Gharh Abad	51.15	GPS Spin Kani	AVP/Contract
116	Muhammad Asim	Anwar Ul Haq	Asota Shahid	Asota Shahid	51.06	GPS Spin Kani	AVP/Contract
117	Muhammad Iqbal	Saeed Gul	Asota Shahid	Asota Shahid	49.30	GPS Spin Kani	AVP/Contract
118	Javed Shah	Bakht Noor Shah	Shwra	Shwra	36.06	GPS Kaha	AVP/Contract
119	Majeed Ullah	Saeed Ullah	Shwra	Shwra	42.83	GPS Khori Kotay	AVP/Contract
120	Muhammad Naseem	Muhammad Afzal	Shwra	Shwra	32.78	GPS-3 Shwra	AVP/Contract
121	Muhammad Amir	Mir Muhammad	Dagali	Dagali	45.86	GPS-1 Dagali	AVP/Contract
122	Nasir Ahmad	Ayub Khan	Dagali	Dagali	56.79	GPS Mohib Banda	AVP/Contract
123	Salam Nawaz	Nasir Bahadar	Dagali	Dagali	55.32	GPS Dandoga	AVP/Contract
124	Muhammad Anif	Khalid Akbar	Tarikal	Tarikal	35.60	GPS Shahoda Qadri	AVP/Contract
125	Muhammad Farid	Waqar Khan	Tarikal	Bachal	35.21	GPS W. Muhammad Zoto	AVP/Contract
126	Wali Muhammad	Mir Alam	Tarikal	Munaji	62.81	GPS Mitha KKH	AVP/Contract
127	Noor Wahab	Zuber Khan	Kali Khan	Sher Ghond	57.14	GPS-2 Kali Khan	AVP/Contract
128	Shahid Ahmad	Muhammad Atiq	Kali Khan	Kali Khan	66.89	GPS Pura Kali Khan	AVP/Contract
129	Sajid Ali	Umar Khizar	Kali Khan	Kali Khan	56.83	GPS-1 Kali Khan	AVP/Contract
130	Fazal Iqbal	Abdul Saleem	Imalia	Imalia	54.46	GPS Imalia	AVP/Contract
131	Muhammad Amir	Rahim DD	Imalia	Imalia	48.48	GPS Gohar Abad	AVP/Contract
132	Zahoor Muhammad	Noor Muhammad	Imalia	Imalia	47.40	GPS Khawar Gaday	AVP/Contract
133	Wahid Ali	Peghara Shah	Imalia	Imalia	43.60	GPS Haji Khal	AVP/Contract
134	Amjad Ali	Sher Ali Khan	Imalia	Imalia	44.83	GPS Gohar Abad	AVP/Contract
135	Amjad Ali	Mir Adad	Bachal	T. Abad	56.88	GPS Mangal Kot	AVP/Contract

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136	Maqsood Ahmad	G. Muhammad	Darchal	Mahin	56.05	GPS Saproona	AVP/Contract
137	Major Ali	Munazzir	Jahai	Jahai	56.34	GPS 2, Jahai	AVP/Contract
138	Shahid Ahmad	Muhammad Rauf	Jahai	Jahai	56.59	GPS 3, Jahai	AVP/Contract
139	Muhammad Ali	Nasir	Jahai	Jahai	56.38	GPS 3, Jahai	AVP/Contract
140	Zahir Shah	Hikmat Shah	Jahai	Jahai	54.88	GPS 4, Jahai	AVP/Contract
141	Mujahid Khan	Yusuf Khan	Jahai	Jahai	54.52	GPS 4, Jahai	AVP/Contract
142	Muhammad Anwar	Hazrat Ullah	Manki	Manki	57.76	GPS 5, Manki	AVP/Contract
143	Nizar Ali	Amir Nawab	Manki	Manki	56.08	GPS Kalamabad Manki	AVP/Regular
144	Saeed ur Rehman	Faqir Bacha	Beka	Bazar	56.06	GPS 1, Beka	AVP/Contract
145	Raid ur Rehman	Raza Khan	Beka	Tano	55.28	GPS 1, Beka	AVP/Contract
146	Ahara Ali	Noor Ahmad	Beka	Tano	49.08	GPS Naki	AVP/Contract
147	Yusuf Ali	Amir Zada	Beka	Nabi	48.95	GPS Naki	AVP/Contract
148	Feroq Akber	Habib ul Akbar	Ambar	Ambar	54.55	GPS 1, Ambar	AVP/Contract
149	Gul Khan Ullah	Khalid Dad	Ambar	Bab	54.54	GPS Harym	AVP/Contract
150	Murad Ali	Abdur Rauf	Ambar	Sh. Dberi	51.40	GPS Harym	AVP/Contract
151	Inam	Khalid Gul	Ambar	Ambar	50.64	GPS 2, Jangi Dber	AVP/Contract
152	Zain ul Abideen	Fazal Mir	Ambar	Ambar	50.56	GPS 1, Kajah	AVP/Contract
153	Aamir Mansoor	Nasim Pervaz	Ambar	Sabah	49.15	GPS 2, Sabah	AVP/Contract
154	Kifayatullah	Abdus Rehman	Ambar	Sh. Dberi	48.75	GPS 1, Ambar	AVP/Contract
155	Dilawar Khan	Tanzal Khan	Kanda	Pak Kila	57.13	GPS Pak Kila	AVP/Contract
156	Muhammad Riaz	Amir Muhammad	Kanda	Kharabid Dan	56.82	GPS Kharabid Dan	AVP/Contract
157	Rasim Khan	Tanzal Khan	Kanda	Pak Kila	56.07	GPS Pak Kila	AVP/Contract
158	Zakir Rehman	Durrat Gul	Sodher	Pfanda	56.92	GPS 2, Sodher	AVP/Contract
159	Liraj Ali	Razzeb Ullah	Sodher	U/Dheri	56.25	GPS Naki Nam	AVP/Contract
160	Wajid Khan	Sher Bahadur	Lahor-W	Lahor	56.44	GPS Samad Depot	AVP/Contract
161	Najam Haidi	Fazil Haidi	Lahor-W	Lahor	56.08	GPS Dab Korona	AVP/Contract
162	Abzahir Khan	Gulzar Khan	Lahor-W	Lahor	54.28	GPS Qari Abad	AVP/Contract
163	Imanullah	Ali Haidi	Lahor-W	Lahor	74	GPS Samad Depot	AVP/Contract
164	Rawaz Khan	Sher Ghani	Lahor-E	Lahor	55.89	GPS, Dab Korona	AVP/Contract
165	Abdur Rehman	Muhammad Zaman	Lahor-E	Lahor	55.91	GPS Umar Dhek	AVP/Contract
166	Rabawaz	Jehan Zeb	Lahor-E	Lahor	55.77	GPS, Wakaf Abad	AVP/Contract
167	Niaz Ali Khan	Mira Khan	Lahor-E	Lahor	53.54	GPS Umar Dhek	AVP/Contract
168	Masir Rehman	Lutif Rehman	Tordher	Tordher	52.12	GPS-3, Tordher	AVP/Contract
169	Shawad Arshad	Abdul Azim	Tordher	Tordher	51.77	GPS, Wajaf Khel Tdr	AVP/Contract
170	Gul Khan	Khan Jan	Jhangira	Jhangira	53.73	GPS-3, Jhangira	AVP/Contract
171	Sher Muhammad	Abdul Akber	Jhangira	Jhangira	48.50	GPS-2, Jhangira	AVP/Contract
172	Zafar Akhbar	Muhammad Jamil	Jhangira	Jhangira	47.76	GPS-2, Jhangira	AVP/Contract
173	Nigar Ali	Sulaiman Ullah	Jhangira	Jhangira	40.22	GPS-3, Jhangira	AVP/Contract
174	Inam Khan	Sher Bahadar	Jhangira	Jhangira	36.11	GPS-1, Jhangira	AVP/Contract
175	Zakir Khan	Omra Khan	Jhangira	Jhangira	32.14	GPS Shabdar IIR	AVP/Contract
176	Humayun Bacha	Said Nawab	Jahai	Jahai	56.10	GPS Mian Dhand	AVP/Contract
177	Sulaiman	Muhammad Zaman	Jahai	Jahai	56.10	GPS Jahai Shawal	AVP/Contract
178	Nasim Khan	Shahid Ullah	Jahai	Jahai	54.46	GPS Chandra	AVP/Contract
179	Muhammad Zair	Muhammad Ali	Jahai	Jahai	54.38	GPS Chandra	AVP/Contract
180	Farrat Hussain	Muhammad Wali	Jahai	Jahai	54.27	GPS Page Korona	AVP/Contract
181	Muhammad Jamal	Faqir Muhammad	Jahai	Jahai	54.24	GPS Jahai Ghemali	AVP/Contract
182	Nasir Muhammad	Fazl Muhammad	Jahai	Jahai	49.43	GPS-3, Jahai	AVP/Regular
183	Amjad Ali	Gul Rehman	Jahai	Jahai	49.11	GPS Uch Khawar	AVP/Contract
184	Wajid Muhammad	Taj Muhammad	Jahai	Jahai	48.80	GPS Rest House	AVP/Contract
185	Saidul Wahab	Ghazal Gul	Jahai	Jahai	48.52	GPS Bahadar Abad	AVP/Contract
186	Bakhtiar Ullah	Tajdar Ullah	Jahai	Jahai	47.68	GPS Sh. Ullah Banda	AVP/Contract
187	Niaz Ali	Hanish Gul	Y/Hussain-E	Y/Hussain	55.78	GPS Kalamabad Koley	AVP/Regular
188	Babar Ali	Ghazal Muhammad	Y/Hussain-W	Y/Hussain	54.89	GPS-1, Y/Hussain	AVP/Contract
189	Arshad Ali	Adnan Khan	Y/Hussain-W	Y/Hussain	51.60	GPS-1, Y/Hussain	AVP/Contract
190	Ijaz Ahmad	Muhammad Inayat	Sard Chika	Uch Khawar	56.86	GPS, A.K.Kili	AVP/Contract
191	Gulzar Rehman	Ullah Ullah	Sard Chika	Rokhary	56.67	GPS, Beka Khat	AVP/Contract
192	Fazil Malik	Kamdar Khan	Sard Chika	Och Khawar	56.59	GPS, Beka	AVP/Contract
193	Masr Umar	Said Qureshi	Doblan	Doblan	55.25	GPS, Khan M Koly	AVP/Contract
194	Khadim Shah	Farooq Shah	Doblan	Doblan	50.63	GPS, -1, Khoro	AVP/Regular
195	Muhammad Sadiq	Abdul Dakin	Yaqubi	Shahdad Kili	56.83	GPS Shahdad Kili	AVP/Contract
196	Ullah ur Rehman	Noor Muhammad	Yaqubi	Bal Banda	56.68	GPS Jamil Abad	AVP/Contract
197	Muhammad Khan	Sheer Afzal Khan	Yaqubi	Shahdad Kili	55.54	GPS, Bal Banda	AVP/Contract
198	Bakht Ali	Razi Khan	Masni Chang	Tordher	51.00	GPS-2, Tordher	AVP/Contract
199	Fazal Amin	Amir Akber	Masni Chang	Tordher	49.49	GPS, Bagh Harum	AVP/Contract
200	Aurang Zeb	Afriday	Masni Chang	Tordher	40.39	GPS, 1, Tordher	AVP/Contract
201	Ajmal Khan	Hikmat Khan	Masni Chang	Tordher	37.01	GPS, Tordher 2	AVP/Contract
202	Azad Ali Khan	Sardar Ali Khan	Masni Chang	Tordher	36.74	GPS, Bagh Harum	AVP/Contract

Stop gap Arrangement

1	Muhammad Umar	Gul Sher	Tordher	Tordher	51.59	GPS, Ab Dhar	AVP/Contract
2	Amir Bahadar	Ali Bahadar	Kotha	Kotha	43.15	GPS, Bahara	AVP/Contract

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Handwritten signature and date: 20/10/03

Terms & 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 Health & Age certificate from the Medical Superintendent DHO Hospital Swabi before taking over charge.
3. In case of fresh candidates they should not be handed over charge if their age is below 18 or above 33+5 years.
4. They must take over charge of the post within 14 days of the issue of this order failing which the appointment order will automatically stand cancelled.
5. All the original academic/professional certificates/degrees should be verified from the concerned Board/University through the DDO concerned officially. If any discrepancy is found at any stage, a legal action will be taken against the person concerned under the rules.
6. Release of pay will be subject to the production of a certificate from the concerned Deputy District Officer (Male) Swabi/Lahor regarding the verification of all certificates, Degrees, Domicile, Union Council residence certificate & National Identity Card on the following pattern "Certified that I have officially verified all the original documents from the concerned authorities in respect of Mr. _____ S/O _____ and found correct who has been appointed against PST post in GPS _____".
7. After completion of verification process and subject to the provision of O.K. certificate required in para-6 above, a proper order will be issued by the office for release of their pay against the post occupied by them.
8. In case of resignation, a one month prior notice will be required under the rules. Otherwise one month pay will be forfeited to the Government Treasury. After tendering resignation, acceptance of the resignation will be at the discretion of the competent authority and no leave will be allowed during this period.
9. All fresh candidates will have to sign an agreement with the concerned Deputy District Officer on a stamp paper of at least of Rs. 10/- that they will serve:-
 - a) Schools & Literacy Department Swabi as a PST teacher on contract basis in the School of initial appointment for a period of three years
 - b) Their services will automatically be terminated on completion of three years (starting from the date of taking over charge), until an extension is notified by the competent authority subject to the production of satisfied annual performance report for the period served.
 - c) Any clause of this contract can not be challenged in any court of law.
10. All regular candidates (coming from other government Departments as regular employee) will have to produce their original initial appointment order along with original Service Book & LPC (duly countersigned by the District Accounts officer/Agency Accounts officer concerned) failing which they will be treated as fresh contract employees and clause 3 & 9 above will be applied to them.
11. In case any one of the above appointees deprives of receiving charge due to non-availability of a vacant post (in the school indicated against his name) anywhere in the above mentioned schools, the services of junior most on merit in the relevant category will automatically be stood as dispensed with.
12. They will be governed by the service rules framed by the Govt. from time to time.
13. In case of fresh appointees their services are un-transferable. As such they will not try/apply for transfer to any other station at any circumstances.
14. No TADA is allowed to any one.
15. Charge report should be submitted to all concerned.
16. EMIS Personal data form of all the fresh appointee teachers must be sent to the undersigned already circulated to the schools/DDO's office.


(KHAN SHER)
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY SWABI


Indst. No: 6991-G /

Dated Swabi the October, 20, 2004

Copy of the above is forwarded for information and n/a to the:-

1. PS to the Minister Schools & Literacy, Government of NWFP, Peshawar.
2. PA to Secretary Schools & Literacy Department, Government of NWFP, Peshawar.
3. PA to the Director Schools & Literacy, NWFP, Peshawar.
4. District Nazim, Swabi.
5. District Coordination Officer, Swabi.
6. Deputy District Officer (Male) Swabi/Lahor.
7. District Accounts Officer, Swabi.
8. Candidates Concerned.


EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY SWABI


ATTESTED 5

Intiaz Gul
 District Nazim Swabi

Annexure - B

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar, the 06/8/2020

In exercise of the powers conferred by section 26 of the
Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of
1973) 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-rule (5) shall be deleted.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

INDEX NO & 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.
- The Deputy Director (IT), E&A Department.
All Section Officers in Establishment & Administration Department.
The Section Officer (Admn), Administration Department with the request to arrange 20 gazette copies.
The Caretaker, Administration Department.

(WA) WAH LATIF
DEPUTY SECRETARY (POLICY)

ATTESTED

Attested

ATTESTED

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)

ATTESTED

Annexure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Polcy)(I&AD)/J/2020
(Initial Review) the June 06, 2023

62

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

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

Dear Sir,
I am directed to refer to your letter No. SO(Polcy-MY/AS/117/2-
2/Appointment/2023 dated 18.04.2023 on the subject noted above and to state that Sub-Rule
(3) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, 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 said rule is aimed at 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.

Yours faithfully,
(Asst. Deputy Secretary (Gen))
Section Officer (Policy)

ASE
7/6

Encl. Of even No & date
Copy forwarded to the:

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

Signature

Signature
Section Officer (Policy)

ATTESTED

Signature

B/C

To, The 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. 30 (Primary-M) / EE & ED / 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 (Appointment, 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 said 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, 2014, please.

VIP 442-2023 AZIZULLAH VS GOVT OF PK

ATTESTED

- 16 -

- B/c -

Yours faithfully,

(Issa Muhammad Khan)
Section Officer (Policy)

Endst. of even No Ep date

Copy forwarded to the :-

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

Section Officer
(Policy)


ATTESTED



-17-

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

No. SO (Primary-M)/E&SED/2-5/2023
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. SO (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&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 Signature]

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

Copy forwarded to the:

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

[Handwritten Signature]

[Handwritten Signature]
SECTION OFFICER (PRIMARY MALE)
26/6/23

[Handwritten Signature]
ATTESTED

[Handwritten Signature]

-18-

B/c

No SO (Primary-M)/E&SED/2-6/2023
Dated 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 Department letter No. SO (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 (Estab) 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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

WP4442-2023 AZIZULLAH VS GOVT CP PG43


ATTESTED



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
□

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

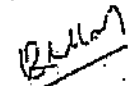
2. The meeting started with recitation from The Holy Quran, the chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After threaded 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


(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

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


ATTESTED



-20-

-B/C-

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(5) 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)


ATTESTED





No. 8145

Khyber Pakhtunkhwa, Peshawar

P.F. No. 3/SSST/M/G General Cases

Dated 21/7/2023

Phone: 091-9233344

Email: estab@kpk.gov.pk

To

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

Subject: - MINUTES OF THE MEETING

Dear Sir,

I am directed to refer to the letter No.SO(Primary-M)E&SED/1-1/G.Misc/Minutes of the Meeting/157/2023 dated 10-07-2023 on the subject cited above and to present brief history about the background of the case as under:

- That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(S) in the Civil Servants (Appointment, Promotion & Transfer Rules 1989) vide notification No. No. SOR-1/1 (E&AD)/1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No.6987 dated 06-02-2023.
 - Now it is obligatory upon the civil servant to accept Promotion in every condition.
 - It is the prerogative of the civil servant to either accept or turn down the offer of promotion.
- That your good office forwarded the same to the quarter concerned vide letter No.SO (Primary-M) E&SED/2-3/Appointment/2023 for necessary guidance.
- That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No.SO (Policy) E&AD/1-3/2020 dated 6-06-2023 categorically stated that there exists no provision to decline or forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.
- The same was received by this office from your good office vide letter No.SO (Primary-M) E&SED/2-3/Appointment/2023 dated 12-06-2023.
- That, in the light of the minutes of meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office this office, has been asked for submission of consolidated case.

In view of the above, this office is of considered opinion that the deletion of Rule 7(S) have affected negatively a huge numbers of Female Teachers. Thus it is proposed that Teachers below BPS-16 may be exempted of implications of the amendment in the rules laid provided they submit their written refusal prior to conduction of the meeting of Departmental Promotion Committee.

The case is submitted for perusal and necessary actions please.

Assistant Director (Estab M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

Encls: No.

Copy of the above is for:-

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

Assistant Director (Estab M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

WP4842-2023 AZIZULLAH VS GOVT CF PG43

ATTESTED

-B/c-

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

PESHAWAR
(21-7-2023)

To:

Section Officer (Primary-Male)
Elementary & Secondary Education Department
KPK, Peshawar.

Subject: Minutes of Meeting

Dear Sir,

I am directed to refer to letter No. (SO Primary-M) E&SED/S-1/G/MIL/ Minutes of meeting/PST/2023 dated 10-7-2023 on subject cited above and to present brief history, about background of case as under:-

- That Government of KP Establishment department (Regulation Wing) deleted rule 7(S) in Civil Servants (Appointment, promotion, Transfer Rules 1987) vide notification No. No. SDR-VI (E&AD) 1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No. 6987 dated 06-07-2023
 - (i) Now it is obligatory upon civil servant to accept promotion.
 - (ii) It is prerogative of civil servant to either accept/turn down the offer of promotion.
- That your good office forwarded the same to quarters concerned vide letter No. SO (Primary-M) E&SED/2-2/Appointment-2023 for necessary guidance.
- That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E&AD/1-3/2020 dated 6-06-2023 categorically stated that there exists no provision to decline/forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.
- That in light of the minutes of the meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office. This office has been asked for submission of consolidated case.

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

The case is submitted for perusal and necessary actions please.

Copy of the above to;

1. PA to Director Local Directorate
2. Master Copy

Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.

ATTESTED



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8223587)

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 09th 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 EBSE Khyber Pakhtunkhwa.
2. PS to Secretary, EBSE Department Khyber Pakhtunkhwa.

SECTION OFFICER (PRIMARY MALE)
20/8/23

Scanned with CamScanner

WP4442-2023 AZIZULLAH VS GOVT CF PG43

ATTESTED

-24-

-B/c-

- 2 -

No. So (Primary - M) E&SE D/9-2/
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. So (Policy) / E&AD
(Primary) / 1-3/2020 dated 8th 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
teacher 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 Khyber Pakhtunkhwa

(Muhammad Ishaq)
Section Officer (Primary
Male)


ATTESTED



Annexure - F



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

25-58

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)

Encl. 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.

UP/442-2023 AZIZULLAH VS GOVT OF PK 43

ATTESTED

-26-

- 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)


ATTESTED

-27-

Annexure - G

To,

- 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

Subject: 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. SO (Policy) /E&AD/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 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.

It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&AD/1-3 1-2020 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 and against the fundamental principles of natural justice.

Dated 06/03/2024

ATTESTED

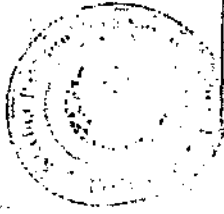
Ra

RABHID JALIL

S/O ABDUL JALIL

SPST.

07.05.2024



1. Learned counsel for the appellant present.
2. Let a pre-admission notice be issued to the respondents through TCS for submission of reply/comments. Appellant is directed to deposit TCS expenses within three days. To come up for reply/comments as well as preliminary hearing on 10.06.2024 before S.M. P.P given to learned counsel for the appellant.
03. 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.

Certified to be true copy (Muhammad Akbar Khan)
Member (S)

(Signature)
Muhammad Akbar Khan
Member (S)

Date of Presentation of Application 18-6-23
 Number of 1
 Copy of 1
 Original 1
 Total 1
 Name of ---
 Date of 18-6-23
 Date of delivery of copy 17-6-23

(Signature)
ATTESTED

(Signature)

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

RASHID JALIL

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT A.S.C. MUHAMMAD ADEEL BUTT AHC

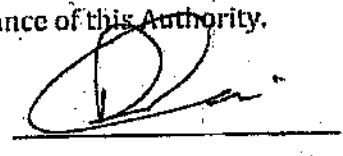
BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM

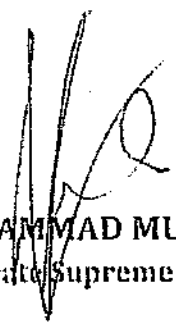
to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any petition connected with the same or any decree or order passed therein and Applications for review to file and obtain return of documents,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

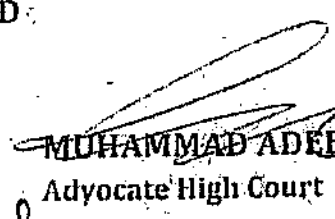


APPELLANT

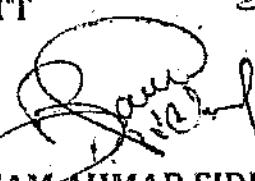
ACCEPTED:



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court