# FORM OF ORDER SHEET

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	Ар	eal No. /655 /20	024
S.No.	Date of order proceedings	Order or other proceedings with signatu	ire of judge
1.	2	3	
1-	27 /09/2024	The appeal present	ed today by Mr. Muhammad
		Muazzam Butt Advocate. It is	
		before Single Bench at Peshawa	
		given to counsel for the appellar	
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		By	order of the Chairman $\Re 1.1$
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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA A-No 1655 / Io24

# TALIB JAN V/S

Government of KP & others

# INDEX

				DAGEC
	<sup>-</sup> S#	DESCRIPTION OF THE DOCUMENTS	ANNEX	PAGES
	1.	Appeal and Verification	*	1-4
.	z.	Application for suspension	*	. 5
-	3.	Copy of Monthly Salary account	А.	6-9
	4.	Copy of notification No. SD (Policy) EV AD/1- 3/2020 dated 06/08/2020	<b>B.</b> .	10-11
	5.	Copy of impugned Letter dated June 06th, 2023	C	12-15
ŅЧ	ີຍ.	Copy of Minutes of Meeting dated 06-07-2023	D.	16-17
	7.	Copy of Letter dated 23-08-2023	E.	18-21
	8. <u>,</u>	Copy of Impugned letter dated 07-09-2023	F.	ન્ટ્ર
	9.	Copy of Representation against the said	G & H	23,24
1		notification and representation made by APTA		23,24 25-26
-		President		
	10.	Wakalat Nama		24

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# BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

Service Appeal No\_1655\_/2024

Talib Jan Son of Ajab Khan, SPST GPS Noorabad, Tehsil & District Peshawar

In Ref to

.....Appellant

.....Respondents

## VERSUS

- 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, Civil Secretariat Near MPA Hostel, Peshawar

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:**

 That the Respondents Department appointed the Appellant as Senior Primary School Teacher.
 Copy of Appointment letter is annexed as <u>Annexure A</u> 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.

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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 Impugned notification No. SD (Policy) EV AD/1- 3/2020 dated 06/08/2020 is attached as <u>Annexure B</u>

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 axists 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 <u>Annexure C</u>

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 <u>Annexure D</u>

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 <u>Annexure E</u>

- 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 <u>Annexure F</u>
- 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 <u>Annexure G & H</u>

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:-

### GROUNDS:-

- 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 or 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.
- 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.

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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, (the appellant) 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: Quilito fan Deponent

Through

Muhammod Muazzzam Butt Advocate Supreme Court ¥.

Muhammad Adeel But Advocate High Court

Bassan Ahnad Siddiqui Advocate High Court LL.M- Human Rights

## **BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA**

-5-

C.M No -P of 2024

In Ref to

1,11

Service Appeal No\_\_\_\_\_/2024

TALIB JAN 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:-

- That the instant application may be treated as part and parcel of service appeal of the appellant.
- That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
- 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.

Deponent

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 (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 Through

Appellant

Muhammad Muazzzam Butt Advocate Supreme Court

Muhammad Adeel Butt Advocate High Court

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 MR. KHURCHIC MHMAD )
 DISTATES FOULATION OFFICER. (LIGE) PRIMARY, PESHAWAR

ENABELNO. 417-16 15 No. 910 apport 197. Bound Products the 11/ 1997.

copy forwarded for information to the

Accounting Sameral, HUFF, Postawar, 1.

2.1 Director of Education (Primary) NWFR, Festiver.

P/G to Secrutary to Govilof NWFP Education Department, Feshowar, з.

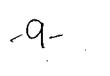
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s, Officials concerned.

DESINTET : BUCKITON OFFICER. (MARK) PREMARY, DUSHAWAR.

#### Dist. Govt. KP-Provincial District Accounts Office Peshawar Dist. Monthly Salary Statement (August-2023)

Entry into Govt. Service: 07.07.1997





Personal Information of Mr	FALIB JAN #/w/s of AJAB KHAN
Personnel Number: 00048765	CNIC: 1730168547981

Personnel Number: 00048765 Date of Birth: 10.04,1976

18

NTN: 0

Length of Service: 26 Years 01 Months 026 Days

Employment Category: Active Temporary Designation: SENIOR PRIMARY SCHOOL TEA

DDO Code: PW6571-District Peshawar

Payroll Section: 003 GPF Section: 001 GPF A/C No: EDU 044240 GPF Interest applied Vendor Number: 30282103 - TALIB JAN 12374-2 HBL 221181 Pay and Allowances: Pay scale: BPS For - 2022

80675740-DISTRICT GOVERNMENT KHYBE

Cash Center 21-**GPF Balance:** 929,130.00 (provisional) Pay Scale Type: Civit BPS: 14 Pay Stage: 21

	Wage type	Amount	Wage type	Amount
0001	Basic Pay	59,070.00	1004 House Rent Allow 45% KP2	8,640.00
1210	Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
2148	15% Adhoc Relief-All-2013	796.00	2199 Adhoc Relief Allow @10%	535.00
2316	Teaching Allowance 2021	3,036.00	2341 Dispr. Red All 15% 2022KP	5,787,00
2347	Adhae Rel Al 15% 22(PS17)	5,787.00	2378 Adhoe Relief All 2023 35%	20.674.00

#### **Deductions - General**

	Wage type	- Amount		Wage type	Amount
3014	GPF Subscription	-3,900.00	3501	Benevolent Fund	-1.200.00
	Income Tax	-1,752.00	3990	Emp.Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00	<u> </u>	· · · · · · · · · · · · · · · · · · ·	0.00

#### **Deductions - Loans and Advances**

Loan	Descr	iption	Principal amount	Deduction	Balance
6501	HBA Loan Principal Insta	}	124,800.00	-1,040.00	37,440.00
Deductio Payable: Gross Pa		ed till AUG-2023: 3,4 Deductions: (Rs.):	504.00 Exempted: -8,627,99		ble: 17,513.20 054.00
Account	ame: TALIB JAN Number: 12374-2 tails: HABIB BANK LIMIT	ED, 221181 G.T.ROAD,	PESHAWAR, G.T.ROA	D, PESHAWAR., PESH	IAWAR
Leaves:	<b>Opening Balance:</b>	Availed:	Earned:	Balance:	

Permanent Address: PESHAWAR	· · · · · · · · · · · · · · · · · · ·	
City: Peshawar Temp. Address:	Domictle: NW - Khyber Pakhtunkhwa	Housing Status: No Official
City:	Email: tjan821@gmail.com	

Stem generated document in accordance with APPM 4-6.12.9(82882)24.08.2023/v3.0)
 All communicate in Pak Butmes
 Entropy & annisitous excepted (SERVICES/01.09.2023) 16:18:52)

# - 1D Annexue-OF GOVERNMENT CHYBER PARETUNKEWA UST AULISHMENT DEPARTMEN (REGULATION WING) NOTIFICATION Dalett Pestimmar the, 06 / 8 12021 The exercise of the powers conferred by section 26 of the powers confe in exterelse of the powers conferred by section 25 of the The maintain of Khylter Pakhiuliklivia is pleased to direct that in the Khyler (Appointment, Render, 1989, the Render, namely: Building wither amendation shall be made, namely: AMENDMENT in rule 7. sub-rule (5) shall be deleted. GOVERNMENT OF THE UEYDER PAKETUNKEW CHIEF SECRETARY ETENO & EVEN DATE Additional Chief Secretary, Ookl. of Khyber Pakhtunkhwa. Planning S foravorded to: The Senior Member Board of Revenue, Khyber Pakhtunkhwa. All Administrative Secretaries to Govi. of Khyber Paldytunkhwa. The Principal Secretary to Governor, Khyber Pakhiunkhwa, The Principal Scorelary to Chief Minister, Khyber Pakhtunkhwa. All Divisional Commissioners in Khyber Pakhtunkhwa All Hearis of Anached Departments in Knyber Pakhlunkhiwa. All Autonomous/Semi Autonomous Bodies in Knyber Pakhiunkhwa. S. All Derally Comralssioners in Khyber Pakhtunkhwa. ΰ. The Rezistrar, Khyber Pakhtunkhya Service Tribunal, Peshawar, The Registrar Peshawar High Court, Peshawar 1. Nhossoreiary, Khyber Pakhunkhwa Bublic Service Conunission, Peshiv/ur. S. 9. All Section Officers in Establishment & Administration Department. The Section Officer (Admn), Administration Department with the request to. ١٥. 11. 12 Caretaker, Administration Departmentg arrange 20 gazelic, copies. (WATE AH LATT) DEPUTY SECRETARY (POLICY) ATTESTED 11.2

#### 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<sup>26</sup>

#### 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), £&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)

# **GOVERNMENT OF IGLAURIC PAIGHTUNICI WA** ESPAILISIMENT DEPARTMENT No. SO(Policy)BleADI - 3/2020 Dated Pestinwar the June 06, 2023

nnoxuke

The Covernment of Kligher Pakhundhiwa, Elementary & Secondary Education Dapathment. GUIDANCE INSTARDING INDUSTION OF UULIC 7(5) ICLYDER PARTTONICIAYA GIVIL, SERVANTS TAPPOT PROMOTION AND TRANSPERY BULIES, 1989.

Subject: •

ס'ר

I am directed to refer to your letter No. SO(Primory-M)/R&S1117/2-2/Appointment/2022 finied (0.04.2022 on the subject noted above and to state that Sub-Rule 2 Denr Sir, (3) of Rule-7 of Khyber Pukhtusikhwa Cleri Servanis (Appointment, Promotion and Transfer) Rulles, 1989 stands deleted vide this department notification dated 06.08.2020; thus, no provisian exists to deciline or forgo promotion.

The basis rationals behind the delation of the Ibid rule is almed at preventing a eivil servent from temptation for thick gain by sticking to a single lucrative post/position or to prevent those who tend to forgo promotion to evode posting/transfer or show lock of capacity to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servent to peccht promotion in avery condition.

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

Yours falthfully 75 hurmand Khan) ()ssa d op Officer (Polley) र्स्टन'

THE

ΠN TAPPOINTMENT,

Radsi, Ofeven Na & linke

2011, please.

Copy forwarded to the:-

PS-10 Speals! Sceretary (Reg); Establishment Department.
 PA to Additional Sceretary (Reg.); Datablishment Department.
 PS to Deputy Sceretary (Policy), Establishment Department.

. Couling

WP4442-2023 AZIZULLAH VS GOVT OF PG43

Meer (Polloy)

## GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT (REGULATION WING)

## The Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department.

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

Dear Sir,

Τo

 $_{\rm W}B$ 

t am directed to refer to your letter No SO(Primary.M/E&SED/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, ibid rule is aimid 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. Further 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, (Issa Muhammad Khan) Section Officer(Policy)

(Enast), of even No & date

Copy is forwarded to :---

PS to Special Secretary (Reg), Establishment Department.

- PA to Additional Secretary (Reg-II), Establishment
- <sup>^</sup> PS to Deputy Secretary(Policy), Establishment Department.

Section Officer (POLICY)

## DVERNMENT OF MAYBER PARATUNKAWA ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT · CIVIL SECRETARIAT PESHAWAR (Phone No.091-9223507)

h'n.SO (Primary-M)/E8SED/2-6/2023 Dalco Peshawar Ihc. June 26",2023

36/6/23

-14-

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

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

GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION Subject: AND TRANSFER) RULES, 1985.

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.

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

To-

(MUHAMMAD ISHAO SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

nor

SECTION OFFICE 7 - c

WP4442-?023 AZIZULLAH VS GOVT OF PG43

## No SO (Primary-M)/E&SED/2-6/2023 Dated Peshawar the June 25th 2023

#### The Director

Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar

Aziz Ullah Khan President President

All Primary Teacher's Association, KP

Subject:

То

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 OF PG43

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH PROVINCIAL RRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING OF DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

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

S₩	NAME ,	DESIGNATION
1	Mr. Fozal Wahld	Deputy Director Establishment of Directorate Elementory & Secondary Education Department
2	ı Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhlunkhwa
3	Mr. Ralaqai Ullah	General Secretary APTA Peshawar
4	Muhammad Ishqa	Section Officet (Primary) E&SE Department Civil Secretariat Khyber Pakhlunkhwa Peshawar

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

3. After threadbare discussion it was decided that Directorate of Elementary 2 Secondary Education Department may examine the case property and submit a self-contained/consolidated case for onword submission to Establishment Department for further necessary action.

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

(Mr. Pozal Wohld) Deputy Director-i E2.5E Department

 $1 \sqrt{2}$ 

(Mr. Ralagat Ullah)

(Mr. Rologol Unan) General Secretary APTA Peshawar

(My Jaziz Ulloh) Provincial President KII Frimary Teachers Association Khyber Pakhlunkhwa

-10-

AUNENTIE

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(Muhammad i dinî a l Section Officer (Primary-Male) E&SE Department

(Absivilah) Addillonai Secretary (Establishmeni) E&SE Departmeni

WP4442-2023 AZIZULLAH VS GOVT CF PG43

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING OF DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 06-07-2025 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting

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

2. The meeting started with recitation from The Holy Quran. The chair weicomed 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 & 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 Wahld) Deputy Director-1 E&SE Department Provincial President All Primary Teachers Association Khyber Pakhtunkhwa (Mr. Rafaqat Ullah) General Secretary APTA

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

Peshawar

(Abdullah) अन्नेयान्त्रस्य सिंहस्य

#### ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT CIVIL SECRETARIAT PESHAWAR (Phone No.091-9223587)

Ho. SO(Primary-M)E&SED/2-2/Appointment-Rule /2023 Peshawar Dated 23rd August, 2023

The Secretary to Govi, of Khyber Pakhlunkhwa, Establishment & Administration Department. Peshavar

#### SUBJECT: - GUTDANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL (APPOINTMENT, PRPMOTION & TRANSFER RULES SERVANT 1989),

بالأكاليتيش

IV /

1 am directed to refer to your letter No. 50(Pollcy)/ EBAD/ 1-3/2020 dated 1367 June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servers (Appionement, Promotion & Transfer Rules 1969) It has been intimated that those officers/ officials who do not comply with promotion order of the competent authority or by to evade promotion through different means shall be proceed under Khyber Peknounkinwa Civil Servant (Effidency & Discipline) Rules, 2011.

In this connection it is submitted that in some cases lady teacher of primary level vino avail such promotions have to face serious inconvience 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 heed care. In such cases, there are negative effects on service delivery.

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

Copy forwarded to the:

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

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(MUHAMMAD ISI SECTION OFFICER TRIMARY MALE

SECTION OFFICER

ie Rii

Annexure

#### WP4442-2023 A2IZULLAH VS GOVT CF PG43

Ble No.50 (Primary -M) ESSED 13-21 Appointment - Rule 2023 Peshawar Dated 23rd August, 2093.

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The secretary to Government of Khybo Pakhhumbhura. Establishment and Administration Department, Peshacino.

SUBJECT :

To

Quidance regarding deletion of Rule 7(S) in the Ciril Servant (Appointment, Romotion & Transfer Rules 1989)

Dear Sir,

9 am directed to refer to your letter No. So( normy 11-3/2020 dated St June 2023 and to state that after deletion of Riche F(S) Khyber Paktotunkhing Civil Servant (Appointment, Romotion and Transfer Rules 1989) 91 has been instimated that these 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 Pakhtonkhun Civil Servant (Efficiency and Discipline) Role 2012.

In this connection it is submitted that in some cases lady teacher of primary level who avail such promotion have to face serious incovenience while they have to perform duties in the remotest stations with no residentical / transport facilities. Most of them one manied with kicks and elder father of Mother-in-law who need case. In such cases there are negative effects on service delivery. In view of above, the said ammendment may be reconsidered to the extend of lody teacher in primary schools.

(Muhammad Ishaq)) Copy forwarded to; Section offices (Rimany 1. Director EESE Khyber Bekhonkhwa. 2. PS to Secretary, EGSE Department Months Attendent 19

โโเอ Sodian (มีโเอลร (Priman-Mula) Elementary & Secondary Education Department, เมษายะ Palliunitiwa Pesilawar..

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Door Sir, ל הבי הואותו לה בכי

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הרגנטון ברופן ווזנוטרא מסווון אום במפר גם וואים כפור אום גוואפגן באומן מט אום באוואפגן באומן מסאם שעל או כ'אאיגראאועיזיסי סל אים אופיואילאגעגענטאים סל ווים במגם שי ווים בחואפגן באומן בסאים שעל אי א שע אוגרגעאוייזיטיע סל אים אוגעגעניט גענט איס וויס וויס וויס איזיענגן

 That Government of Khyber Rekhtinkhiwa Establishment Department (Rognilation IVing) delated Rule 7(5 in the Civil Servanis (Appeintment, promotion & Transfer Rules 1989)

Khyber Pakhitithhua, Peshawar

אסי 11 לוגע ארישטון אין ארישטאר אין געראסט אוג בואון צפראסט וס פרכפאן גער נויגע איינעא באפולא כטעקונוטיי ען אסא זו געראסט אוג געראסט אוג בואון צפראסט וס פרנפאן גערטעטוטע איי באפולא כטעקונוטיי אסי 12,000 קרישטון געראסט איינער געראסט איינער געראסט איינער געראעט גער געראעט גער געראעט געראעט געראט געראעט א אריעראטטון געראסט געראט געראסט געראסט געראסט געראטע געראטע געראעט געראעט געראט געראט געראעט געראעט געראט געראטע

אסיצט (גנושמא-אי) בידצבו/ז-גיעוטטועושנוו/געבון אייראון געבינוא מחווטון אייין אייצט (גנושמא-אין) בידאר איין געבע געסיצט (גנושמא-אין) בידצבו/ג-גיעוטטועושנוו/געבו אייייע איייע געבעניאר איין גווניג געסטווטוי

That the Covernment of Kiyber Pakitunkiwa Establishment Department (Regulation Wing) vide letter places (Polley) Educit/1-312020 dated 6-06-2023 ediegorieally stated Mai there exists no provision to decline or forgo promotion. It is obligatory upon every

הכבה מרגבע עם השונה הסטער, וווג האווה כל כסתרווברבת סטוחומה ווומן אום הפרוחה סל געובי או אומר הקומו אים הסטער, וווג האווה הביב גיס בסתרו לביבת סטוחומה ווומן אום השנים אים ווו געמיד בי אווי דכסכתריג הפוחא חרג-16 הומץ הביבהותובת הקוובסו ההיג מן וויה מהנהמההיה וו ג הרסמובנ אווי הסטומני הפוחא היוא ווובר אירונוכה בקוונסו גיותר נס כסתחובנוסה מל וויב הבבוחת מל הסטומני היומן היוא אירונים הבינים אווים היווו אירונים המינים אינים היינים מינים אינים אינים איני אים אינים איני מרמיו בינים אינים היינים המינים היינים אירונים היינים אינים היינים היינים אינים היינים אינים אינים אינים אינים מרמיו היינים אינים היינים היינים היינים אינים אינים אינים היינים אינים אינים אינים אינים אינים אינים אינים אינים מרגנים היינים שניים אינים אינים אינים אינים אינים מרמיונים אינים אינים אינים אינים אינים אינים אינים אינים אינים

דוום במנם (ב.cubmilica for perusal and necessary acilans please.

A Khyber Pakhumkhwa Elementary & Secondary Education LI-LA CLEAR CONTRACT CHANNEL

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רא ום Director Local Directorate.

Astioni Director (Estabil-1) Beneniary & Gocondary Education Aligher Partianenva

WP4442-2023 AZIZULLAH VS GOVT CF PG43

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

-BC-

Section Officer (Primary Male) Elemention & Secondary Education Department 14PK, Peshawar.

# Subject :- Minuics of Meeting

To:

Dear Sir; 9 am directed to refer to letter No. (SO. Rimony -M)E & SED /S-1/Ginker/ Minutes of meeting 1957/2023 dated 20-7-2023 on subject cited above and to present brief history, about background of care as under.

- \* That Goveniment of KP Establishment depentment (Regulation Wing) deleted rule 7(5) in civil Servants (Appointment, promotion & Transfer Rules 1959) Vide notification IN. NO. SDR-VI(ESAD)1-3/2020 classed 06-08-2020.
- · That this office sought guidance from your good office in the following words vide Rottes No. 6987 dated 06-02-2023

is Now it is obligatory upon avil sessant to accept promotion.

(i) Still prevegative of civil servant to either accept/tumdaws the

- offer of promotion. That your good office forwarded the same to quarter concerned vide letter No: So (Phimary M) E&SED/2-2/Appointment (2023 for necessary
- . That the government of KP-ED (Regulation Why) vide letter No. SO (Policy) EGAD (1-3/2070 dated 6-06-2023 categorically stated that there outs no provision to decline forgo promotion. It is obligatory upon every civil servent to accept promotion under envy condition.
- . That in light of the minutes of the meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establish. -ment at his office. This office has been asked for submission of consolidated case.

In view of the above, this office is of considered opinions that the deletion of Rules 7(5) have affected negatively a huge members of Female technicis.

The case is "submitted for persol and necessary" actions please .

VP4442-2023 AZIZULLAH VS GOVT CF PG43

Copy of the closue to; 1. PA to Director Local Directorate

2. Master Copy

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Assistand Director Elementary & Secondary Education Khiber Richtonkhuka.

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PESHAWAR

(21-7-2023)

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

KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,

The Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department. GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE

PROMOTION AND TRANSFER) RULES, 1989.

Subject: -

Dear Sir,

arn directed to refer to your letter No. 50(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)

# Endst. 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.

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

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

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

### Dear Sir,

Subject: -

То

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).

WP4442-2023 AZIZULLAH VS GOVT OF PG4:

### Yours faithfully,

Section Officer (Policy)

Section nicer (Policy)

-23-

## <u>Endst, Of even No & date</u>

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.

Hnnexure

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

#### Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING **COMMUNICATED** TO 06/08/2020. NO.SO(POLICY)E&AD/1-312020. DATED 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:-

Τo.

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 notrication No. Se (Pelicy) /EDAD/1- 3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment  $_{
m W}$ 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 Rhyper Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989  $m as \ n$  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) EAB/1-3 1-2020 DATED 06/08/2020, communicated to vide letter dated 06/36/2023, may please be declared and ordered to be struck down peing Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.

Dated 24/01/2024

Palitofen 7 TALIB JAN 5/0 AJAB KHAN

Khyber Pakhtunkhrwa Aziz While Khan Fresizent 0 033-04 13618 9 05120101970@gmail.com 17 notokoli bra APTA Houser Govt, Printery School No.4, Guibehar Peshawar City, آل پراتمری شیچیرز ایسوی ایشن (ایٹا) خیبر بختونخوا Annexure - H بمالب : سيكر له كما المنترى على سيكند وكي الجو تميش فيبر بحش فوا متلب الل براترك ليرد الدوى ايتن خير بكو في . ille ra کرادش ب کر پردموشنز بر ادادے میں بوت میں او کر مرکار کا مادم کی خواہش بول بے پردموشنو کا ایک تالون او اکر تاقا ک جر طالم ایک اکر می بجود ي تحت اي وقد يرد موهنوند يس وده يم المحدد باد سال تك يرد موهنونيس في تلح من مطلب باد سال تك ، يم اس ك يرد موهنو سي اد سك سى مجر ای تالون عمد توود رمايت دى كل چار سال وال بات محتر كر وى كى كمد اكر ايك مال برد موش ند لين لوده دومريد سال ف مكر ب لكن اب ايك انتد يبل ايك ادر وليتيش ادا ب جس کے مطابق اب ہر مام پردموش متردد کی کم اگر کمیں کی سے 7 اس کے طاف ای بند ڈان دولا کے مطابق کاردائی کرنے کا کہا کیا ہے۔ دراسل یہ آتوں ویکلیش بیادی انسانی حقوق کی کمل ظالمہ دروی ہے مدرب کی دور دراز اور پہنڈک طاقول بٹس خاص کر خواتین اساندہ کو انہائی مشکلات کا ۔ مامناكرنا يزيد كا بجد حام مالات میں می فرد می پروموش اور ودوراد بعينا مج بادي الماني فتون كى خلاف دروى ب كيوك تير يخوفوا مي يرحسي سے خاعدانى وعمال مجما ولا ب ول مالات من يد ظالوليمين جو E&SE كى كانيد فى يرك جراب من كا كياب جو بداية اور بادى السال مول كى طاف ب ام ای 2 ظلاف قادل چاد، جرف کا ان عمی الحوظ در من ال الذائم آب ے حداث اعل كرتے الل كرك وليصين كر دالمى ليا جائ يا أن فر ترم كر )، براترك المات، كر (Relaxation) ديا جائ ادر ان كر ار بروس ن المروس في الملك الن كو مرض ، المي والما المرض المرض الما المرض الما المرض المرض المرض المرض المرض الم اور مروس المرض المراسية المدروبية المدروبية المرام المرض اس سیسل شکن آنیک مولد از جلد قرام (DEOs) (کی ای ادار کو ایک خسوسی مراسلہ بادی کیا جائے تاکہ امنادع میں ب میں / فسیس پر اتمری اماند، کر زن الميت ادر نادج مك س بمايا جاس . كوكد وليجيش بادى موت على براترى اساتد كودين طودير ادب كرف سلسلد شرور مويكاب ابدا ہم یہ ترق دیکتے ہیں کہ آب ساحبان اور ایکش لیکر سوب مر تے براتمری اسات، خسوسا تعییل پرائمری اسات، کو اس وال الدیت من وال ک غزيزالله خان متوماتي متدر آلما يرائمرى نيجرز ايهوس ايش فيبر يختوننوا VS GOVT OF PG43 WP4442-2023 AZIZULLAH

26-Learned counsel for the appellant present. 07.05/2024 1. Let a pre-admission notice be issued to the 2. respondents through TCS for submission of reply/comments. Appellant is directed to deposit VCS expenses within three days. To come up for reply/comments as well as preliminary hearing on r0,06,2024 before S.B. P.P given to learned counselfor 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. dentified in the true copy(Muhammad Akbar Khán) Member (E) EST STANDA in the second Date of Presidentian of Application 10-12 2-9 P Number of 1 · Copylist - Jy Urgen ----Total-------52 Date of October 23 - (725-Date of Debroy of Copy - 12-6-13 CS CamScanner

ARKALAT NAMA

# BEFORE THE SERVICE TRIBUNAL PESHAWAR

TALIB JAN

Versus

Appellant

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.

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

Valib For

APPELLANT

# ACCEPTED

MUHAMMAD MUAZZAM BUTT Advocate Supreme Court

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MUHAMMAD ADEEL BUTT Advocate High Court

BASSAM AHMAD SIDDIQUI Advocate High Court