


FORM OF ORDER SHEET

Court of _____

Appeal No. 1657 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27 /09/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

A No 1657/2024

MUHAMMAD RIAZ

V/S

Government of KP & others

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ADVOCATE

M. Muazzam Butt

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No. 1657 /2024

Muhammad Riaz Son of Muhammad Halim, PSHT
GPS Gumbati Jilar, Tehsil & District Timargara

.....Appellant

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

.....Respondents

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

PRAYER:

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

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

RESPECTFULLY SHEWETH:

1. That the Respondents Department appointed the Appellant as Primary School Head Teacher.
Copy of Appointment letter 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 Impugned 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 forego 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:-

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 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.

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.

Riaz
Deponent

Riaz
Appellant

Through

Muhammad Muazzam Butt
Advocate Supreme Court

Muhammad Adeel Butt
Advocate High Court

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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____-P of 2024

In Ref to

Service Appeal No _____/2024

MUHAMMAD RIAZ

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

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

Respectfully Submitted:-

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

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

AFFIDAVIT:

I (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

Riaz
Deponent

Through

Riaz
Appellant

Muhammad Muazzam Butt
Muhammad Muazzam Butt
Advocate Supreme Court

Muhammad Adeel Butt
Muhammad Adeel Butt
Advocate High Court

-6-

Annex: A

3

OFFICE ORDER.

As Ordered by Director of Education (P) N.W.F.P, Peshawar vide his Office Memo: No. 5378/F.No. 7/ADPE/MRA/AD (M) dated 15-10-97, this Office Order issued under Endst: No. 2223-2407 Dated 24-6-1997 S.No. 146 is hereby stand and Mr. Muhammad Riaz PTC MPS Gumbati Jilar Sub-Division Wari is hereby adjusted at the disposal of SDEO (M) Timergara in the interest of Public Service with immediate effect.

(WAZIRULLAH)
DISTT: EDU: OFFICER (M) PRIMARY
DIR AT TIMERGARA.

OFFICE OF THE DISTT: EDUCATION OFFICER (M) PRIMARY DIR AT TIMERGARA.

Endst: No. 4421-25 /PED/Estb:/Ad: Dated T/Gara the 20/12/97

Copy of the above is forwarded to:-

1. The SDEO (M) Wari.
2. The SDEO (M) Timergara.
3. The D.A.O Dir at Timergara.
4. The Teacher concerned.

DISTT: EDUCATION OFFICER /
PRIMARY DIR AT TIMERGARA.

شماره
۱۴/۰۱/۱۹۹۸ = تقراری
↙

(3)

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (M) TIMERGARA.
OFFICE ORDER.

As order by the Distt: Education Officer (M) Pry: Dir at Timergara, Indst: No. 4421-29/PED/Dstb/Ad: dated 20.12.97. LALKO Mr Muhammed Riaz PTC U/Transfer, is hereby affected at ~~CPS XXXXXX~~ against vacant post in the interest of public service with immediate effect.

Charge report should be submitted to this office.

(Signature)
(SIGNATURE)
SUB-DIVISIONAL EDUCATION,
OFFICER (M) TIMERGARA.

Indst: No. 87-90 / Dated Timergara the 14/1/1998.

Copy of the above is forwarded to the:-

1. Distt: Education Officer (Male) Pry: Dir at Timergara.
2. Distt: Accounts Officer Dir at Timergara.
3. ASDEC concerned for record.
4. ASDEC Acctt: of this office for needful.
5. Head Teacher concerned.
6. Teacher concerned.

(Signature)
SUB-DIVISIONAL EDUCATION
OFFICER (M) TIMERGARA.

OFFICE OF THE ATTORNEY GENERAL
STATE OF MISSISSIPPI
JAN 2 1957

RECEIVED
STATE OF MISSISSIPPI
OFFICE OF THE ATTORNEY GENERAL
JAN 2 1957

DATE OF THE ABOVE IS FORWARDED TO THIS

DATE RECEIVED BY THE ATTORNEY GENERAL
1/11/57

OFFICE OF THE ATTORNEY GENERAL
STATE OF MISSISSIPPI
JAN 2 1957

CHANGE REPORT SHOULD BE SUBMITTED TO THIS OFFICE

IN THE EVENT OF A CHANGE IN THE INFORMATION CONTAINED IN THIS REPORT
PLEASE CONTACT THE ATTORNEY GENERAL AT THE OFFICE OF THE ATTORNEY GENERAL
STATE OF MISSISSIPPI, JACKSON, MISSISSIPPI

OFFICE OF THE ATTORNEY GENERAL
STATE OF MISSISSIPPI
JAN 2 1957

CORRIGENDUM.

Please read Muhammad Riaz S/O Muhammad Halim instead of Muhammad Razaq S/O Muhammad Halim and also read 02-04-1972 instead of 18-10-1974 at S.No.146 vide this Office order issued under Endst: No.2223-2407 dated 24-6-1997.

DISTT:EDUCATION OFFICER,
(M) PRY: DIR AT TIMERGARA.

OFFICE OF THE DISTT:EDUCATION OFFICER (M) PRY: DIR AT TIMERGARA.

Endst: No. 2494-96 / Dated Timergara the, 1-2- /1997.

Copy of the above is forwarded to:-

1. The SDEO (M) Wari for information.
- ✓ 2. The Distt:Accounts Officer Dir at Timergara for information pl;.
3. The Candidate concerned.

M. Riaz
 DISTT:EDUCATION OFFICER,
 (M) PRY: DIR AT TIMERGARA.

NOTIFICATION:-

S. No. = 139

24/6/79

Consequent upon their selection by the Departmental Selection Committee, the District Education Officer (M) Pys: Dir at Timergara has been pleased to appoint the following trained PTC Candidates at the schools noted against their names in FPS, NO.7 (Rs, 1480-31-2695 plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions:-

SNO.	Name, Father's Name & Address.	D/O birth.	NO of merit.	School Where posted.	Remarks.
1.	Mumtaz Ahmad, S/O Rehankot. Dir.	4.5.67	1/95	GPS, Belo Ghanshal.	Post already occi
2.	Salah Jan S/O Faiz Akbar R/O Sher Khani.	3.5.67	2/67	GPS:Shekhan	V:Mod Hayat not selected on merit
3.	Muhammad Zahir Shah S/O Ghulam Qadir R/O Sheringal	7.4.75	3/85	MPS:Ochar.	Post all:occup:
4.	Bakht Shah Zeb S/O Jehan Zeb R/O Khungi Dir.	4.4.66	4/80	GPS:Dab Baghi Haram	-do-
5.	Shawket Hayat S/O Asfan Yar R/O Kalkot.	20.8.75	5/78	GPS:Pashrak.	/do-
6.	Waris Khan S/O Abdul Hamid R/O Kityarai.	25.2.75	7/73	GPS:Liko Badwan	Vice Anwar-Badshah. Term. At not sel. on merit
7.	Fazal Jalil S/O Fazal Bari R/O Ouch.	15.3.73	8/73	GPS:Barorai	Vice Faiz Talah not selected on M:
8.	Anwar Ali S/O Sirajul Haq R/O Khungi Dir.	22.6.73	9/72	GPS:Islam Gat	Vice Qayoumul-Haq. Term. As not sel. on merit
9.	Faridullah S/O Hanifullah R/O Kandaro Dir.	6.3.71	10/72	GPS:Safari MKD:	Vice Muhammad Riaz not selected on merit
10.	Irshad Hussin S/O Mohd Khan E/O Sarai Bala.	15.8.69	11/72	GPS:Kamangara	Vice Javid Israr Terminated. As not sel. on merit
11.	Qamar Dost S/O Abdul Wahid R/O Kandaro.	1.5.69	12/72	GPS:Mian Banda	Vice Hayatullah Terminated. As not sel. on merit
12.	Azir Muhammad S/O Fateh Hazrat E/O Ktan.	2.1.75	13/72	GPS:Katan	Vice Mohd Faraz Terminated. do-
13.	Hamidullah S/O Fazal Khaliq R/O Sangolai.	3/9.75	14/72	GPS:Sangolai	Vice Mohd Ikram Terminated. do-
14.	Muhammad Ilyas S/O Habib Said R/O Shikawlai.	1.6.72	17/71	GPS:Sangar	Vice Janbar Khan Terminated. do-
15.	Muhammad Shawkat S/O Rahim Dad R/O Sarai Bala.	10.1.75	16/71	GPS:Chinar (T)	Vice Azizul Haq Terminated. do-
16.	Samiullah S/O Rabi Mal-Shah R/O Shahzadi.	18.1.75	19/71	GPS:Tawduchina	Vice Sikandar Shah Term: do-
17.	Javidullah S/O Zigravar R/O Haji Abad.	16.2.73	20/71	GPS:Kumarr.	Vice Mumtaz Khan Terminated. do-
18.	Amir Afsar S/O Azizur Rahman R/O Jazar.	6.4.74	21/71	GPS:Godsi-Khwar.	Vice Rahim Khan Terminated. do-
19.	Ubidullah S/O Rih Zamin Khan R/O Kann Shamshikhan.	1.4.74	22/71	MPS:Raz. Banda	Vice Faral-Rahim Termi-
20.	Muhammad Rasool Khan S/O Muhammad Aziz Khan R/O Kambat.	15.9.70	24/71	GPS:Nawi Kalai.	Vice Sakht-Shah Zeb Ter:

-11-

24. Mumtaz Muhammad S/O Badshah Muh-6.8 ammad R/O Shaw Mir.			
25. Noorul Hausan S/O Muhammad Islam R/O Kulalano.			
26. Wahfaqr Rahman S/O Saeed Khan 15.3. R/O Badwan.	30/7		
27. Rahmat Khan S/O Said Ahmad Khan 9.2.7 R/O Khuni Dand.	31/7		
28. Khan Muhammad S/O Yar Muhammad 14.3.7 R/O Chakdara.	32/7		
29. Muhammad Din Khan S/O Habibur Rahman R/O Khonano Baba.	33/7		
30. Muhammad Hayat Khan S/O Muhammad Shuib R/O Barnaw.	34/7		
31. Khista Rahman S/O Inayatpur Rahman R/O Khirabad.	35/7		
32. Sarbiland Khan S/O Muhammad Zarin R/O Siar.	36/7		
33. Ayazur Rahman S/O Ubidur Rahman 6.2.73 Rohan Kot.	37/7		
34. Muhammad Usman S/O Habib Said 1.6.72 R/O Bhikwalai.	38/7		
35. Fazal Walai S/O Fazal Wadood 1.3.77 R/O Warai.	39/7		
36. Ataur Rahman S/O Faizur Rahman 1.3.73 R/O Warai.	40/7		
37. Hamayoon Khan S/O Said Gul R/O Sadoo.	41/65		
38. Nuhid Shah S/O Qazi Muhammad R/O Khungi.	42/69		
39. Hanifullah S/O Muhammad Rasool R/O Shah Zadai.	43/68		
40. Ikramullah S/O Ghulam Rasool R/O Gudar.	44/68		
41. Khan Muhammad S/O Umat Shah R/O Tikni(B)	45/68		
42. Tajud Din S/O Muhabat Khan R/O Gugyal.	46/68		
43. Muqadar Khan S/O Ayaz Khan R/O Stanadar.	47/68		
44. Niaz Khan S/O Sadbar Khan Lajhok.	48/65		
45. Saifur Rahman S/O Abdur Rahman 10.1.76 R/O Harai Shah.	49/65		
46. Sarbiland Khan S/O Fazli Rahman 27.4.74 Migram.	50/65		

Count on page...3....

PS: Binr Jayari P.	Alre-
PS: Barikat (Dir).	acco:
PS: Banda (H)/	na Sh
PS: Douch No.3	ated
PS: Awi Shah	acco:
PS: Kase Warghar	Vi: Faizul
PS: Kase Warghar	Har n Ter
PS: Shahgai	Vi: Kaghbar
PS: Ghaligai (R)	Vi: Ter
PS: Kair.	Vi: n Wali
PS: Dand	Vi: Ter
PS: Sar Dnm.	Vi: Rahm
PS: Sondal	Vi: Ter
PS: Sarai Nihag	Vi: Bad
PS: Khushmuqam (M)	Vi: Bad Sh
PS: Sarkoom (B)	Vi: P: All: acc:
PS: Sambar Gula.	Vi: Salehulla
PS: Sakhna.	Vi: Bakhtiar
PS: Ashar Manai	Vi: Ubidur
PS: Awa.	Vi: Rahman Term:
PS: Antoor. (DIR)	Vi: Rahatulla
PS: Lab Baghi	Vi: Term: -oo-
PS: Haram.	Vi: Faqir-
PS: Htrak	Vi: Muhammad Te
PS: Hbgam.	Vi: Jehan-
	Vi: Daatagir
	Vi: Rohul Ami
	Vi: Term: -oo-
	Vi: P: All: acc:

Serial No.	Name	Date	Age	Sex	Religion	Address	Remarks
48	Ikramullah S/O Spamsul Haq R/O Dehri (T)	1.6.76	27	M	Muslim	" Nasafe. VrMSh. ... Termin. ...	
49	Fazli Rahman S/O Bakhtawar Sgah R/O Stanadar.	1.7.75	27	M	Muslim	" Banjo Dir VrMSh. ... Termin. ...	
50	Bashirud Din S/O Abdul Bashir R/O Miskari.	3.7.77	27	M	Muslim	" Safar Warai V. ... Termin. ...	
51	Sabz Ali S/O Said Faqir R/O Ajoa	3.7.77	27	M	Muslim	" Janas Dir V:Saad ... Termin. ...	
52	Abdul Qadeem S/O Faraz Khan R/O	4.4.76	27	M	Muslim	" Tika Kot V:Zak ... Termin. ...	
53	Muhammad Yousof S/O Muhammad Yousof R/O Tidodag.	5.7.77	27	M	Muslim	" Shendi. VrMSh. ... Termin. ...	
54	Ihsanul Haq S/O Bunir Gul R/O Qasho Dal.	15.12.75	27	M	Muslim	" Ali Banda V:Humi ... Termin. ...	
55	Muhammad Gul S/O Mian Gul Munda R/O Munda.	1.12.75	27	M	Muslim	" Qandari. V:Sirr ... Termin. ...	
56	Shar Ali S/O Rahimullah R/O Rani.	1.6.74	27	M	Muslim	" Jan Pasa V:Rahim ... S:Bagh ...	
57	Saeedullah S/O Gul Baz Khan R/O Mani Banr.	2.2.73	27	M	Muslim	" Banda MKD V:Muhammad ... Termin. ...	
58	Baktawar Khan S/O Ghulam Muhammad R/O Standar.	5.3.75	27	M	Muslim	" Kidar Kot V:Muhammad Zabi ... Termin. ...	
59	Saeedur Rahman S/O Habibur Rahman R/O Khungi.	5.5.77	27	M	Muslim	" Darak. V:Abdul Hadi ... Termin. ...	
60	Iftikhar Ahmad S/O Anwar Haseem R/O Shikawlai.	1.2.77	27	M	Muslim	" Gandirai. V:Kamal Khan ... Termin. ...	
61	Muhammad Riaz S/O Amir Nawaz R/O Timargara.	20.2.76	27	M	Muslim	" Jabai. V:Nek Muhammad ... Termin. ...	
62	Muhammad Shah Rasool S/O Bahdar R/O Arakh (Sarai Bala)	14.5.66	27	M	Muslim	" Dowlai. P:Al:Acc:	
63	Shar Hayat S/O Sher Zamin R/O Shumshikhan.	12.4.77	27	M	Muslim	" Sumung. V:Muhammad Javi ... Termin. ...	
64	Haqib Shah S/O Muhammad Khan R/O Khungi.	15.2.77	27	M	Muslim	" Tal. No.1 V:Ghulam Haider ... Termin. ...	
65	Ihsanul Haq S/O Fazli Mabood R/O Doryal.	28.1.74	27	M	Muslim	" Bagh(K) V:Muhammad Iqbal ... Termin. ...	
66	Muhammad Taib S/O Hamidullah R/O Kotkai.	13.4.69	27	M	Muslim	" Nimaz Kote V:Saleh Muhammad ... Termin. ...	
67	Fazal Azim S/O Qazi Shahzada R/O Kamo.	15.6.73	27	M	Muslim	" Kalpani. V:Salimur Rahman ... Termin. ...	
68	Zar Shah Ali Khan S/O Hakim Khan R/O Barawal.	2.5.75	27	M	Muslim	" Tika Kot V:Azizul Manan ... Termin. ...	
69	Ikramullah S/O Muhammad Afzal R/O Laqila.	24.3.72	27	M	Muslim	" Nimaz Kot V:Muhammad Iqbal ... Termin. ...	
70	Faizullah Khan S/O Milat Khan R/O Shiringal.	2.1.77	27	M	Muslim	" Gat Kot V:Mahboob Alam ... Termin. ...	
71	Saeedullah S/O Muhammad Raziq R/O Dog.	14.4.77	27	M	Muslim	" Dambar Koon V:Fizur Rahman ... Termin. ...	
72	Muhammad Ahmad S/O Said Ahmad R/O Shendi Makhai.	10.5.77	27	M	Muslim	" Islam Gat. V:Ganatulillah ... Termin. ...	
73	Muhammad S/O Haqir Humid Jan R/O Barikay.	20.4.74	27	M	Muslim	" Nikhan Banda V:Riaz Muhammad ... Termin. ...	

Count on page...

- 74. Muhammad S/O Habbibullah 11.9.74 85/61 GPS: Ashar Kot V: Zahid Khan Ter: do
- 75. Parhadd Din S/O Muhammad Kamil 1.1.77 86/61 " Nikhan Banda V: Samsiullah Ter: do
- 76. Sher Zamin Khan S/O Saeed Mukhtiar 26.7.75 87/61 " Batora V: Hi ay tullah Ter: do
- 77. Amin Khan R/O Sheh 15.2.73 88/61 " Bondai Shah V: Rahatullah Ter: do
- 78. Amihullah S/O Biradar R/O Dasker 28.3.78 89/61 " Gal Kor.No.2 V: Ali Rahman Ter: do
- 79. Muhammad Rafiq S/O Khan Bilal R/O Djalawar 1.10.77 90/61 " Moha. V: Sher Hussain Ter: do
- 80. Badshah Ali S/O Bilal Khan S/O Umera Ali 12.3.78 91/61 " Nagril. V: Muhammad Jame Ter: do
- 81. Taj Ali S/O Malang R/O Sarai 1.1.74 92/61 " Dolar. V: Nisarul Haq Ter: do
- 82. Bakhtiarullah S/O Nawroz Khan R/O Nasir Abad 6.1.74 93/61 " Batan. V: Amanullah Khan Ter: do
- 83. Muhammad Rahim S/O Muhammad Ghani R/O Gurai 14.6.72 94/61 " Dargai. V: Sherin Bocha Ter: do
- 84. Noor Rahman S/O Wali Rahman R/O Mata (T) 15.1.78 95/61 " Lalqila No.2 V: Akram Wahid Ter: do
- 85. Gulistan Shahzada S/O Gul Khan Khan R/O Bagh (D) 1.1.75 96/61 " Rokhan. V: Hazrat Shuib Ter: do
- 86. Said Ali Shah S/O Sultan Zarin R/O Gumbat (T) 7.5.76 97/61 MPS: Kigoox (K) V: Shahkat Hayat Ter: do
- 87. Taj Muhammad S/O Faiz Muhammad R/O Dabar 12.2.77 98/61 " Bada. V: Muhammad Tahir Ter: do
- 88. Nisar Khan S/O Qadar Khan R/O Koto 8.3.73 99/61 GPS: Sarai Warai V: Rahatullah Ter: do
- 89. Sher Hayat S/O Firoz Khan R/O Mian Banda 12.4.75 100/61 MPH: Him Banda V: Muhammad Adress Ter: do
- 90. Hayatullah Khan S/O Gul Baz Khan R/O Munal Bapd. 16.2.74 101/61 GPS: Lalqila No.2 V: Rashid Khan Ter: do
- 91. Natiur Rahman S/O Faqir Muhammad R/O Telash 12.5.76 102/60 " Arif. V: Najim Khan Ter: do
- 92. Riazul Haq S/O Gul Noz Khan R/O Pito 30.3.73 103/60 " Shaga. V: Shokirullah Ter: do
- 93. Umer Latif S/O Muhammad Din R/O Srai 2.3.76 104/60 " Sor Paw V: Anwar Badshah Ter: do
- 94. Muhammad Salim S/O Miaz Muhammad R/O Sado. 11.70 105/50 " Dalgram (P) V: Sher Bahdar Ter: do
- 95. Alwad Din S/O Zahir Shah R/O Sado. 8.76 106/50 " MPS: Kolal Dehri V: Samsiullah Ter: do
- 96. Sajadullah S/O Sher Muhammad R/O Fazul Abad 1.1.77 108/60 MPS: Warsak Shi V: Rahmanullah Ter: do
- 97. Shair Khan S/O Ghani Rahman R/O Mandish 1.8.60 109/60 GPS: Kamlai V: Fazal Akbar Ter: do
- 98. Mishaad Khan S/O Faqir Muhammad R/O Anjewro 1.76 110/50 " Samai. V: Amir Nawab Ter: do
- 99. Sahibullah S/O Bahdar R/O Gurjai 1.76 111/50 " Nakamai V: Jehan Badshah Ter: do

Count: on

- 100. Muhammad S/O Fazal Rahman
- 101. Amir Khan Alom S/O Muhammad Saui
- 102. Far Khan Banda
- 103. S/O Muhammad Haroon Khan
- 104. S/O Mian Dad Noor
- 105. S/O Abdul Karim Banda(T)
- 106. Muhammad Rashid S/O Bahdar Saib
- 107. Rafiq S/O Khan Muhammad
- 108. Muhammad Shih S/O Gul Na dr Khan
- 109. S/O Sargand Khan
- 110. S/O Said Nawab
- 111. S/O Muhammad Saad
- 112. Nek Muhammad
- 113. S/O Khirur Rahman
- 114. S/O Mian Haroon
- 115. S/O Redi Gul
- 116. S/O Fazal Rahman
- 117. S/O Said Ahmad
- 118. S/O Fazal Muhammad
- 119. S/O Faridcon Khan
- 120. S/O Padbhah Zada
- 121. S/O Himatullah
- 122. S/O Abdus Salam
- 123. S/O Habibullah
- 124. S/O Ahmad Hussain
- 125. S/O Saeed Jan
- 126. S/O Ashraf

- GPS:Shingra
- Bir (B)
- S/O P...
- Papoor(M)
- Phalg Para
- Makhai No.2
- Hinc Barai
- Shabikal.
- GPS:Dehri Kadi
- Mishwan.
- Konah Ekuk...
- Pashtan.
- Mislawar.
- Sondrai Wari
- Aligसर
- Bagh Banda
- Dehra(M)
- Halagan.
- Lalqila.
- Dehri Asbaar
- Ugare
- Sar Bat
- Donga
- Hogra.
- Changal
- Kaga Wala

Count on page 6.

10 - ... Batai2 ViNasurillah K
 Term: ...
 ViFarviz Iqbal
 Term: ...

128. Sharifur Rahman S/O Khirur Rahman 18.13.74 141/60 " Noorkhel. ViSehat Zarin
 R/O Guch. Term: ...

129. Muhammad Ayaz S/O Gulam Shah 10.4.75 142/60 " Jaba (P) ViNoor Zada
 R/O Yakkhan Banda. Term: ...

130. Rahman Faqir S/O Ja Faqir 7.9.74 143/59 " Tooran. ViDawlat Khan
 R/O Timargara. Term: ...

131. Abdul Haseen S/O Ah. Jul 1.6.74 145/59 " Rokkana. ViHafizul Haq
 R/O Bishgram. Term: ...

132. Abdul Hamid S/O Ah. d Jan 2.3.75 146/59 " Jabaro (P) ViAlam Zeb Term:
 R/O Dir. Term: ...

133. Abdul Hakim S/O Jan Khan 7/2.75 147/59 " Shamoer Gar. ViMuhammad Raghi
 R/O Kambot. Term: ...

134. Bahadar Khan S/O Gul Zarin 2.75 148/59 " Maakina. ViHabib Rasool
 R/O Rahim abad. Term: ...

135. Jamal Abdul Nasar S/O Amanul Haq 4.77 149/59 " Toopan Shah ViMuhammad Saleh
 R/O Shekawalai. Term: ...

136. Rabiul Haq S/O Hakimul Haq 10.9.76 150/59 HPS:Remal Kasa ViHabib Rasool
 R/O Rahan Kot. Term: ...

137. Amanullah S/O Sher Bahdar 5.25 151/59 HPS:Pindal Kon ViMuhammad Saleh
 R/O Shamshikhan. Term: ...

138. Saeed Zaman S/O Gul Zaman 4.7.73 152/59 GPS:Daboon (M) Xr ViNasurul Haq
 R/O Talaah. (F:H:Koorona) Term: ...

139. Mushtaq Ahmad S/O Noor Zaman 14.7.73 153/59 " Nakamai. ViSahib Zada Term:
 R/O Nagrai (B) Term: ...

140. Muhammad Sabir S. Zamin 4.7.74 154/59 " Mamosai Kasa ViFazal Ghafoor
 R/O Tangai. Term: ...

141. Umer Hassan S/O Ajab Khan 3.7.74 155/59 " Pari Kasa ViZahoor Iqbal
 R/O Timargara. Term: ...

142. Anisur Rahman S/O Gul Rahman 15.7.74 156/59 " Abdullah Banda ViMuhammad Nazir
 R/O Ziarat (T) Term: ...

143. Anwar Hussin S/O Ghulam Sarwar 2.4.75 157/59 " NiKoto ViIkramullah Term:
 R/O Amlook Durr. Term: ...

144. Muhammad Zahid S/O MuxxxA Sher Ghani Khan 5.6.75 158/59 GPS:Batroor. ViSaid Badshah
 R/O Dehri (T) Term: ...

145. Sahib Zada S/O Sher Zada 10.12.75 159/58 " Shingara/ ViMuhammad Ismail
 R/O Landai Shah. Term: ...

146. Muhammad Raza S/O Muhammad Halim 13.10.77 160/58 HPS:Gul Abad ViSultan Bakht
 R/O Nagrai (P) Term: ...

147. Shah Nawaz Khan S/O Raza Khan 1.1.78 61/58 " Gumbati Jilar ViBakht Sher
 R/O Yusuf Man. Term: ...

148. Fazal Nabi S/O Anisur Rahman 1.6.77 1/58 " Terai Shi ViBadshah Zeb Kha
 R/O Toor Mang. Term: ...

149. Tajbar. Khan S/O Masafar Khan R/O 2/58 " Chakrai. ViIkramullah
 Gugyal. Term: ...

150. Rahim Shah S/O Sher Bahdar 2.5.78 254.4.78 Fatai. ViGul Nawaz Term:
 R/O Dog Sam. Term: ...

151. Rafiullah S/O Masuli Khan 1.10.73 480.4.83.83 Kai ViAli Akbar Badshah
 R/O Dogon. Term: ...

152. Ghulam Habib S/O Muhammad Hazrat 22.2.66 50.4.83.83 Tall ViNasibullah
 R/O Branoola. Term: ...

153. Bahadar Zeb S/O Gul Zamin Khan 20.3.73 60.4.83.83 Sudi Samang. ViShah Zamin Term:
 R/O Makkhal. Term: ...

Count on ...

- 154. Muhammad Awis Khan S/O Muhammad Gul 128/50
R/O Kotigram. 25.1.72
- 155. Hayat Muhammad S/O Badshah Muhammad 169/50
R/O Ghat Pat. 10.5.74
- 156. Muhammad Hayat S/O Fazal Ghafar 170/50
R/O Ouch. 1.12.74
- 157. Ikramullah S/O Ghulam Yousef 171/50
R/O Shaw Dir. 24.4.74
- 158. Jamalud Din S/O Fazal Raziq 172/50
R/O Bishgram. 1.8.75
- 159. Badshah Zada S/O Nawshad 173/50
R/O Sondal. 5.12.75
- 160. Noor Muhammad S/O Ghazi Khan 174/50
R/O Amlook Dara. 2.10.72
- 161. Latifullah S/O Noorul Haq 175/57
R/O Pito Dara. 20.12.77
- 162. Atiqur Rahman S/O Muqarab Khan 176/50
R/O Kasso. 20.1.74
- 163. Nisar Khan S/O Muhammad Wasil 177/50
R/O Rasal. 2.7.74
- 164. Bahdar Zeb S/O Sher Zada 178/50
Bandagai. 1.1.73
- 165. Muhammad Qayoum S/O Gul Azam Khan 179/50
R/O Zafar Abad. 12.4.77
- 166. Rafiullah S/O Fasihullah 182/50
R/O Harai Shah. 21/1/62
- 167. Ghulam Ali S/O Fatch Rahman 183/50
R/O Kumbanr. 25.3.72
- 168. Fizullah S/O Hamid Din 184/50
R/O Zimdara. 3.1.73
- 169. Akhtar Gul S/O Redi Gul 185/50
Galgot. 1.1.75
- 170. Muhammad Wazir S/O Fazal Rahman 186/50
R/O Haji Abad. 6.4.72
- 171. Muhammad Ayaz S/O Muhammad Sherin 187/50
R/O Rehankot. 17.9.68
- 172. Sher Bahar Khan S/O Hadd Ahmad 188/50
Salam Kot. 1.12.74
- 173. Muhammad Badroz Zaman S/O Mahmood R/O Achar(P) 189/50
24/10/70
- 174. Muhammad Ishaq S/O Muhammad J. Rahim 190/50
R/O Jabar. 10.2.74
- 175. Qayoumal Haq S/O Sakhi Jan 191/50
R/O Sadbar Kali. 3.1.77
- 176. Shah Wazir Khan S/O Gul Pacha 192/50
R/O Munda. 1.4.73
- 177. Sardar Ali Shah S/O Mian Badshah 193/50
R/O Landakor. 19.4.71
- 178. Rafiqul Islam S/O Sifal Malook 194/50
R/O Sorino. 28.3.73
- 179. Sar Zamin Khan S/O Bakht Zamin Khan 195/50
R/O Garla. 1.3.74

- V:Shur Zamin
Term: do
- V:Shafiqur
Term: do
- V:Ikram Term:
do
- V:Ghufranullah
Term: do
- Gumbat V:Saif Jan R.
Term: do
- V:Muhammad
Husain Term:
do
- V:Bakht Sahar
Zabi Term:
do
- V:Asmat Khan
Term: do
- V:Shah Room
Temp: do
- V:Abdul Jalil
Temp: do
- V:Al:Acco:
do
- V:Sardar Ghar
Term: do
- V:Ihsan Shal
Term: do
- V:Fazli Rghit
Term: do
- V:Wazir Zadi
Term: do
- V:Niaz Ali
Term: do
- V:Sultan Alan
Term: do
- V:Shah Zadi
Term: do
- V:Sherin Zadi
Term:
P:Al:Acco:
- V:Aminul Haq
Term: do
- V:Bakhtshah
Term: do
- V:Dawlat Sha
Term: do
- P:Al:Acco:
do
- V:Farid Khan
Term: do
- V:Atiqur Raht
Term: do

Count: on page.....3.....

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1. ... such rules & regulations as may be prescribed by the Govt. from time to time for the category of the Govt. servant which they belong.
2. Their services will be liable to termination on one month's notice from either side in case of resignation without notice one month's pay will be forfeited in lieu thereof. They should
3. They should join the posts within one month of the issue of this notification. Their inter-caste seniority will be determined in accordance with the merit of the Departmental selection Committee.
4. Charge report should be submitted to all concerned.
5. They shall be on probation period of two years and will have to pass departmental Examination. In case a candidate fails to qualify the departmental Exam he will be given one more chance. If he fails again, then his services will be terminated on arrival/availability of a trained teacher. The services of untrained teacher occupied the post will be ...
6. Their original certificates etc will be checked and verified from the concerned inst. .../DISE/NDE and Islamic Madressa before handing over the charge.
7. ... must be prepared complete in all respect before handing over the charge.
8. The declaration ... should be obtained from them and immediately placed on record.
9. They are required to produce Health & age certificates from medical authorities concerned.
10. Charge report should not be given to the over age candidate. His case for a relaxation should be sent to the concerned quarter.
11. Efforts for transfer before the completion the tenure will be dis-qualified him from the services.
12. No TA/DA is allowed.
13. An undertaking shall be obtained from Master and Degree Holders (TC/ST etc) that they will serve the department for atleast 5 years unless they are selected by the Public Service Commission/they are selected as untrained teacher he will have to undergo training examination within 4 years failing which his services will be terminated.

Note:-

Complete information of each category separately in consolidated list (annexed) be submitted by the lower offices to the Director of Education Primary, DES(M&F) Primary within a week positively.

Endst: No. 2223

(USMANI GHANI),
 DISTT: EDUCATION OFFICER (M) PRIMARY
 DIR AT TEMARGARA.

24/16/57

1. Copy forward to P/S to Secretary Education Dept. of N.WFP Peshawar.
2. The Director Primary Education NWFP Peshawar.
3. The Distt: Account Officer, Dir at Temargara.
4. All the SDEO's (M) Districts.
5. The Officials concerned.

Distt: Education Officer (M)
 Primary Dir at Temargara

16

- 18 -

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



Personal Information of Mr MUHAMMAD RIAZ d/w/s of MUHAMMAD HALIM

Personnel Number: 00267612 CNIC: 1530208730717 NTN:
Date of Birth: 02.04.1972 Entry into Govt. Service: 14.01.1998 Length of Service: 26 Years 00 Months 019 Days

Employment Category: Active Permanent

Designation: PRIMARY SCHOOL HEAD TEACH 80001412-DISTRICT GOVERNMENT KHYBE
DDO Code: DA6151-GOVT. PRIMARY SCHOOLS (M) TIMERGARA
Payroll Section: 001 GPF Section: 001 Cash Center: 12
GPF A/C No: EDUDA010331 GPF Interest applied **GPF Balance:** 361,729.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 20

Wage type		Amount	Wage type		Amount
0001	Basic Pay	63,520.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1923	JAA-OTHER 20%(1-15)	1,000.00	2148	15% Adhoc Relief All-2013	735.00
2199	Adhoc Relief Allow @10%	496.00	2316	Teaching Allowance 2021	3,224.00
2341	Dispr. Red All 15% 2022KP	6,009.00	2347	Adhoc Rel Al 15% 22(PS17)	6,009.00
2378	Adhoc Relief All 2023 35%	21,539.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-4,290.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-1,914.00	3990	Emp.Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	306,000.00	-8,500.00	68,000.00

Deductions - Income Tax

Payable: 29,380.38 Recovered (till JAN-2024): 12,468.00 Exempted: 7344.58 Recoverable: 9,567.80

Gross Pay (Rs.): 110,412.00 Deductions: (Rs.): -16,639.00 Net Pay: (Rs.): 93,773.00

Payee Name: MUHAMMAD RIAZ
Account Number: C/A 1443-5
Bank Details: NATIONAL BANK OF PAKISTAN, 231869 NBP DIR AMLOOK DARA TALASH DIR, DIR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: VILL NAGRAI PAEEN
City: DIR LOWER Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
Temp. Address:
City: Email: muhammad9003594@gmail.com

System generated document in accordance with APPM 4.6.12.9(7-3105/25.01.2024/v3.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICES/02.02.2024/20:08:12)

Annexure - B-

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/8/2020

S.O. (Reg.) E&A/D-3/2020 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

COPIES NO & EVEN DATE

Copy 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 (Admn), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

(Signature)
(WAJDAH LATIF)
DEPUTY SECRETARY (POLICY)

ATTESTED

(Signature)

(Signature)



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

B/C

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)



Annexure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)I&AD/1-2/2020
Dated Peshawar the June 06, 2023

62

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 in refer to your letter No. SO(Primary-M)/N&R/172-
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 at preventing a
civil servant from tamponing 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,

(Issa Muhammad Khan)
Section Officer (Policy)

ASSE
7/6

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.

Section Officer (Policy)

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

B/c

W/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 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 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. 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)

(Encl). of even No & date

Copy is forwarded to :-

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

Section Officer
(POLICY)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-9223507)

No.SO (Primary-MYE&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(B) 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

[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]

-24-
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)



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).

Annexure
D


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

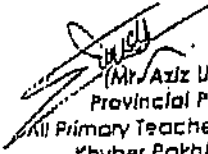
S#	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer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

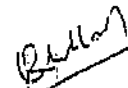
2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After thorough 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-I
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



-26-
-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 & 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)





-27-

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

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 06th June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servants (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.

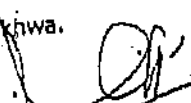
2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father or 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 ISHRAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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


SECTION OFFICER (PRIMARY MALE)
23/8/23

Scanned with CamScanner

No. 5 (Primary-M) E&SE/D/19-2/1
Appointments - Rule/2023

Feedback Dated 23rd August, 2023.

The Secretary to Government of Khyber Pakhtunkhwa.

Establishment and 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. 5 (Primary)
(Policy) E&AD
1-3/2023 dated 27 June 2023 and to state that after
deletion of Rule 7(5) 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 body
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. Being
in view of above, the said amendment may be reconsidered to
the extent of body teacher in primary schools.

Copy forwarded to:
1. Director E&SE Khyber Pakhtunkhwa.
2. PS to Secretary, E&SE Department of Khyber Pakhtunkhwa
(Muhammad Ismail)
Section Officer (Primary
Mails)

WP4442-2023
Department of Khyber Pakhtunkhwa



Khyber Pakhtunkhwa, Peshawar


To
✓ The Section Officer (Primary-Male),
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/3-1/
G.Misc/Minutes of the Meeting/PST/2023 dated 10-07-2023 on the subject cited above and in
present brief history about the background of the case as under:

- That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) dated Rule 7(5) in the Civil Servants (Appointment, promotion & Transfer Rules 1989) vide notification No. No. SOR-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 06-02-2023.
 - (i) Now it is obligatory upon the civil servant to accept Promotion in every condition.
 - (ii) 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/2-2/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/2-2/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 Rules 7(5) have affected negatively a huge numbers of Female Teachers. Thus it is proposed that Teachers below DPs-16 may be exempted of implications of the amendment in the rules ibid 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 to:-
1. PA to Director Local Directorate.
2. Master Copy.

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

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/GM/12/ 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 1989) 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 Pachtunkhwa.

Annexure - F



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)

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.

- 32 -

- 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)

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.

Section Officer (Policy)

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. SD (Policy) /EDAD/1- 3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the Establishment Department vide its letter No. SO.(Policy) E&AD/1- 3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. That Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the 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.

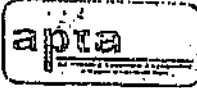
It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&AD/1-3 1-2020 DATED 06/08/2020, communicated to vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution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

Dated 24/01/2024

Riaz

MUHAMMAD RIAZ

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



APTA House
Govt. Primary School No.4,
Gulbaha Poshwar City.

آل پرائمری ٹیچرز ایسوسی ایشن (اپٹا) خیبر پختونخوا

Annexure - A

ہوٹل: سیکرٹری ایجنسی و سیکرٹری ایجنسی خیبر پختونخوا
ہوٹل: آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا
جناب عالی

گزارش ہے کہ پروسوزر ہر اداسے میں ہوتے ہیں اور کہ سرکاری ملازم کی عوامی آواز ہے پروسوزر کا ایک قانون ہوا کرتا تھا کہ ہر ملازم ایک آگرمس
مہر کے تحت ایک دن پروسوزر نہیں تو دو ہفتہ پاد سال تک پروسوزر نہیں لے سکتے تھے مطلب پاد سال تک ہر اس کی پروسوزر نہیں ہو سکتی تھی
مگر اس قانون میں ترمیمی رعایت دی گئی پاد سال وہی بات غلط کر دی گئی کہ اگر ایک ملازم ایک سال پروسوزر نہ لیں تو وہ دوسرے سال لے سکتا ہے
لیکن اب ایک ہفتہ پہلے ایک اور نوٹیفکیشن ہوا ہے

اس کے مطابق اب ہر ملازم پروسوزر ضرور لیں گے اگر نہیں لیں گے تو اس کے خلاف ای و ڈی روڈ کے مطابق کارروائی کر لے گا کہا گیا ہے
دراصل یہ آئی نوٹیفکیشن بنیادی انسانی حقوق کی مکمل خلاف ورزی ہے سوسے کی دور دراز اور پہلی طاقتوں میں خاص کر خواتین اساتذہ کو انتہائی مشکلات کا
سامنا کرنا پڑے گا

جبکہ عام حالات میں بھی ذہنی پروسوزر اور دور دراز بھی بنیادی انسانی حقوق کی خلاف ورزی ہے کیونکہ ٹیچرز پختونخوا میں بد قسمتی سے خاندانی دشمنیاں
بھی ہوتی ہیں ایسے حالات میں یہ قانون ٹیچرز جو SE & SE کی کاٹھن لیں گے جواب میں کیا گیا ہے جو بد قسمتی اور بنیادی انسانی حقوق کی خلاف ورزی ہے

اس کے خلاف قانونی چارہ جوئی کا حق بھی ممنوعہ رکھتے ہیں
لہذا ہم آپ سے ہمدردی اپنی کرتے ہیں کہ کہ نوٹیفکیشن کو واپس لیا جائے یا اس میں ترمیم کر کے پرائمری اساتذہ کو (Relaxation) دیا جائے اور ان کو
لہرو گنا پروسوزر لینے کی بجائے ان کو مرضی سے لینے دیا جائے

اور پروسوزر نہ لینے کی صورت میں ہاتھ داند لیا جائے لیکن یہ زبردستی نہ کی جائے
اس مسئلے میں آپ جلد از جلد نام (DEOS) ڈی ای او کو ایک خصوصی مراسلہ جاری کیا جائے تاکہ اظہار میں سہیل / فیصل پرائمری اساتذہ کو ذہنی
البت اور ہار ج تک سے ہٹایا جائے

کیونکہ نوٹیفکیشن جاری ہوتے ہی پرائمری اساتذہ کو ذہنی طور پر مار چکے گا سلسلہ شروع ہو چکا ہے
لہذا ہم یہ توقع رکھتے ہیں کہ آپ صاحبان لوری ایجنسی ٹیکر صوبہ بھر کے پرائمری اساتذہ خصوصاً فیصل پرائمری اساتذہ کو اس ذہنی البت سے ہمت دلائیں گے

شکریہ

Handwritten signature and date 08/11/23

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

Handwritten signature

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.B. 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 (B)

[Handwritten signature]
SECRETARY
Ministry of Labour and Social Security
Government of Punjab
Karachi

Date of Presentation of Application 10-6-24
 Number of 1
 Copies 1
 Urgent 1
 Total 1
 Name of 13-172
 Date of 17-6-24
 Date of delivery of copy 17-6-24

[Handwritten signature]

WAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

MUHAMMAD RIAZ

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC


BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM


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

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




APPELLANT

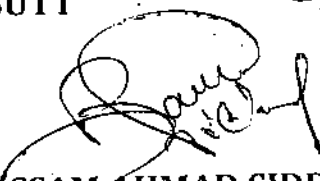
ACCEPTED



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court