


FORM OF ORDER SHEET

Court of _____

Appeal No. 1734 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02 /10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 07.10.2024. 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. 1734/24
SAJJAD AHMAD
V/S

Government of KP & others

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ADVOCATE
M. Muazzam Butt

-9-

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1734 /2024

Sajjad Ahmad son of Kala Khan, PSHT (BPS-15)

Bandi Mian pirdad, PO Khas, Tehsil and District Haripur

.....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**

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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 forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition.
Copy of Impugned Letter dated June 06th, 2023 is attached as Annexure C
7. That thereafter the meeting was also held in the office of Additional Secretary Establishment on 06-07-2023 in which it was decided to examine the case properly and submit a self-contained/ consolidated case for onward submission to the Establishment Department for further necessary action.
Copy of Minutes of Meeting dated 06-07-2023 is attached as Annexure D
8. That the Respondent No.3 i.e. Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber

- 3 -

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

- 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.

Deponent

Appellant

Through

Muhammad Muazzam Butt
Advocate Supreme Court

Muhammad Adeel Butt
Advocate High Court

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

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____ -P of 2024

In Ref to

Service Appeal No _____ 2024

Sajjad Ahmad

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 this Honorable Court.


Deponent

Through


Appellant


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court

Dist. Govt. KP-Provincial
District Accounts Office Haripur
Monthly Salary Statement (July-2024)



Personal Information of Mr SAJJAD AHMAD d/w/s of KALA KHAN

Personnel Number: 00250635

CNIC: 1330204207659

NTN:

Date of Birth: 20.04.1974

Entry into Govt. Service: 27.02.1993

Length of Service: 31 Years 05 Months 006 Days

Employment Category: Active Permanent

Designation: PRIMARY SCHOOL HEAD TEACH

80002138-DISTRICT GOVERNMENT KHYBE

DDO Code: HR6109-DEPUTY DISTT EDUCATION OFFICER(M/P) HARIPUR

Payroll Section: 002

GPF Section: 001

Cash Center: 09

GPF A/C No: EDUAD016622

GPF Interest applied

GPF Balance:

1,224,753.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 15

Pay Stage: 22

Wage type		Amount	Wage type		Amount
0001	Basic Pay	67,480.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	2148	15% Adhoc Relief All-2013	880.00
2199	Adhoc Relief Allow @10%	591.00	2316	Teaching Allowance 2021	3,224.00
2341	Dispr. Red All 15% 2022KP	6,408.00	2347	Adhoc Rel AI 15% 22(PS17)	6,408.00
2378	Adhoc Relief All 2023 35%	22,925.00	2393	Adhoc Relief All 2024 25%	16,870.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-4,290.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-5,555.00	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
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Deductions - Income Tax

Payable: 88,870.65 Recovered till JUL-2024: 5,555.00 Exempted: 22217.03 Recoverable: 61,098.62

Gross Pay (Rs.): 132,706.00 Deductions: (Rs.): -11,780.00 Net Pay: (Rs.): 120,926.00

Payee Name: SAJJAD AHMAD

Account Number: 01980041819201

Bank Details: HABIB BANK LIMITED, 220198 MAIN BAZAR, HARIPUR. MAIN BAZAR, HARIPUR., HARIPUR

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: HAR

City: HARIPUR

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: sajjad.hpr1974@gmail.com

ATTESTED

System generated document in accordance with APPM 4.6.12.9(358678/26.07.2024/v3.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICES/01.08.2024/21:02:36)



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

HARIPUR, (ATA), 1/1/19

OFFICE ORDER 03452019192

In Pursuance of the notification by the Director E&S Education Khyber Pakhtunkhwa Peshawar vide Notification No. SO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Notification by the District Education Officer (M) Haripur vide his No. 1452-65 dated 26.02.2013 Upgradation/Promotion of Senior PST as HPST BPS-15 dated 14.02.2013, the services of the following newly upgraded PSTs BPS-15 (8500-790-29500) plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, in teaching cadre on the terms and conditions given below with immediate effect and further posted in the schools noted against each, posts mentioned against their names w.e.f 14.02.2013 in the best interest of public service subject to the terms and conditions remain intact as mentioned in the notification referred above.

S.No	Seniority NO	Teacher Name	Name of School	Place of new posting	Remarks
1	1	Muhammad Ishaq	GPS Ahul Jhang	Occupied	Against newly Upgraded Post BPS-15
2	2	Wall Muhammad	GPS Nardli	Occupied	*****DO*****
3	3	Ishtiaq Ahmad	GPS Sumbal Nelgar	Occupied	*****DO*****
4	4	Ihsan Ur Rehman	GPS Chitach Maira	Occupied	*****DO*****
5	5	Gul Hassan	GPS Durkai	Occupied	*****DO*****
6	6	GHULAM SAFFDAR	GPS KALUPIND	Occupied	*****DO*****
7	7	Abdul Khalq	Gps Boli Gram	Occupied	*****DO*****
8	8	Abdul Salam	GMPS Saba Natta	GPS Kuni Kai	*****DO*****
9	9	MUHAMMAD RIAZ	GPS KALI TRAR SHIRKI BALA	occupied	*****DO*****
10	10	Muhammad Sajjad Awazi	GMPS Jamla Awazi	GPS Janjaka	*****DO*****
11	11	MUHAMMAD YOUSAF	GPS BANDI GULLOO	occupied	*****DO*****
12	12	Abdul Rasheed	GPS Dana Colony	occupied	*****DO*****
13	13	RIASAT KHAN	GPS GHRA GHRAIN	occupied	*****DO*****
14	14	Rukan Zaman	GPS Sultanpur	occupied	*****DO*****
15	15	Abdul Manan	GPS M.D Maira	occupied	*****DO*****
16	16	Muhammad Ansh	GPS Chitri	occupied	*****DO*****

xls/order/kpk

03452019192

1/1/19 (ATA) / مقررہ نوکریوں کے لیے

03125928053

1/1/19 (APTA) / مقررہ نوکریوں کے لیے

03005642594 / مقررہ نوکریوں کے لیے

ATTESTED

S.No	Seniority No	Teacher Name	Name of School	Place of new posting	Remarks
435	470	MUHAMMAD SALEEM	GPS Chughli	GPS Sari Bahp	.....DO.....
436	471	Muhammad Ejaz	GPS Dhendah	GPS Rous	.....DO.....
437	472	Wajid Ali Shahi	GPS Sool Pur Jam	GPS Salfpur	.....DO.....
438	473	Muhammad Mazood Khani	GPS Malri	occupied	.....DO.....
439	474	ASIF MAHMOOD	GMPs MAIRI SHRENI	GPS Muslim Abad	.....DO.....
440	475	MUHAMMAD AZAM KILAN	GPS BATRASI	GPS Garam Thoon	.....DO.....
441	476	Adil Muntaz	GPS No.2 Haripur	occupied	.....DO.....
442	477	KHALID MAHMOOD	GPS GAI. HAM	GPS Chughli	.....DO.....
443	478	Nisar Ahmed	GPS Thanda Choa	GPS Shekhar Baha	.....DO.....
444	479	Shahid Mahmood	GPS Kumbi Pur Behana	occupied	.....DO.....
445	480	Muhammad Musharof	GMPs Awanabad	GPS Beer	.....DO.....
446	481	ABID MAHMOOD	GPS KOY NAURULLAH NO 2	occupied	.....DO.....
447	482	Abdul Wahed	GPS Dhendah	GPS Bees Han	.....DO.....
448	483	MUHAMMAD AKHTAR	GPS Kamala	occupied	.....DO.....
449	484	MUHAMMAD SAEB AKHTAR	GPS Raj Pur	occupied	.....DO.....
450	485	Syed Shah Niaz Hussain Shuh	GPS Mankurai	occupied	.....DO.....
451	486	TAQI UR REHMAN	GPS NO.3 SECH I KTS	occupied	.....DO.....
452	487	Abdul Hafeez Khan	GPS Kallay	GPS Nallah Nu.1	.....DO.....
453	488	Asghar Khan	GPS Laban Bhatti No.1	GPS Ziarat Bhatti	.....DO.....
454	489	MUHAMMAD ZUBAIR	GPS MOHRU PIR RAKHSI	GPS Dea	.....DO.....
455	490	Abdul Nasir	GPS Malra Sayedian	occupied	.....DO.....
456	491	Muqbool ur Rehman	GPS Ghumrawan	occupied	.....DO.....
457	492	Sajjad Ahmed	GPS Kaudal	occupied	.....DO.....
458	493	David Shah	Gps Gallal	GPS BakhtarDO.....
459	494	Muhammad Saleem	GMPs Chhani Khaiter	GPS PukhtulDO.....

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ATTESTED

Sl. No.	Seniority NO	Teacher Name	Name of School	Place of new posting	Remarks
509	545	Muhammad Akhtar	Gujar Dhorrim	Occupied	.....DO.....
510	546	Zarghaan Shah	GEMPS Khul Meira	GPS No.1 Khunpur	.....DO.....

Terms and conditions:-

1. They would be on probation for a period of one year, extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
3. Their services can be terminated at any time, in case of their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded under the rules framed.
4. Charge report should be submitted to all concerned.
5. Their Inter-Se seniority on lower post will remain intact.
6. No TA/DA is allowed for joining his duty.
7. They will give an under taking to be recorded in their service books to the effect that if any over payment is made to them in the light of this order will be recovered and if they are wrongly promoted they will be reverse.

(MUHAMMAD SHOUKAT)

DISTRICT EDUCATION OFFICER
HARIPUR

Endst: No. 3216-20

Dated. 20 / 03 / 2013

1. Senior District Accounts Officer Haripur.
2. Sub Divisional Education Officer (Male) Haripur
3. PA to the Director B&SE Khyber Pakhtunkhwa.
4. Officials Concerned.
5. Office Record File

DISTRICT EDUCATION OFFICER
HARIPUR

ATTESTED

sis/order/kpk

~~ATTESTED~~

ATTESTED

DEPUTY SECRETARY (POLICY)
(MAJID AH LALY)

[Signature]



- 1. Additional Chief Secretary, Gov. of Khyber Pakhtunkhwa, Planning & Development Department, Khyber Pakhtunkhwa.
- 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. The Principal Secretaries in Khyber Pakhtunkhwa.
- 7. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
- 10. All Deputy Commissioners in Khyber Pakhtunkhwa.
- 11. The Registrar, Peshawar High Court, Peshawar.
- 12. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 13. The Secretary, E&A Department, Khyber Pakhtunkhwa.
- 14. The Deputy Director (IT), E&A Department, Khyber Pakhtunkhwa.
- 15. All Section Officers in Establishment & Administration Department with the request to arrange 20 gazette copies.
- 16. The Section Officer (Admn), Administration Department.
- 17. The Caraker, Administration Department.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

DATE AND TIME

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

AMENDMENT

in exercise of the powers conferred by section 25 of the
Khyber Pakhtunkhwa Civil Servants Act No. XVIII of
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
amendment shall be made, namely:

NOTIFICATION

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGISTRATION)

Annexure - B

-11-
-10-

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/08/2020

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

AMENDMENT

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

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

Copy is forwarded to :-

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

(WARDAH LATIF
DEPUTY SECRETARY (POLICY)

ATTESTED

ATTESTED

WPA442-2023 AZ2121414 VS GOVT OF PAK

[Signature]

Section Officer (Policy)

[Signature]

Section Officer (Policy)

[Signature]

Yours faithfully,

Copy forwarded to Hon. P.A. to Special Secretary (Reg. & Dis.) Internal Department, P.A. to Additional Secretary (Reg. & Dis.) Internal Department, P.A. to Deputy Secretary (Policy), Establishment Department.

Encl. Of given No & Date

7/6
[Signature]

1. The basis rationale behind the deletion of the said rule is aimed at preventing a provision exists to decline or forgo promotion. 2. The basis rationale behind the deletion of the said rule is aimed at preventing a provision exists to decline or forgo promotion. 3. Furthermore, those officers/employees who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Ministry's Civil Servants (Efficiency & Discipline) Rules, 1987.

Subject: - FORWARDING OF LETTER NO. HCP/10007-14/2023 DATED 18.04.2023 ON THE SUBJECT NOTED ABOVE AND TO ALSO THAT SUB-RULE (3) OF RULE-7 OF KHAYUR PAKHUNTAWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1987 STANDS DELETED VIA THE DEPARTMENT NOTIFICATION DATED 08.08.2020; THIS, IN CONNECTION WITH THE GOVERNMENT OF PAKISTAN (MINISTRY OF INTERIOR AND TRIBAL AFFAIRS) GOVERNMENT OF PAKISTAN (MINISTRY OF INTERIOR AND TRIBAL AFFAIRS)

GOVERNMENT OF PAKISTAN (MINISTRY OF INTERIOR AND TRIBAL AFFAIRS)
ESTABLISHMENT DEPARTMENT
No. SEC/Policy/Reg-1/2020
Dated Islamabad the 08.08.2020



Annexure - C

13

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No. 091-0223587)

No. SO (Primary-M)/E&SED/2-5/2023
Dated Peshawar the June 26th, 2023

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

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

[Handwritten Signature]
26/6/23

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1988.

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 mark]

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

Copy forwarded to the:

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

[Handwritten mark]

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

~~TESTED~~

-12-

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

(MURAMMAD 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
0


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.


Sl#	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

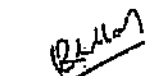
2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.


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

~~ATTESTED~~

-16-
-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(S) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION
& TRANSFER RULES 1989).

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

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

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

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

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

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

Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

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

(Abdullah)

Additional Secretary (Establishment)

ATTESTED

ATTACHED

WP 1442-2023 AZIZULLAH VS GOVT OF POK

Assistant Director (Establishment)
Ministry of Secondary Education
Khyber Pakhtunkhwa

Assistant Director (Establishment)
Ministry of Secondary Education
Khyber Pakhtunkhwa
21/7/2023

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

Copy of the above is to:

The case is submitted for personal and necessary actions please.

Departmental Promotion Committee provided they submit their written report in connection of the meeting of teachers hold on 17-16 may be completed of implications of the meeting that 7(1) have affected negatively a huge numbers of Remote teachers. Thus it is proposed that in view of the above, this office is of considered opinion that the retention of rules been asked for abolition of consolidated exam.

Chairman of Hon. Additional Secretary Establishment of this office, has held in the light of the minutes of meeting dated 6-07-2023, held under the (Primary-4) EASED/2-Appointments/2023 dated 12-04-2023.

The same was read by this office from your good office letter No.50 (Primary-4) EASED/2-Appointments/2023 dated 6-06-2023 categorically stated that they are not in position to decline or forego promotion. It is obligatory upon every civil servant to accept promotion under every condition.

That you may not office forwarded the same in the quarter concerned wide letter No.50 (Primary-4) EASED/2-Appointments/2023 for necessary guidance.

That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation) dated 16th July 2023, in the Civil Service (Appointment, Promotion & Transfer Rules 1989) vide notification No. 508-VI (EAD)/1-37020 dated 06-08-2023.

That this office sought guidance from your good office in the following words wide letter No. 987 dated 06-07-2023.

(i) Have I obligation upon the civil servant to accept promotion in every condition, if it is not in the interest of the civil servant or turn down the offer of promotion.

That you may not office forwarded the same in the quarter concerned wide letter No.50 (Primary-4) EASED/2-Appointments/2023 dated 12-04-2023.

I am directed to refer to the letter No.50 (Primary-4) EASED/2-Appointments/2023 dated 12-04-2023 on the subject cited above and in present brief history about the background of the case as under:

Subject - **APPOINTMENT OF THE APPOINTING**
Khyber Pakhtunkhwa Establishment
Ministry of Secondary Education, Government of Khyber Pakhtunkhwa



No. 8145
Phone 011-2222222
Email: estab@kpk.gov.pk

-16-17-

~~RECEIVED~~

WP4447-2023 AZIZULAH VS GOVT OF PAK

2. Master Copy
1. PA to Director Local Directorate
Copy of the above for
Asst. Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

In view of the above, this office is of considered opinion that the deletion of Rules 7(S) have effected negatively a huge members of female teachers.
The case is submitted for perusal and necessary action please.

In view of the above, this office has been asked for submission of consolidated case.
That in light of the minutes of the meeting dated 6-07-2023 held under the chairmanship of Hon. Additional Secretary Education at his office. This office has been asked for submission of no provision to decline / forgo promotion. It is obligatory upon every civil servant to accept promotion under any condition.
That the government of KP-ED (Regulation Wing) vide letter No. SD (Reg.) EQAD/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 any condition.
That your good office forwarded the same to quarters concerned vide letter No. SD (Reg.) EQAD/2-2/11/2023 for necessary guidance.
That the government of KP-ED (Regulation Wing) vide letter No. SD (Reg.) EQAD/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 any condition.
That in light of the minutes of the meeting dated 6-07-2023 held under the chairmanship of Hon. Additional Secretary Education at his office. This office has been asked for submission of consolidated case.

Ministry of Education, Government of Punjab, Lahore
Subject: Minutes of Meeting
I am directed to refer to letter No. (SD. Reg.) EQAD/1-3/2020 dated 06-08-2020 and to present brief history about background of case as under:
That Government of KP Establishment department (Regulation Wing) added rule 7(S) in Civil Servants (Appointment, Promotion, Transfer, etc.) Rules, 1987 vide notification No. No. SOR-VI (EQAD) 1-3/2020 dated 06-08-2020.
That the office sought guidance from your good office in the following words vide letter No. EQB dated 06-07-2023.
(i) Rule 7 is obligatory upon civil servant to accept promotion.
(ii) Rule 7 is obligatory upon civil servant to either accept/jump down the offer of promotion.

To: Section-Officer (Regulation-PA),
Elementary & Secondary Education Department,
KPK, Peshawar.

Directorate of Elementary & Secondary Education, KPK
Peshawar
(21-7-2023)
-B/C-
-18-

-18- -19-



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

No. SO(Policy-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 Servant (Appointment, Promotion & Transfer Rules 1989) it has been intimated that those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

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

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


(MUHAMMAD ISMAIL)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. Director EBSE Khyber Pakhtunkhwa.
2. PS to Secretary, EBSE Department Khyber Pakhtunkhwa.


SECTION OFFICER (PRIMARY MALE)
28/8/23

Scanned with CamScanner

ATTACHED

-19- -20-

-B/c-

No. 5 (Primary - M) E&SE/18-2/
Appointments - Rule/2023
Peshawar Dated 23rd August, 2023.

To

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

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

Dear Sir,

I am directed to refer to your letter No. 50 (Primary) (Policy) / E&AD
/1-3/2020 dated 8th June 2022 and to state that after
deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment,
Promotion and Transfer Rules 1989) it has been intimated that
those officers/officials who do not comply with promotion order
of the competent authority or try to evade promotion through
different means shall be proceed under Khyber Pakhtunkhwa
Civil Servant (Efficiency and Discipline) Rule 2011.

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

Copy forwarded to;

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

(Muhammad Ishaq)
Section Officer (Primary)
Male

ATTESTED

Annexure - F



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

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 rendered to your good office vide this department letter of
even No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Ends. 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.

ATTESTED

WP-1445-3023 AZIZULLAH VS GOVT OF PK

22-

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)

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)

WP442-2023 AZIZULLAH VS GOVT OF PK

~~ATTESTED~~

-23-

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

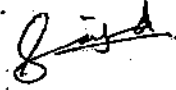
Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

Sir/ Madam:-

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

It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&D/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 19/03/2024


SAJJAD AHMAD
S/O KALA KHAN
PSHT

~~ARRESTED~~

WPA442-2022 AZIZULLAH VS GOVT OF PCO

Handwritten signature and date: 20/11/2022

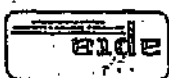
Arrested on 20/11/2022 at [illegible] in the presence of [illegible] and [illegible].

Signature of the arresting officer

Annexure - H

Arrested on 20/11/2022 at [illegible] in the presence of [illegible] and [illegible].

APTA House
Govt. Primary School Near
Dabhar Pashwar City



Khyber Pakhtunkhwa

At: Lilli Noun
President
0333-011208
0333-011208
0333-011208

24

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. 1st given to learned counsel for the appellant.
3. Alongwith the service appeal there is an application for suspension of Notification dated 06.06.2023 and letter dated 23.08.2023 till the final disposal of main service appeal. In the meanwhile, no adverse action shall be taken against the appellant till next date of hearing.

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

[Handwritten signature]
13/5/24

Date of Presentation of Application 12-5-24
 Number of 51
 Copies 51
 Urgent 51
 Total 51
 Name of 13-5-24
 Date of 12-5-24
 Date of Receipt of copy 12-5-24

ATTESTED

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

SAJJAD AHMAD
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.

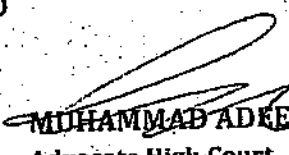
I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.



APPELLANT

ACCEPTED


MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court


MUHAMMAD ADEEL BUTT
Advocate High Court


BASSAM AHMAD SIDDIQUI
Advocate High Court