


FORM OF ORDER SHEET

Court of _____

Appeal No. 1780 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/10/2024	<p>The appeal presented today by Mr. Muhammad Mauzzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 11,10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

S.A # 1710/2024

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

FIDA HUSSAIN

V/S

Government of KP & others

INDEX

S#	DESCRIPTION OF THE DOCUMENTS	ANNEX	PAGES
1.	Appeal and Verification	*	1-4
2.	Application for suspension	*	5
3.	Copy of Monthly Salary account	A.	6-8
4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	B.	9-10
5.	Copy of Impugned Letter dated June 06th, 2023	C.	11-13
6.	Copy of Minutes of Meeting dated 06-07-2023	D.	14-17
7.	Copy of Letter dated 23-08-2023	E.	18-19
8.	Copy of Impugned letter dated 07-09-2023	F.	20-21
9.	Copy of Representation against the said notification and representation made by APTA President	G & H	22 23-24
10.	Wakalat Nama		25

ADVOCATE
M. Muazzam Butt

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1710 /2024

Fida Hussain Son of Ahmad Gulab, PSHT (BPS-15)

GPS Chapra, Tehsil & District Balagram

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

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

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

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.

Fidd
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.
Fidd
Deponent

Through

Muham
Muhammad Muazzam Butt
Advocate Supreme Court

Muhammad Adeel Butt
Muhammad Adeel Butt
Advocate High Court

Bassam Almad Siddiqui
Bassam Almad 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

**FIDA HUSSAIN
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.

Fida Hussain
Appellant

Through

Muhammad Muazzam Butt
Muhammad Muazzam Butt
Advocate Supreme Court
Adeel Butt
Muhammad Adeel Butt
Advocate High Court

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.
<i>Fida Hussain</i> Deponent

Dist. Govt. KP-Provincial
District Accounts Office Batagram
Monthly Salary Statement (August-2024)



Personal Information of Mr FIDA HUSSAIN d/w/s of AHMAD GULAB

Personnel Number: 00325159 CNIC: 1320207619209

NTN:

Date of Birth: 02.06.1968

Entry into Govt. Service: 10.10.1988

Length of Service: 35 Years 10 Months 023 Days

Employment Category: Vocational Permanent

Designation: PRIMARY SCHOOL HEAD TEACH

80000698-DISTRICT GOVERNMENT KHYBE

DDO Code: BM6039-DY DISTT OFFICER EDU (M) PRIMARY SC

Payroll Section: 001

GPF Section: 001

Cash Center: 1

GPF A/C No:

GPF Interest Free

GPF Balance:

352,200.00 (provisional)

Vendor Number:

Pay/and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 15

Pay Stage: 24

Wage type		Amount	Wage type		Amount
0001	Basic Pay	71,440.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	1923	UAA-OTHER 20%(1-15)	1,000.00
2148	15% Adhoc Relief All-2013	880.00	2199	Adhoc Relief Allow @10%	614.00
2316	Teaching Allowance 2021	3,224.00	2341	Dispr. Red All 15% 2022KP	6,807.00
2347	Adhoc Rel All 15% 22(PS17)	6,807.00	2378	Adhoc Relief All 2023 35%	24,311.00
2393	Adhoc Relief All 2024 25%	17,860.00			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	-6,472.00	3990	Emp. Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 103,553.25 Recovered till AUG-2024: 12,945.00 Exempted: 25888.25 Recoverable: 64,720.00

Gross Pay (Rs.): 140,863.00 Deductions: (Rs.): -12,697.00 Net Pay: (Rs.): 128,166.00

Payee Name: FIDA HUSSAIN

Account Number: 12286-

Bank Details: MCB BANK LIMITED, 240622 BATAGRAM BATAGRAM, BATAGRAM

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: BATGRAM

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: fidahussainbtr@gmail.com

ATTESTED

System generated document in accordance with APPM 4.6.125(30478492/26.08.2024/v3.0)

All amounts are in Pak Rupees

* Errors & omissions corrected (SERVICENET NO 2024/03-40-11)

O. O. No. 138

Dated: 10-10-1988

For Appointment of P.T.O. Candidates

APPOINTMENT/ADJUSTMENT

The following P.T.O. candidates are hereby appointed as per merit list against posts sanctioned under the rule of 1973. The candidates are to take over charge from the date of their appointment. The appointments are subject to the availability of posts and the interest of public service.

- | | | |
|-----|--|------------------------|
| 1. | Basimullah S/O. Maidullah R/O. M. A. / | GPS: Nohor |
| 2. | Ustaz S/O. Halang Khan R/O. / | GPS: Chapri Hakim Khan |
| 3. | Abdul Qadir S/O. Lehngir Khan R/O. / | GPS: Saidabad |
| 4. | Gulzar S/O. Said Qahir R/O. / | GPS: Fargah Chari |
| 5. | Lachak S/O. / | GPS: Bawal Bad |
| 6. | Faiz Meha S/O. Mir Afzal R/O. / | GPS: Para |
| 7. | Abdus Rauf S/O. Hayat Khan R/O. / | GPS: Kanchah |
| 8. | Chappargram / | GPS: Kandow |
| 9. | Alangir S/O. Jamal / | GPS: Kohlar |
| 10. | Abdus Raheed S/O. Roshan Khan D. / | GPS: Shamsher |
| 11. | Mohd Nawaz S/O. Fazal Umarin R. / | GPS: Barsakargah |
| 12. | Deed Mohd S/O. Shor Mohd R/O. / | GPS: Sita |
| 13. | Abdul Qadir S/O. Bahadar Khan / | GPS: Dondara |
| 14. | Imdadullah S/O. Mohd Hafiz R/O. / | GPS: Sitta |
| 15. | Chappargram / | GPS: Chapri |
| 16. | Muhammed Zar S/O. Palas Khan R. / | GPS: Koshgram |
| 17. | Handige / | GPS: Sitta |
| 18. | Rina Mohd S/O. Tajul Malook K. / | GPS: Chapri |
| 19. | R/O. Kharari / | GPS: Umamay Bateela |
| 20. | Ihsanullah S/O. Ahmad Jan R/O. / | GPS: Umamay Bateela |
| 21. | Chappargram / | GPS: Barachar |
| 22. | Akhter Munir S/O. Said Zohan R. / | GPS: Kas Qalandar |
| 23. | Chappargram / | GPS: Dheri Mandaw |
| 24. | Mohd Aslam S/O. / | GPS: Kas Qalandar |
| 25. | Abdul Wahab S/O. Quaratullah / | GPS: Sardaria |
| 26. | Banna / | GPS: Sardaria |
| 27. | Ghazi Khan S/O. Manawar Khan R. / | GPS: Kas Qalandar |
| 28. | Shingli Bala / | GPS: Dheri Mandaw |
| 29. | Ahmad Rashid S/O. Qalandar Kha. / | GPS: Kas Qalandar |
| 30. | R/O. Kass Qalandar / | GPS: Sardaria |
| 31. | Mian Zarin S/O. Usman Zar R/O. / | GPS: Sardaria |
| 32. | Chajil / | GPS: Sardaria |
| 33. | Khanzada S/O. Mohd Uma R/O. / | GPS: Sardaria |
| 34. | Mohd Zahir S/O. / | GPS: Sardaria |
| 35. | R/O. Jessol / | GPS: Sardaria |
| 36. | Jehangzeb P.T.O. / | GPS: Sardaria |
| 37. | Anwar Farva P.T.O. / | GPS: Sardaria |
| 38. | GPS: Khair Abad / | GPS: Sardaria |
| 39. | Zai Mohd S/O. Musa Khan R/O. / | GPS: Sardaria |
| 40. | Sozian / | GPS: Sardaria |
| 41. | Dildar Mohd Khan S/O. Gul Mohd / | GPS: Sardaria |
| 42. | R/O. Battiangi / | GPS: Sardaria |
| 43. | Mohd Ibrahim S/O. Qalandar R/O. / | GPS: Sardaria |
| 44. | Josool / | GPS: Sardaria |
| 45. | Abdul Kabir S/O. Matiullah R/O. / | GPS: Sardaria |
| 46. | Chappargram / | GPS: Sardaria |

Intg: Next Pag.

ATTESTED

- 33. Babir Ali S/O Mohd Haroon R/O Talloos. GPR, Goryai, Payson.
- 34. Muz Shoukat AYE S/O Mohd Shah R/O Shapparghan. GPR, Sonohi, Khargari.
- 35. Anwar Faris S/O Aqoon Khan R/O Arshahkri. GPR, Dham, Chandi.
- 36. Anwar Ali Han S/O Sultan Mohd R/O Battandun. GPR, Dham, Chandi.
- 37. Sultan Mohd S/O Mohd Yusoff R/O Tikri. GPR, Dham, Chandi.
- 38. Syed Nazeer Han S/O Sultan Mohd R/O A'ora. GPR, Dham, Chandi.

1. Charges reported to the District Officer should be allowed to go on only if the applicant produces a health certificate from a Medical Officer. The original certificate may be checked and handed over to the charge.

2. They should not be handed over charge if their age is below 16 years and above 5 years.

3. The appointments are purely temporary and should be terminated at any time without any reason.

4. The appointments made according to the terms and conditions laid down in the rules.

(Signature)
 DISTRICT OFFICER (M) MANSERAH

Under No. 10999/214E-III (PRO) dated 10-10-1968

- 1. ABDOO Ounoo
- 2. Haidedhere Ounoo
- 3. Candidates concerned
- 4. O/O P.T. (M)

1. Mr. Ounoo

2. Mr. Haidedhere

3. Mr. Ounoo

4. Mr. Ounoo

5. Mr. Ounoo

6. Mr. Ounoo

7. Mr. Ounoo

8. Mr. Ounoo

9. Mr. Ounoo

10. Mr. Ounoo

11. Mr. Ounoo

12. Mr. Ounoo

13. Mr. Ounoo

14. Mr. Ounoo

15. Mr. Ounoo

16. Mr. Ounoo

17. Mr. Ounoo

18. Mr. Ounoo

19. Mr. Ounoo

20. Mr. Ounoo

ALLEN

ATTESTED

ATTESTED

DEPUTY SECRETARY (POLICY)
(VAJIDAH LATIF)

[Signature]



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

CHIEF SECRETARY
GOVERNMENT OF THE NORTH WEST FRONTIER PROVINCE

DATE AND EVEN DATE

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

NOTIFICATION
Dated Peshawar, the 26/11/2020
In exercise of the powers conferred by section 26 of the Kyber Pakhtunkhwa Civil Servants Act No. XVIII of 1973 (Kyber Pakhtunkhwa is pleased to direct that in the Kyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following amendments shall be made, namely:
(i) The Chief Minister of Kyber Pakhtunkhwa
(ii) The Kyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following amendments shall be made, namely:

GOVERNMENT OF
KYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
REGISTRATION WING

Annexure - B

-10-

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

NOTIFICATION
Dated Peshawar the, 06/08/2020

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

AMENDMENT

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

**CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

(ANDS): & EVEN DATE

Copy is forwarded to :-

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

**(WARDAH LATIF
DEPUTY SECRETARY (POLICY)**

ATTESTED

~~RESTRICTED~~

WPA447-2023 A232VLAH VS GOVT OF PCA

21.6.23

Section Officer (Policy)

Section Officer (Policy)

Your faithfully,

- 1. Copy to Special Security (Legal) Establishment Department.
- 2. Copy to Additional Security (Legal) Establishment Department.
- 3. Copy to Deputy Security (Legal) Establishment Department.

Kindly, Over Me & wife

Handwritten initials/signature

2011, please.

I am directed in refer to your letter No. SC(111)-MYS-2023-27/2023 dated 18.04.2023 in the subject noted above and to state that Govt-Rule (17) of Rule-7 of Mysore Public Service (Legal) Section (Appointment, Promotion and Transfer) Rules, 1989 stands deleted vide the department notification dated 06.08.2023 in this regard. The basic rationale behind the deletion of the said rule is aimed at preventing a person from temporary job by seeking a single liberal post/promotion or to prevent those who tend to forge promotion to evade posting/transfer or show lack of capacity to take higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

Furthermore, those 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 Mysore Public Service (Legal) Section (Efficiency & Discipline) Rules, 2011, please.

To
The Government of Mysore Public Service,
Secondary & Secondary Education Department,
Mysore.

Subject: **CHANGING REGULATIONS PERTAINING TO THE EMPLOYMENT AND TRANSFER OF OFFICIALS IN THE DEPARTMENT OF MYSORE PUBLIC SERVICE (LEGAL) SECTION.**

GOVERNMENT OF MYSORE PUBLIC SERVICE
No. SC(111)-MYS-2023-27/2023
Dated Mysore the 06.08.2023



Amekure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-0223507)

No.50 (Primary-MYE&SED/2-5/2023
Lahor Peshawar the. June 26th, 2023

To

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

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

[Handwritten signature]
26/6/23

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

I am directed to refer to the subject noted above and to enclose here with
a letter of Establishment Department letter No. 50 (Policy)E&AD/1-3/2020 dated
08 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 initials]

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

Copy forwarded to the:

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

[Handwritten initials]

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

ATTESTED

~~ATTACHED~~

NP 442-2023 AZIZULHAQ VS GOVT OF PUNJ

SECTION OFFICER (PRIMARY MAIL)

1. PS to Secretary, E&S Department, Peshawar.

Copy forwarded to D/S

(MUNAWWAR ISHAQ)
SECTION OFFICER (PRIMARY MAIL)

Encl: A

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.

Chairmanship of Additional Secretary (E&S) Department in his office. Establishment Department letter No. 50 (Policy) E&AD/1-3/2020 dated 06 June, 2023 and to kind that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the

I am directed to refer to the subject noted above and to enclose herewith a letter of
GUIDANCE REGARDING DELETION OF RULE 7(S) IN THE KYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1909.

Subject

The Director
Elementary & Secondary Education Department
Kyber Pakhtunkhwa, Peshawar
Atiq Ullah Khan President
President
All Primary Teacher's Association, KP

To

No 50 (Primary-K)/B&SD/2-6/2023
Dated Peshawar the June 25th 2023

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 719 IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

Annexure
①


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

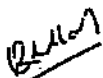
2. The meeting started with recitation from the Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

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

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


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


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


(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar


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

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

ATTESTED

-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

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-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~~

WP440-2023 AZIZULAH VS GOVT OF POKH

Assistant Director (Ex-11)
Ministry of Secondary Education
Khyber Pakhtunkhwa

Assistant Director (Ex-11)
Ministry of Secondary Education
Khyber Pakhtunkhwa
21/7/2023

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

The case is submitted for perusal and necessary action please.

Departmental Committee provided they would their written report in connection of the meeting of Teachers Union. It may be recalled of implications of the committee in the rules bid (15) have offered negatively a large number of female Teachers. There is prepared that in view of the above, this office is of considered opinion that the decision of Rules been asked for resolution of considered case.

Chairman/Secretary of Khyber Pakhtunkhwa Examinations at his office has That in the light of the minutes of meeting dated 6-07-2022 held under the (Primary-4) 655207-2/1/prop/2022 dated 12-06-2022.

The same was received by this office from your good office vide letter No.50 civil services (accept) provision under every condition.

That there shall be no provision to decline or large provision. It is obligatory upon every (Wing) vide letter No.50 (Policy) 654011-1/2020 dated 6-06-2022 categorically and That the Government of Khyber Pakhtunkhwa Examinations Department (Regulation No.50 (Primary-4) 655207-2/1/prop/2022) for necessary guidelines.

That your good office forwarded the same in the quarter concerned vide letter provision.

(ii) If the acceptance of the civil services to either accept or turn down the offer of (i) Now it is obligatory upon the civil services to accept provision in every condition. No.6987 dated 04-07-2022.

That this office sought guidance from your good office in the following words vide letter dated notification No. 508-VI (E&AD)/1-3/2020 dated 06-08-2020.

That Government of Khyber Pakhtunkhwa Examinations Department (Regulation Wing) dated Rule 7(2) in the Civil Services (Appointment, Promotion & Transfer Rules 1950) vide notification No. 508-VI (E&AD)/1-3/2020 dated 06-08-2020.

I am directed to refer to the letter No.50 (Primary-4) 655207-1/1-1/2022 dated 10-07-2022 on the subject cited above and to present brief history of the meeting/15772022 dated 10-07-2022 on the background of the case as under:

Subject - MINUTES OF THE MEETING
Khyber Pakhtunkhwa Examinations
Ministry of Secondary Education Department
The Section Officer (Primary-Wing)

To
Name of the case: Khyber Pakhtunkhwa Examinations Department
Date: 21/7/2023
Email: ead@khyberexaminations.gov.pk

-B/c-

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

PESHAWAR.
(21-7-2023)

To:

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

Subject: Minutes of Meeting

Dear Sir; I am directed to refer to letter No. (SO Primary-Male) E&SED/S-1/G/124/ 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 Rule 198) vide notification No. No. SOP-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 06-09-2023
 - (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-Male) 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 6-08-2020 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 action please.

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

Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.

ATTESTED



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

No. SO(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)/ EBAD/ 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 E&SE Khyber Pakhtunkhwa.
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.


SECTION OFFICER (PRIMARY MALE)
20/8/23

Scanned with CamScanner


ATTESTED

~~ATTACHED~~

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

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

Dear Sir,
I am directed to refer to your letter No. Sd/primary (Policy)/E&AD dated 11-3/2020 dated 8th June 2023 and to state that after deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer Rules 1989) it has been intimated that these officers/officials who don't 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.

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

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

To
No. Sd/primary-M/ES&SD/8-8/1
Appointment-Rule/2023
Peshawar Dated 23rd August, 2023.

-B/C-

-2-

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)

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.

REGISTERED
WP4442-2023 AZIZULLAH VS GOVT OF POK

-20-

-21-

- B/C -

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

To

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

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)/BASED/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)

~~TESTED~~

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 SOIR-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 28/01/2024



FIDA HUSSAIN
S/O AHMAD GULAB
PS HT

Khyber Pakhtunkhwa

Azizullah Khan
President
0333-0112648
azizullah1973@gmail.com
E: nplnkp



APTA House
Govt. Primary School No.4
Gulbarga Peshawar City.

آل پرائمری ٹیچرز ایسوسی ایشن (ایٹا) خیبر پختونخوا Annexure - A

ہاجب: میگرونی وائٹری و سیکرٹری ایچ این ایچ خیبر پختونخوا
ہاجب: آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا
جناب مال

گزارش ہے کہ پروموشن پر ادائے میں آئے ہیں اور سرکاری ادارہ کی فرمائش مابلی ہے پروموشن کا ایک تالون بنا کر دیا کہ جو لازم ایک آکر کسی
بجئے کے تحت ایک سال پروموشن میں تو وہ پھر آسودہ پور سال تک پروموشن نہیں لے سکتے مطلب پورا سال تک بر اس کی پروموشن نہیں اور جن جن
بر اس تالون میں ترقی یافتہ وی آئی کال پور سال والہات قسم کر دی کہ اگر ایک لازم ایک سال پروموشن نہیں تو وہ دوسرے سال لے سکتا ہے
لیکن اب ایک ہاتھ پہلے ایک اور ڈیپوٹیشن ورا ہے
اس کے مطابق اب ہر سال پروموشن شروع نہیں کے اگر نہیں ہیں کے اس کے خلاف آئی آئی وار کے مطابق کارروائی کرنے کا کام کیا ہے
وصول یہ آخری ڈیپوٹیشن ہی آئی آئی اتون کی کل خلاف مابلی ہے سوسے کا وہ وہاں آہٹا ملتا تو تھا، تاہم گزشتہ اجلاس ایسوسی ایشن کے اجلاس میں اس کے خلاف
مابلی کرنا ہے کہ
بیک عام حالات میں ہی ڈیپوٹیشن پروموشن اور ڈیپوٹیشن کا سبب نہیں ہونا چاہیے بلکہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
مابلی کرنا ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
اس لہذا ہم آپ سے مددگار اپیل کرتے ہیں کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
وہ پروموشن نہ لینے کی صورت میں ہاتھ پٹا لیا جائے لیکن یہ ڈیپوٹیشن ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
اس لیے اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
وہ پروموشن نہ لینے کی صورت میں ہاتھ پٹا لیا جائے لیکن یہ ڈیپوٹیشن ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
اس لیے اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
وہ پروموشن نہ لینے کی صورت میں ہاتھ پٹا لیا جائے لیکن یہ ڈیپوٹیشن ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے
اس لیے اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے کہ اس کے خلاف مابلی ہے

شکر

88/77/83

مزید اللہ خان سرہانی صدر
آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا

ATTESTED

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/comment. Appellant is directed to deposit TCS expenses within three days. To come up for reply/comment as well as preliminary hearing on 10.06.2024 being S.D. 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 (II)

[Handwritten signature]

Date of Presentation of Application 10-5-24
 Number of 1
 Copies 1
 Total 1
 Name of 13-1-23
 Date of 12-5-24
 Date of delivery of copy 12-5-24

[Handwritten signature]
ATT/STP

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

FIDA HUSSAIN

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.

Fida

APPELLANT

ACCEPTED

[Signature]
MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court

[Signature]
MUHAMMAD ADEEL BUTT
Advocate High Court

[Signature]
BASSAM AHMAD SIDDIQUI
Advocate High Court