


FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. 1824/2024

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  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

AMIN KHAN  
V/S

Government of KP & others

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ADVOCATE  
M. Musazam Butt

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA**

In Ref to

Service Appeal No 1824 /2024

Amin Khan son of Muhammad Roz, SPST (BPS-14)

Haji Faqir Khan kally, PO Sadat baba, Kai karhi, Tehsil Katlang, District Mardan

.....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 Senior Primary School 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.

*Amin Khan*  
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.  
*Amin Khan*  
Deponent

Through

*Muhammad Muazzam Butt*  
Advocate Supreme Court

*Muhammad Adeel Butt*  
Advocate High Court

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

-5-

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA**

C.M No \_\_\_\_\_-P of 2024

In Ref to

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

Amin Khan

**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.

*Amin Khan*

Appellant

Through

Muhammad Muazzam Butt  
Advocate Supreme Court

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.

*Amin Khan*  
Deponent

District Accounts Office Mardan  
Monthly Salary Statement (July-2024)

- 6 -



Personal Information of Mr AMIN KHAN d/w/s of MOHAMMAD ROZ

Personnel Number: 001241R6

CNIC: 1610209710597

NTN: 0

Date of Birth: 03.02.1978

Entry into Govt. Service: 01.05.1999

Length of Service: 25 Years 03 Months 001 Days

Employment Category: Vocational Permanent

Designation: SENIOR PRIMARY SCHOOL TEA

80663756-DISTRICT GOVERNMENT KHYBE

DDO Code: MR6435-District MARDAN

Payroll Section: 003

GPF Section: 001

Cash Center: 15

GPF A/C No: EDUMRD12960

GPF Interest applied

GPF Balance:

591,321.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 14

Pay Stage: 20

Wage type	Amount	Wage type	Amount
0001 Basic Pay	57,230.00	1001 House Rent Allowance 45%	3,321.00
1210 Convey Allowance 2005	2,856.00	1307 Medical Allowance	1,500.00
2148 15% Adhoc Relief All 2013	675.00	2199 Adhoc Relief Allow @10%	476.00
2316 Teaching Allowance 2021	3,036.00	2341 Dispr. Red All 15% 2022RP	5,436.00
2347 Adhoc Rel Al 15% 22(PS17)	5,436.00	2378 Adhoc Relief All 2023 35%	19,456.00
2393 Adhoc Relief All 2024 25%	14,332.00		0.00

Deductions - General

Wage type	Amount	Wage type	Amount
3014 GPF Subscription	-3,900.00	3501 Benevolent Fund	-1,200.00
3609 Income Tax	-3,434.00	3990 Emp. Edu. Fund KPK	-135.00
4004 R. Benefits & Death Comp.	-600.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	467,000.00	-20,000.00	147,000.00

Deductions - Income Tax

Payable: 54,937.88 Recovered till JUL-2024: 3,434.00 Exempted: 13734.06 Recoverable: 37,769.82

Gross Pay (Rs.): 113,854.00 Deductions: (Rs.): -29,269.00 Net Pay: (Rs.): 84,585.00

Payee Name: AMIN KHAN

Account Number: 3495-3 PLS

Bank Details: MCB BANK LIMITED, 240315 MCB LUND KHWARLUND KITWAR MCB LUND KHWARLUND KITWAR

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: HAQIR KHAN BANDARPODI KHWARLUND KITWAR TEB

City: MARDAN

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

Email: aminkhanps@gmail.com

City:

System generated document in accordance with APPM 4.6.11.9(130696/26.07.2024/v3.0)  
All amounts are in Pak Rupees  
Errors & omissions excepted (SERVICESO).08.2024/20:04:19

ATTESTED



Consequent upon their selection by the Departmental Selection Committee, the District Education Officer, (H) Primary Dir Upper is pleased to appoint the following P.T.C. (Trained) teachers at the Schools noted against their names in BPS.No.7(Rs.1480-81-3695) plus usual allowances as due and admissible to them under the rules with immediate effect subject to the following terms and conditions in the interest of public service:-

S.No.	Name of Candidate with Father's Name & address.	Category from which selected.	Merit score.	Name of School where posted.	Remarks.
1.	Shamsud-Din S/O Hariz Najmud-Din, Barawal.	Disablo.	37.30	GPS, Shingara.	against V/P.
2.	Khusshid Ahmad S/O Shah Wazir of Wari.	Open Merit	51.66	" Akhgram(B)	-do-
3.	Mohammad Zeb S/O Mohammad Zaman of Chapper.	-do-	50.98	" Chappur Umralai(B)	-do-
4.	Gul Zaman S/O Nasoom Khan of Kalkot.	-do-	50.83	" Thali No.	-do-
5.	Mohammad Pervez S/O Ahmad Zida of Sundal.	-do-	50.14	" Shaga. (Wari)	-do-
6.	Khalid S/O Hayat Mohd Khan of Bibiuar.	-do-	50.45	" Bibiuar.	-do-
7.	Mohammad Royaz S/O Amir Nawaz of Sundal.	-do-	49.52	" Bhandan.	-do-
8.	Bahri Jalal S/O Umar Jalal of Khal.	-do-	49.43	" MPS, Randawono.	-do-
9.	Anwar Badshah S/O Gul Zada of Tarpatar.	-do-	49.35	" GPS, Sia Ganahal.	-do-
10.	ShamsulHaq S/O Abdul Haq of Tarpatar.	-do-	49.26	" Jania.	-do-
11.	Sher Khan S/O Mohd Khan of Khal.	-do-	49.20	" MPS, Dowab Jango.	-do-
12.	Hidayatur Rahman S/O Said Rahman of Pashta.	-do-	48.94	" OPS, Shucak.	-do-
13.	Bahrud-Din S/O Anwar Zeb of Chapper.	-do-	48.30	" Amin Khwar.	-do-
14.	Halayat Shan S/O Haroon Khan of Behag.	-do-	48.13	" Shalga(B).	-do-
15.	Amin Khan S/O Mohammad Roze of Barawal Band.	-do-	47.75	" Tikerkoat.	-do-
16.	Shamshad Khan S/O Mohammad Sheram Khan of Palam.	-do-	47.74	" MPS, Khat Kass.	-do-
17.	Jan Rahman S/O Siddar Khan of Bibiuar.	-do-	47.70	" GPS, Jila, Chuk-istan.	-do-
18.	Sher Zaman Khan S/O Gul Zarin Khan of Khal.	-do-	47.46	" Saro Kalay.	-do-
	Shah Zaman S/O Amir of Bibiuar.	-do-	47.22	" OPS, Sarital.	-do-

ATTESTED

- 4- Their services will be automatically cancelled if they failed to take over charge within 15 days after the date of issue of this order.
- 5- Their original certification/degrees should be checked before handing over the charge.
- 6- They are required to produce their health & age certificate from the medical authority concerned.
- 7- Their salary may not be drawn till the verification of the relevant documents through the Department concerned.
- 8- The appointment order issued under the existing policy of the Government with great care but to the error is ~~xxxx~~ human in being if any mistake ~~is~~ is pointed out the last appointment will be effected (dropped) for which this office will not be held responsible as the policy in this connection is clear.
- 9- They are further directed to ~~xx~~ deposit the verification fee in the bank and produce their original fee receipts within three days positively.

(HAJI IKRAMULLAH KHAN)  
DISTT. EDUCATION OFFICER  
(M) DIR UPPER.

Endt: No. 1160-1269/A-5/uptt/Primary Dated Dir Upper the 20/04/1999

Copy of the order is forwarded to :-

- 1- The Director of Primary Education N.W.F.P. Peshwar.
- 2- The S.O. (M) Dir Upper & Wari Sub-Division.
- 3- The Distt. accounts officer Dir Upper.
- 4- The Accountant local Office.
- 5- The candidates concerned.
- 6- The File returned.
- 7- Head of the concerned GPS

DISTT. EDUCATION OFFICER  
(M) SECY: PRIM: DIR UPPER.

**ATTESTED**

Annexure - 1 - B - 9

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
URQUATION-WING

NO OBJECTION

Dated Peshawar, 06/8/2020

in exercise of the powers conferred by section 25 of the  
Khyber Paktunkhwa Act No. XVIII of  
1973 (Khyber Paktunkhwa is pleased to direct that in the Khyber  
Paktunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the  
Chief Minister of Khyber Paktunkhwa shall be made, namely:  
AMENDMENT  
in rule 7, sub-rule (5) shall be deleted.

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

OFFICE NO & EVEN DATE

Copies forwarded to:

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

*M. Qadir*  
M. Qadir

DEPUTY SECRETARY POLICE  
(KHYBER PAKHTUNKHWA)

ATTESTED

ATTESTED



-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**

**ATTACHED**

WPM/07/2023 AZIZULHAQ VS GOVT OF PAK

Section Officer (Policy)

Section Officer (Policy)

- 1. PS to Deputy Secretary (Legal), Establishment Department
- 2. PS to Additional Secretary (Legal), Establishment Department
- 3. PS to Deputy Secretary (Policy), Establishment Department

Copy forwarded to the  
Head, Office of the Secretary

ASSE  
2/6

2014, please

proceeded against under Khayez Publications Civil Service (Miscellaneous & Discharge) Rules, of the competent authority or by to evade promotion through different means shall be

Furthermore, those officers/officials who do not comply with promotion order will be liable to accept promotion in every condition.

to which higher responsibilities in case of promotion. Therefore, it is obligatory upon every prevent those who tend to forge promotion or show lack of equality

and award from (empower) for which they are seeking to a single lucrative position or to

The basic rationale behind the provision of the bid rule is aimed at preventing a

provide orders to decline or reject promotion.

Rule, 1988, which directs who this department notification dated 02.08.2023) that, on

(2) of rule 7 of Khayez Publications Civil Service (Appointment, Promotion and Transfer)

Application/2023 dated 18.04.2023 on the subject noted above and to state that sub-lime

I am directed to refer to your letter No. SOP/Policy-MY/18-2023.

Reference: **LETTERHEAD: DIVISION OF PUBLIC RELATIONS IN THE MINISTRY OF INFORMATION AND PUBLIC RELATIONS**

The Government of Punjab, Islamabad  
Ministry of Information and Public Relations

GOVERNMENT OF PUNJAB, ISLAMABAD  
ESTABLISHMENT DEPARTMENT  
No. SOP/Policy/2023  
Dated: 06.08.2023



Annexure - C



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

No.50 (Primary-M)/E&SED/2-6/2023  
Dated Peshawar the June 26<sup>th</sup>, 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. 50 (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 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

*[Handwritten signature]*  
ATTESTED

-13-  
B/c

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

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

Subject GUIDANCE REGARDING DELETION OF RULE 7(S) IN THE KHYBER  
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION  
AND TRANSFER) RULES, 1909.

I am directed to refer to the subject noted above and to enclose here with a letter of  
Establishment Department letter No. SO (Policy)E&AD/1-3/2020 dated 06 June, 2023 and to state  
that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the  
Chairmanship of Additional Secretary (Estab) E&SE Department in his office.

2. You are, therefore, requested to depute a representative of your respective  
Department to attend the meeting on a date, time & venue as mentioned above, please.

Encl: AA

(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALI)

Copy forwarded to the

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

SECTION OFFICER (PRIMARY MALI)

ATTESTED

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

Annexure  
①

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. Razaqal 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

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

(Mr. Razaqal Ullah)  
General Secretary APTA  
Peshawar

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

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

ATTENDED



-15-  
-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:

SN	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) EBSE 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  
EBSE Department

Provincial President  
All Primary Teachers Association  
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

(Muhammad Ishaq)  
Section Officer (Primary-Male)  
EBSE Department

(Abdullah)  
Additional Secretary (Establishment)

ATTESTED

ATTACHED

WPA-63-203 AZZULAH VA GOVT CP 204

2. Master Copy  
1. Pt to Director Local Directorate  
Richard Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Copy of the above to:  
The case is submitted for review and necessary action  
members of female teachers.

In view of the above, this office is of considered opinion  
that the deletion of Rules 7(S) have effected negatively a huge  
consolidated case.

That in light of the minutes of the meeting dated 6-07-2023  
held under the Chairmanship of Hon. Additional Secretary Education  
Department of this office. This office has been asked for submission of  
no provision to decline for promotion, it is obligatory upon every civil  
servant to accept promotion under any condition.

That the government of KP-ED (Registrar Wing) vide letter No. SO (Regd)  
EGAD/1-3/2020 dated 6-06-2023 accordingly stated that there exists  
no provision to decline for promotion, it is obligatory upon every civil  
servant to accept promotion under any condition.

That your good office forwarded the same to a quorate concerned  
vide letter No. SO (Regd) EGAD/2-2/11/2023 for necessary  
guidance.

That Government of KP Establishment department (Registrar Wing)  
dated rule 7(S) in Civil Servant (Appointment, Promotion, Transfer, Psa 1997)  
vide notification No. No. SR-VI(EGAD)-1-3/2020 dated 06-08-2020.  
That the office sought guidance from your good office in the following  
words vide letter No. 5983 dated 06-08-2023.

Minister of meeting 18/7/2023 dated 10-7-2023 on subject cited above and to  
present brief history, about background of case as under.  
I am directed to refer to letter No. SO (Regd)-M(EGAD) 1-1/6/2023/  
Subject: Minutes of Meeting  
KPK, Peshawar.  
Section Officer (Primary-MSL)  
Elementary & Secondary Education Department  
To:  
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK  
PESHAWAR (21-7-2023)

**RECEIVED**

MASSACHUSETTS DEPARTMENT OF EDUCATION

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

Assistant Director (Exhibit-1)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa  
17/1/2023

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

The case is submitted for perusal and necessary actions please.  
Departmental Resolution Committee  
provided they request prior to conduction of the meeting of  
Teachers Union. It may be exempted of implications of the meeting in the matter held  
7(2) have effected negatively a huge number of Female Teachers. Thus it is proposed that  
in view of the above, this office is of considered opinion that the deletion of Rules  
may be asked for in relation of consolidated case.  
Chairman of the Khyber Pakhtunkhwa Secretary Establishment at his office this office has  
That in the light of the minutes of meeting dated 6-07-2022 held under the  
(Primary-4) 658807-2/1/1/2022 dated 12-04-2022  
The same was received by this office from your good office with letter No.50  
civil service in accept promotion under every condition  
that there exists no provision in doctrine or forgo promotion. It is obligatory upon every  
7(2) who is not to be promoted in the matter of 6-06-2022 categorically stated  
That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation  
No.50 (Primary-4) 658807-2/1/1/2022 for necessary guidance.  
That your good office forwarded the same to the quarter concerned with letter  
promotion.  
(ii) It is suggested that the civil service to either accept or not down the offer of  
(i) Now it is suggested upon the civil service to accept promotion in every condition.  
No.50 dated 02-02-2022.  
That this office would be guided from your good office in the following words with letter  
vide notification No. 50A-VI (65A D/1-1/2020 dated 06-08-2020  
That Government of Khyber Pakhtunkhwa Establishment Department (Regulation (Wing)  
dated Rule 7(2) and the Civil Service (Appointment, Promotion & Transfer Rules 1959)  
G.A.1/1/2022 dated 10-07-2022 on the subject cited above and in  
program brief history which he has provided of the case as under:

Subject: MINUTES OF THE MEETING  
The Senior Officer (Primary-Head),  
Elementary & Secondary Education Department,  
Khyber Pakhtunkhwa  
Dear Sir,

1 am directed to refer to the letter No.50/Primary-4/5552/1-1/  
G.A.1/1/2022 dated 10-07-2022 on the subject cited above and in  
program brief history which he has provided of the case as under:



No. 8145

Khyber Pakhtunkhwa, Peshawar  
Date: 17/1/2023  
Email: khawar@kpk.gov.pk

**ATTACHED**

WORLD-2023 AZZULHVAH VS GOVT OF POK

Scanned with CamScanner

SECTION OFFICER (PRIMARY MALE)  
20/08/23

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

Copy forwarded to the:

SECTION OFFICER (PRIMARY MALE)  
(KUNHABIBU)

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

cases, there are negative effects on service delivery. In view of the above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.

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.

1. 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.

officers/officials who do not comply with promotion order of the competent authority or by to avoid, promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

06/ June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been indicated that those officers/officials who do not comply with promotion order of the competent authority or by to avoid, promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

I am directed to refer to your letter No. SO(Policy)/EAD/1-3/2020 dated 06/ June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been indicated that those officers/officials who do not comply with promotion order of the competent authority or by to avoid, promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

SUBJECT: SUPPLANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVAANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Establishment & Administration Department,  
Peshawar.

Annexure E

No. SO(Policy-M)ERSEC/1-2/Appointment-Rule /2023  
Peshawar Dated 23<sup>rd</sup> August, 2023

SECRETARY AND SECRETARY EDUCATION DEPARTMENT  
CIVIL SECRETARIAT PESHAWAR  
(Phone No.091-822387)



ATTACHED

- 1. Director, E & SE Kyba Bunkhwa
- 2. PS to Secretary, E & SE Department, Kyba Bunkhwa

Copy forwarded to:  
 the staff of lady teacher in primary schools.  
 In view of above, the said amendment may be reconsidered to  
 effects on service delivery. Mother-in-law who need care in such cases there are negative  
 Most of them are married with kids and older father of  
 In the remotest stations with no residential/transport facilities  
 face serious inconvenience while they have to perform duties  
 teachers of primary level who avail such promotion have to  
 In this connection it is submitted that in some cases lady  
 and servant (Efficiency and Discipline) Rule 2011.  
 different means shall be proceed under Kyber Pakhtunkhwa  
 of the competent authority or try to evade promotion through  
 those officers/officials who do not comply with promotion order  
 Promotion and Transfer Rules 1989) it has been intimated that  
 deletion of Rule 7(S) Kyber Pakhtunkhwa Civil Servant (Appointment,  
 1-3/2020 dated 6th June 2020 and to state that after  
 9 am decided to refer to your letter No. SA/primary  
 (Policy) /E&AD

Dear Sir,  
 Civil Servant (Appointment, Promotion & Transfer Rules  
 1989)

SUBJECT: Guidance regarding deletion of Rule 7(S) in the  
 Establishment and Administration Department,  
 The Secretary to Government of Kyber Pakhtunkhwa,  
 Peshawar.  
 Peshawar Dated 22nd August 2023.  
 No. SA/primary-M) E&SE D/18-81  
 Appointment - Rule 1/2023

-8/c-  
 -19-

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(S) 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)

Encls. Of even No & date

Copy forwarded to the:-

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

RECEIVED

www.khyber.gov.pk

-21-

- 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,  
Primary & 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: 03.08.2023 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)

End 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)

WP443-2023 AZIZULLAH VS GOVT OF PK

ATTESTED

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. SI (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 23/01/2024



*Amin Khan*  
AMIN KHAN  
SON OF  
MUHAMMAD ROZ  
SPST



~~ATTACHED~~

APR 14 2023 AZZULMAN VS GOVT OF PAOR

Handwritten signature and date: 08/11/23

Handwritten text in Arabic script, appearing to be a list or set of instructions.

Handwritten signature and date: 08/11/23

Annexure - H

APTA House 1  
Govt. Primary School  
Gubbalar, Palakkad City



Khyber Pakhtunkhwa

APTA House 1  
Govt. Primary School  
Gubbalar, Palakkad City

07.05.2024



1. Learned counsel for the appellant present.

Let a pre-admission notice be issued to the respondents through TCS for submission of reply/objections. Appellant is directed to deposit TCS expenses within three days. To come up for reply/objections as well as preliminary hearing on 10.06.2024 before 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 (I)

*[Handwritten signature]*  
13/5/24

Date of Presentation of Application 10-6-24

Number of 57

Copies 57

Original 57

Total 57

Name of 18-6-24

Date of 17-6-24

Date of Delivery of copy 17-6-24

**ATTACHED**

28-

# VAKALAT NAMA

## BEFORE THE SERVICE TRIBUNAL PESHAWAR

	<b>AMIN KHAN</b>	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.

*Amin Khan*  
 \_\_\_\_\_

**APPELLANT**

**ACCEPTED**

*[Signature]*  
**MUHAMMAD MUAZZAM BUTT**  
 Advocate Supreme Court

*[Signature]*  
**MUHAMMAD ADEEL BUTT**  
 Advocate High Court

*[Signature]*  
**BASSAM AHMAD SIDDIQUI**  
 Advocate High Court