


FORM OF ORDER SHEET

Court of _____

Appeal No. 1826 /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>

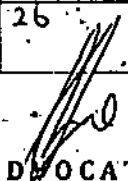
BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

SAEED AHMAD
V/S

Government of KP & others

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ADVOCATE
M. Muzammat Butt

1.

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1826 /2024

Saeed Ahmad Son of Haji Shifa Gul, PSHT (BPS-15)
GPS Jabban, Tehsil Dargal & District Malakand

.....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 time 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.

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.

[Signature]
Deponent

Through

[Signature]
Appellant

[Signature]
Muhammad Muazzam Butt
Advocate Supreme Court

[Signature]
Muhammad Adeel Butt
Advocate High Court

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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____-P of 2024

In Ref to

Service Appeal No _____ 2024

**SAEED AHMAD
VERSUS**

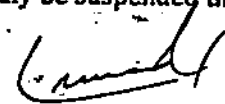
Secretary to Government of Khyber Pakhtunkhwa, & others

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

Respectfully Submitted:-

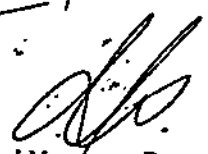
1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
3. That there is likelihood success of the appellant in the lis. And if the notification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

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

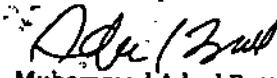


Appellant

Through

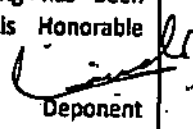


Muhammad Muazzam Butt
Advocate Supreme Court


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.



Deponent

6
Dist. Govt. KP-Provincial
District Accounts Office Malakand
Monthly Salary Statement (July-2024)



Personal Information of Mr SAEED AHMAD d/w/s of HAJI SHIFA GUL

Personnel Number: 00242504 CNIC: 1540106934865 NTN: .
Date of Birth: 12.03.1967 Entry into Govt. Service: 23.09.1986 Length of Service: 37 Years 10 Months 010 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 80002421-DISTRICT GOVERNMENT KHYBE

DDO Code: MD6081-DY: D.O (M PRY) DARG

Payroll Section: 002 GPF Section: 001 Cash Center: 08 -

GPF A/C No: EDUMD002027 GPF Interest applied GPF Balance: 257,177.00 (provisional)

Vendor Number: 30588838 - SAEED AHMAD S/O HAJI SHIFA GUL A/C#3085893680 MCB

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 28

Wage type	Amount	Wage type	Amount
0001 Basic Pay	79,360.00	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	1911 Compen Allow 20% (1-15)	1,000.00
2148 15% Adhoc Relief All-2013	1,090.00	2199 Adhoc Relief Allow @10%	727.00
2316 Teaching Allowance 2021	3,224.00	2341 Dispr. Red All 15% 2022KP	7,605.00
2347 Adhoc Rel Al 15% 22(PS17)	7,605.00	2378 Adhoc Relief All 2023 35%	27,083.00
2393 Adhoc Relief All 2024 25%	19,840.00		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	-8,114.00	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: 129,817.05 Recovered till JUL-2024: 8,114.00 Exempted: 32453.78 Recoverable: 89,249.27

Gross Pay (Rs.): 155,454.00 Deductions: (Rs.): -14,339.00 Net Pay: (Rs.): 141,115.00

Payee Name: SAEED AHMAD

Account Number: PLS00000007106-3

Bank Details: NATIONAL BANK OF PAKISTAN, 230620 NBP DARGA IMALAKAND AGENCY NBP DARGA IMALAKAND, AGENCY,

Leaves: Opening Balance: . Availed: Earned: Balance:

Permanent Address: MKD

City: MALAKAND

Temp. Address:

City:

Domicile: NW - Khyber Pakhtunkhwa

Email: saeedahmadpsht1@gmail.com

Housing Status: No Official

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System generated document in accordance with APPM 4.6.12.9(288590/26.07.2024/v3.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICES/01.08.2024/21:05:51)

APPOINTMENT

The following P. T. Cs are hereby appointed against the vacant/newly created posts in the EPS No. 7 (560-23-1020) plus usual allowances as admissible under the rules in Schools mentioned against the names in the interest of Public Service with immediate effect.

S. No.	Name of teacher/Father's Name/Residence	Name of School	Remarks
1)	Hazrat Kamal S/O Amir Dada, Vill: Thana	GPS No 1	Vacant Post
2)	Mohd Pervez S/O Sorbali, do	GPS No 1	do
3)	Mohd Akbar S/O Mohd Khan Vill: Agra	GPS Umer	do
4)	Mohd Jamil S/O Abdul Malik, Vill: Thana	MS Gunyar	do
5)	Azizul Haq S/O Fida Mohd, Vill: Alshanda	GPS Zulankot	do
6)	Khadsta Malik S/O Sher Malik, Btkoni	MS Hori tangi (Tobtan)	do
7)	Abdul Shama S/O Hasban Khan, Village Piron	MS Piron	do
8)	Zakir Shah S/O Iqbal Shah, Vill: Shah	MS G. Dheri	N/Created
9)	Mohd Hayat S/O Sher Zamin, Vill: Agra	GPS Jughraj	Vacant Post
10)	Nisar Ahmad S/O Fazli Akber, Vill: D/Alshanda	MS Umer Tangi	do
11)	Mohd Ismail S/O Mohd Abdullah Village, Rang Mohallah	MS Faidatunde	do
12)	Paanda Mohd S/O Taj Mohd Village Sarkai Balla	MS S/Kot	do
13)	Fazli Mubood S/O Ajob Din Village, Dubandi	MS Dubandi Banda	do
14)	Qamar Ali Khan S/O Fazli Rahman Village, Karyan Kot	MS Grewa Grewa	do
15)	Nisar Ahmad S/O Mohd Saad, Village, Polai	GPS Polai	N/Created post
16)	Taza Ehtam S/O Muqna Khan Village, Thana	GPS Gunyar	Vacant Post
17)	Abdul Rahman S/O Abdul Raziq Village, Badroga	MS Iqharuddin Banda	do
18)	Mohd Zahoor Khan S/O Mohd Maria Village, Agra	MS B. S. G.	do
19)	Mian Hussain S/O Gd. Dada Khan Village, Agra	GPS Badaga	do
20)	Wakil Khan S/O Musa Khan Village, Hara Shah	GPS Ghazginabad	do
21)	Ghani-ur Rahman S/O Qasim Jan Village, Jalain	GPS Rinyar	do
22)	Yousef Khan S/O Bakhtnagar Khan Village, Agra	GPS Badaga	do
23)	Muzamil Shah S/O Mahboob Shah Village, Kohardi	GPS Dubandi	do
24)	Fakherud Din S/O Sher Dada Village, Kot	GPS Bato	do

ATTESTED

25) Mohd Anwar S/O Abdul Rauf Village, Dargal.....	(M) (M) Gd. Juru	U/Created 1/86
26) Rahat Qia S/O H. Jib Qia Village, Mohrdi.....	QPS Duband
27) John Sab Khan S/O Jhar Khan Village, Bure Shah.....	QPS Jahan, P/Huso	Vacant.
28) Hayatullah S/O Sherdullah Village, Mohrdi.....	QPS Nazam Poyan	U/Created
29) Muslim Khan S/O Said Rahman Village, Mohrdi.....	QPS Musq Kain	Vacant.
30) Saeed Ahmad S/O Sharif Qa Village, Kure Shah.....	QPS Jahan P/Huso	Vacant. ✓
31) Munawar Khan S/O Kamfar Khan Village, Qada Khula.....	QPS Bakar Qura
32) Fadi Jabbar S/O Fadi Kainq Village, Alshand.....	QPS U/D. Kholo	U/Created
33) Yousof Shah S/O Abdul Rahim Village, Tr Khol.....	QPS Thai Tongi	Vacant Post.
34) Shohbud Din S/O Ghufraad Din Village, Pazarda Poyan.....	QPS Gondowahrif	U/Created

- Note: -
- 1) Charge should be submitted to all concerned.
 - 2) No T/D. is allowed.
 - 3) The appointments are purely temporary & sub: to termination at any time without receiving any reason.
 - 4) In case they wish to leave the service, they will have to submit one month's prior notice or forfeit in lieu thereof one month's pay & allowances to Govt.
 - 5) The candidates should submit health & age Certificate from the Civil Surgeon Dikhola.
 - 6) Charge of the Post should not be held over to the candidate whose age exceeds 25 years or below 18 years.
 - 7) The Appointment shall automatically stand cancelled if the candidate failed to take over the charge within 15 days.
 - 8) They are further directed to take over charge in the concerned Schools not before 23.9.86.
 - 9) S.No. 31 to 34 being failed in PTC Rs. 567/- PM fixed P. Uard Allowance as admissible under the rules.

(HABIBUR REHMAN KHAN)
DISTT. EJU, OFFICER (U) MKD:

Encl: No. 17574-150 Dated 23/9/1986

- Copy to: -
- 1) The Sub Divl: Edu: Officer (U) MKD: Swat, Rawal.
 - 2) The Sub Divl: Edu: Officer (U) MKD: Swat, Rawal.
 - 3) The Agency Accounts Officer, MKD.
 - 4) The Headmasters/Headteachers of the concerned Schools.
 - 5) The Candidates Concerned.

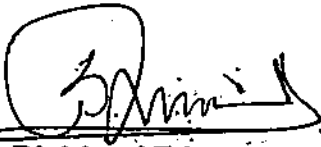
(Signature)
Distt. Edu: Officer (U)
(MKD: Agency MKD)

ATTESTED

4
SERVICE CERTIFICATE

It is certified that Mr. SAEED AHMAD S/O SHIFA GUL is serving in E & SE Department as PSHT at GPS HAZRAT MANAN KOROONA from 23-09-1986 up to till date.

During this period he is very punctual and hardworking teacher.


Sub Divisional Education Officer (M)

Dargai Malakand

030/08/2020
SDEO Male
Dargai Malakand

~~ATTESTED~~

10
Annexure - B

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

NOTIFICATION

Dated Peshawar, the 06/8/2020

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

AMENDMENT

In rule 7, sub-rule (3) shall be deleted.

**CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

LIST NO & EVEN DATE

Copies 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.

1267
04/08/2020

(Signature)
**(WAJIAH LATIF)
DEPUTY SECRETARY (POLICY)**

ATTESTED

(Signature)

ATTESTED

//

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-rule (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)

TESTED

ATTACHED

WFO447-2023 AZ216LHM VS GOVT OF POK

21.06.23

Deputy Officer (Policy)

- 1. Copy forwarded to the Deputy Secretary (Legal), Establishment Department.
- 2. Copy to Additional Secretary (Legal), Establishment Department.
- 3. Copy to Deputy Secretary (Legal), Establishment Department.

Ref: D/Even No 4/16

(Mr. Nishat Khan)
Deputy Officer (Policy)

Yours faithfully,

2014, please.

proceeded against under Kyber Pakhtunkhwa Civil Services (Recruitment & Discipline) Rules, of the competent authority or try to evade promotion through different means shall be

Purporting, these officials who do not comply with promotion order

will result to accept promotion in every condition.

to take higher responsibilities in case of promotion. Therefore, it is obligatory upon every

prevent those who tend to forge promotion to evade posting/until or show lack of capacity

will result from imposition for which they are by virtue of a single certificate possession or to

The basic rationale behind the decision of the said rule is aimed at preventing a

provided exists to decline or forge promotion.

rules, 1989 made dated with the department, notified dated 06.03.2020 that, no

(3) of Rule-7 of Kyber Pakhtunkhwa Civil Services (Recruitment, Promotion and Transfer)

Appointments dated 18.04.2023 on the subject noted above and to state that sub-rule

I am directed to refer to your letter No. SO/Primary-M/1758/2023.

Dear Sir,

Subject: - **QUANTUM, URGENT, URGENT OR URGENT IN THE**
REPLY TO THE URGENT, URGENT, URGENT, URGENT, URGENT
URGENT AND URGENT URGENT 1989.

The Government of Kyber Pakhtunkhwa,
Ministry & Secretary, Education Department.



GOVERNMENT OF KYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO/Policy/16/2023
Dated February the 06, 2023

67

Annexure - C

13



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

No. SO (Primary-M)/E&SED/2-6/2023
Dated Peshawar the: June 26th, 2023

To

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

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

[Handwritten Signature]
26/6/23

Subject: GUIDANCE REGARDING DELETION OF RULE 7(6) IN THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989.

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

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

Encl: AA

[Handwritten Signature]

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

Copy forwarded to the:

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

[Handwritten Signature]

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

ATTESTED *[Handwritten Signature]*

11 B/c 14
No 50 (Primary-M)/E&SED/2-6/2023
Dated Peshawar the June 25th 2023

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

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

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

I am directed to refer to the subject noted above and to enclose here with a letter of
Establishment Department letter No. 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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

WP4442-2023 AZIZULLAH VS GOVT OF KP43

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. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

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

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

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

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

(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

(Abdulah)
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(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

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

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

(Mr. Fazal Wahid)
Deputy Director-3
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

ATTESTED

W-1443-2013 AZIZILAH VS GOVT CP 8043

Assistant Director (Ex-Subst-1)
Ministry of Secondary Education
Kijaber Pahlawan

Assistant Director (Ex-Subst-1)
Ministry of Secondary Education
Kijaber Pahlawan

21/7/2013

Evid. No. Copy of the book is to:
1. PA to Director Local Directorate
2. Master Copy

The case is submitted for partial and necessary actions please.

Departmental Commission Committee.
provided they submit their written request prior to conduction of the meeting of
Teachers' Union. It may be accepted of implications of the commission in the rules that
7(1) have affected negatively a large number of Female Teachers. Thus it is proposed that
in view of the above, this office is of considered opinion that the decision of Rules
been asked for submission of consolidated case.
Chairman of Hon. Additional Secretary Establishment of his office this office has
That in the light of the minutes of meeting dated 6-07-2013 held under the
(Primary-4) 835527-2/4pobaham/2013 dated 13-06-2013.
The same was received by this office from your good office vide letter No.50
civil servant to accept promotion under every condition.
that there exist no provision in details or form a provision. It is obligatory upon every
thing) vide letter No.50 (Policy) 83411-2/7010 dated 6-06-2013 categorically stated
That the Government of Kijaber Pahlawan Establishment Department (Regulation
No.50 (Primary-4) 835527-2/4pobaham/2013 for necessary provisions.
That your good office forwarded the same to the quarter concerned vide letter
promotion.
(ii) It is the prerogative of the civil servant to either accept or turn down the offer of
(i) Now it is obligatory upon the civil servant to accept promotion in every condition.
No.5987 dated 16-02-2013.
That this office might guidance from your good office in the following words vide letter
vide letter No. 508-VI (SADYI)-2/7010 dated 06-08-2012.
dated Rule 7(1) in the Civil Servants (Appointment, Promotion & Transfer Rules 1989)
That Government of Kijaber Pahlawan Establishment Department (Regulation (Wing)
The Government of Kijaber Pahlawan Establishment Department (Regulation (Wing)
dated Rule 7(1) in the Civil Servants (Appointment, Promotion & Transfer Rules 1989)
vide letter No. 508-VI (SADYI)-2/7010 dated 06-08-2012.
That this office might guidance from your good office in the following words vide letter
No.5987 dated 16-02-2013.
(i) Now it is obligatory upon the civil servant to accept promotion in every condition.
(ii) It is the prerogative of the civil servant to either accept or turn down the offer of
promotion.
That your good office forwarded the same to the quarter concerned vide letter
No.50 (Primary-4) 835527-2/4pobaham/2013 for necessary provisions.
That the Government of Kijaber Pahlawan Establishment Department (Regulation
thing) vide letter No.50 (Policy) 83411-2/7010 dated 6-06-2013 categorically stated
that there exist no provision in details or form a provision. It is obligatory upon every
civil servant to accept promotion under every condition.
The same was received by this office from your good office vide letter No.50
(Primary-4) 835527-2/4pobaham/2013 dated 13-06-2013.
That in the light of the minutes of meeting dated 6-07-2013 held under the
Chairman of Hon. Additional Secretary Establishment of 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 decision of Rules
7(1) have affected negatively a large number of Female Teachers. Thus it is proposed that
Teachers' Union. It may be accepted of implications of the commission in the rules that
provided they submit their written request prior to conduction of the meeting of
Departmental Commission Committee.

The Section Officer (Primary-404),
Ministry of Secondary Education Department,
Kijaber Pahlawan

MINUTES OF THE MEETING

Dear Sir,

I am

replied to refer to the letter No.50 (Primary-4) 835527-2/4pobaham/2013 dated 10-07-2013 on the subject cited above and to
present brief history about the background of the case as under:



No. 8145

Kijaber Pahlawan Pahlawan
Date: 21-7-2013
Email: esab@kijaber.gov.id

18
- B/C -

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

To:

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

PESHAWAR
(21-7-2023)

Subject: Minutes of Meeting

Dear Sir, I am directed to refer to letter No. (SO Primary-M) E&SED/S-1/G/M/14/
Minutes of meeting/PST/2023 dated 10-7-2023 on subject cited above and to
present brief history about background of case as under:

- That Government of KP Establishment department (Regulation Wing) deleted rule 7(S) in Civil Servants (Appointment, promotion & Transfer Rules 1977) vide notification No. No. SDR-VI (E&AD) 1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No. 5987 dated 06-02-2023:
(i) Now it is obligatory upon civil servant to accept promotion.
(ii) It is prerogative of civil servant to either accept/turndown the offer of promotion.
- That your good office forwarded the same to quarters concerned vide letter No. SO (Primary-M) E&SED/2-2/Appointment/2023 for necessary guidance.
- That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E&AD(1-3)/2020 dated 6-06-2020 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

Azizullah Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.

WP4447-2023 AZIZULLAH VS GOVT OF PK43


ATTESTED



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

No. SO(Policy-M)E&SED/1-2/Appointment-Rule /2023
Peshawar Dated 23rd August, 2023

Annexure
E

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

**SUBJECT: - GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL
SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES
1989).**

Dear Sir,

I am directed to refer to your letter No. SO(Policy)/E&AD/1-3/2020 dated 07 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.

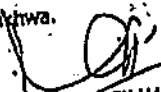
2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father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

Copy forwarded to the:

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


SECTION OFFICER (PRIMARY MALE)
28/8/23

Scanned with CamScanner

ATTESTED


20

- B/c -

- 12 -

No. 50 (Primary - M) E&SE/18-5/
Appointment - Rule/2023

Peshawar Dated 23rd August, 2023.

To

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

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

Dear Sir,

I am directed to refer to your letter No. 50 (Primary) (Policy) / E&AD
/1-3/2023 dated 31st 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
those officers/officials who do not comply with promotion order
of the competent authority or try to evade promotion through
different means shall be proceed under Khyber Pakhtunkhwa
Civil Servant (Efficiency and Discipline) Rule 2011.

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

Copy forwarded to;

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

(Muhammad Ishaq)
Section Officer (Primary
Male)

ATTESTED

Annexure - F



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

To

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

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

Dear Sir,
I am directed to refer to your letter No. SO(Primary-MD/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.

ATTACHED

WP/442/2023 AZIZULHAQ VS GOVT OF PK

22

- B/c -

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2020
Dated Peshawar 18 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)

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

Section Officer (Policy)

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

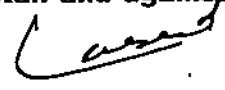
Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER 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. SO (Policy) /E&AD/1-3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the Establishment Department vide its letter No. SO.(Policy) E&AD/1-3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. That Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa that necessary guidance has already been provided to the department and therefore no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

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

Dated ___/0_/2024


 SAEED AHMAD
 SON OF
 HAJI SHIFA GUL
 PSHT



~~ATTESTED~~

MP442-2023 AZIZULAH VS GOVT OF PAJAJ

88/17/83
~~[Signature]~~

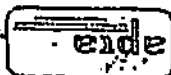
U.S. District Court
District of Columbia

Handwritten text in Arabic script, appearing to be a legal document or affidavit. The text is arranged in several lines, with some words appearing to be "أنا" (I) and "أشهاد" (I swear).

Handwritten signature or name in Arabic script.

Annexure - H

AFTA Muzali
Govt. Primary School, Mad.
Dumbar, Foshwar City



Kiliber, Pajajunhawa

1:12 PM 11/11/2023
President
0 0333 041618
0333 041618
0333 041618

24

07.05.2024



1. Learned counsel for the appellant present.

2. Let a pre-admission notice be issued to the respondents through TCS for submission of reply/commitments. Appellant is directed to deposit TCS expenses within three days. To come up for reply/commitments as well as preliminary hearing on 10.06.2024 before S.B. P.P given to learned counsel for the appellant.

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

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

[Handwritten signature]
13-6-24

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

~~TESTED~~

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

SAEED AHMAD
Versus

Appellant

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC

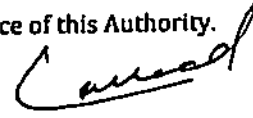
BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM

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

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



APPELLANT

ACCEPTED



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court