FORM OF ORDER SHEET

Court of	 .*	, * · ·		
Anneal No.	 (12/10	/202/	•

c N = 1	Donker of the state of the stat	
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1 1	. 2	3
1-	09/10/2024	The appeal presented today by Mr. Muhammad
- · 		Muazzam Butt Advocate. It is fixed for preliminary hearing
	en e	before Single Bench at Peshawar on 14.10,2024. Parcha Pesh
		given to counsel for the appellant.
	·	By order of the Chairman
	en e	Mil
		REGISTRAR
·		The second of th
``		
	1	
· . · · ·		
. ,		
·;		

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

UMAR HAYAT

Government of KP & others

INDEX

S#	DESCRIPTION OF THE CONTRACT	T	· · · · · · · · · · · · · · · · · · ·
: 8# :	DESCRIPTION OF THE DOCUMENTS	ANNEX	PAGES
1.	Appeal and Verification	•	.1-4
2.	Application for suspension	•	5
'3.	Copy of Monthly Salary account	A.	,6 - 8
4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	B .	9 - 10
5.	Copy of Impugned Letter dated June 06th, 2023	C.	11 - 13
Ĉ.	Copy of Minutes of Meeting dated 06-07-2023	D.	14 - 17
7.	Copy of Letter dated 23-08-2023	· E.	19 - 19
8.	Copy of Impugned letter dated 07-09-2023	F.	20 -21
9.	Copy of Representation against the said	G & H	2.2
; 1	notification and representation made by APTA		23 - 24
	President		
10.	Wakalat Nama		25 /

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

· Service Appeal No. /2024

Umar Hayat Son of Ghazi Khan, PSHT (BPS-15)
GPS Jabban Power House, Tehsil Dargai & 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

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

P.RAYER:

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 <u>Annexure A</u>

- 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, Fransfer and Promotion Rules 1989.
- 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 <u>Annexure B</u>
- 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 <u>Annexure D</u>
- 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 <u>Annexure E</u>

- 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 <u>Annexure F</u>
- 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 <u>Annexure G & H</u>
- 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:-

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

- e. That non-availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, pave way to the next employee in seniority, aspiring for promotion could be promoted.
- f. That the impugned promotion Notification dated 06/08/2020 communicated on 06/06/2023 is perverse, discriminatory, against the law, pungent and is a blunt blow of hammer on the rights of the appellant. It is not out of place to mention here that the appellant are teachers and have to look after their children as well as ailing dependent family members and in these circumstances in the presence of impugned Notification dated 06/08/2023 communicated on 06/06/23 would not be able to serve in the department and which shall amount to the snatching of bread and butter of the poor employees

It is, therefore, humbly prayed that on the acceptance of the Instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3/2020 DATED 06/08/2020, communicated to Respondent No.2 by Respondent NO.1, vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.

It is further prayed that no penal action as proposed and envisaged in letter dated 06/06/2023 may be declared as unlawful, illegal and without having any legal effect.

Any other relief, which this honorable Tribunal deems fit and proper in the circumstances of the case, may also be granted to the appellant.

AFFIDAVIT:

I, (the appellant) solemnly declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

Deponent

1hrough

Muham nd Muazzzam Butt Advocate Supreme Court

Muhammad Adeel But Advocate High Court

Appellant

Bassam Alfmad Siddiqui Advocate High Court

LLM- Human Rights

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _-P of 2024 In Ref to Service Appeal No __

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.
- 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.

Through

AFFIDAVIT

I (the appellant) do hereby solemnly stated on cath 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

Muhammad Muazzam Butt Advocate Supreme Court

Muhammad Adeel Butt

Advocate High Court

SERVICE CERTIFICATE

It is certified that Mr. Umar Hayat S/O Ghazi khan has been serving in E&SED since 08-04-1992. Now he is serving as PSHT BPS-15 at GPS Mir Azam Banda Haryankot Tehsil Dargai District Malakand.

I always found his sincere and devoted to his assigned task.

Sub Divisional Edu. Officer(M)

Tehsil Dargal Distt: Malakand

SDEO Mále Dargai Malakáñid





Length of Service 32 Years 03 Months 025 Days

भी अध्येत (क्ष

(imphyss)) 00.14ESIE.f

(१९६६-देवर) क्षान्यकाड देखाड देवाकाय bendelald solito elementa febried #2 CPD * Harlmenthand and self * red; C = Ord, - Otto vi a vo via &

MARIZ INARD is Arch TAYAR RAIGH of its materiolal lesson?

Entry into Covt. Service: 08.04.1992 Personal Muchor (024293 CNIC) 1540106925777

Employment Category: Acilve Permanent

Delgnalon: PRINARY SCHOOL IRAD TEACH

्ट्रिक अध्यक्ष ५६८म् १६८५ (4) Equipme (10) DDO COTE YEMONEDA: D'O (YELEKA) DVBC

CIFF A/C No. EDUNIDODIUS 1 CPF lateral applied

Payendia bas yel

EYP1.40.YD :draft to shed

Delection - Coorel

Pay Scale Type: Civil 1875: LF टाक्ट-अध्य १४८ ज्वाज रेख

00,058,51 2393 Adker Relief Att 2024 25% LISAGE AST IV 178 70 PV LITE D0.701.A ग्रेथ | **एके**व्ह | स्वास्त्र पा उक्का उरक्ष WILER THE DEGREE RELABILISM SULLING THE TEACHING AIMMENT AILE UUTCCE 00,404.3 21-18 12# YEPS SEES VE 2013 2199 Audio Relief Allow @ 10% **00.182** 00,552 1505 Charle Allowance (\$1-1) ACC wolle regmo 1141 00.01 PRESENTAL ALICENSES OU 95N E 1310 Const Albarates 2015 DO DOS T रक्ष अवस्थ (एए) PATE TARYS (100) W FEET DO OHY IT 3441 53031 Ibbvky. WHOLLY

अञ्चलका १५३

HXXXX11-DGTRICT GOVERNMENT KRIYBE

:NIN

Cuth Center:

00 009 4004 R. Beneliti & Death Comp. 14T 3410301 POM, 3990 Emp. Edu. Fund XPX 00 LFY COLUET. July Benyadon Fund maispiredu? 9973 210£ mus (-COOL Mar irpe अध्य अन्तर I DOG V

feuceta las beinf

PERSONAL FORM SEG ACTORDERS

Description

PEATLIT SKIETSYGODA Etemptel: 25800.96 001149 :ALDL-ALH Bit brownsh & LLASLED! Payate Deductions - Laconer Tex

संस्था सूली क्षेत्र 0636451. (Re.): 119 811 00 ा(प्रज्ञ) रही कला

Payor Name UNIAR IIAYAT

630)

C(i):

,YDKBDA BELL DEEDE, NYTHONNE BANK OF PAKLSTAN, 19620 NBP DARGA PAKLAKAND AGENCY NBP DARGA HALAKAND Account Number 719-6

अञ्चलक Hamod: :tolisvA Cyching Balance:

Temp, Address: Houring Status: No Official Domicilic NW - Khyber Palalmedaws CIV: NIVITYKYND **САМ:нальбА можитя**

Email: unachayathayathaga dian S

STANDARY & RAILMAN ANTHRONG STRINGES OF STRINGES STANDARY STANDARY & CALL OF STRINGES STANDARY STANDAR

CS CamScanner

OVETOR OF THE DISTTIPRINARY SUUMOPPICED (H)HALAKUID AT BATCHELA. OVETOR ORDER. In particial pressuration of this office endatello. 6.4 12. P.Ho.A-1/Part. duted 26.3.1992, the appointment of the condidates No.4- B are hereby cancelled with effect from 25.3. 1992 where so the appointment of condidates at 8.80.1 - 3 may be considered re-instated from the date of their taking over charge . . Whith the following amendments. Constituency to Remarks. .6.No. Name. Solved where Constituency Constituency to appointed. where appointed which belongs. Hussain Idrees GPS, Hakardaro, P.F. 79 8/o Mohd Zahoc VLPO. Bakhakot. Varo. Sakhakot.

2. Usar Hayat 5/o GPS. Jabban Power P.P.79 P.F.79

Ghasi Khan.

House.

Varo. Haryan Kot. Hassan Idrees 8/o GMPR. Hasrat Mobd P.P.79 P.F.79 Hassan Idean Fisched Zahenr Varo Bakhakot. Korooms. TERMS AND CONDITIONS:-1.Mo.TA/DA is allowed being first appointment. : 1.3. They are directed to produce their health and age certificate from the Agency Surgeon.concerned before taking over charge. In case their age are below 18 years or above 28 and in case of fr a. They are directed to take over charge with in 15 days from the singue of this order otherwise the appointment will automatically stand cancelled 30 years should not be handed over charge. stand cancelled.

5. Their appointment are made purely on temporary basis and will be liable to termination at any time without any notice or assigning any reason. In case they wish to resign the post he will have to submit one months prace notice or forfeit one months pay in lieu there of. (Mobarak Khan) Distt:Primary Edu:Officer (Mali) Halakand at Batkhela MANA. Bodstillo. 774 52 /P. No. A-1/Estt: Dated 8 - 4 -/1992. Copy of the above is forwarded for information to:-Copy of the above is forwarden and an arrangement of the Director Primary Education NWFP, Edycatabad peshawar.

 $\gamma_{i_1}, j_2, \dots, j_{i_k-1}$ STT: PRIMARY EDU: OFFICER (HALE)HALAKAND AT BATHRELA.

August P. Paren.

7.9The candidates concerned.

OFFEFE JOST VALABIDIS, YTUSSO orange 20 gazette copies. The Registrate, Khyber Bakhtunkhida Service Indum, Pesnawa.

[MagSecretary, Chyber Pakhtunkhwa Rubite Service Commission, peshawa.

[MagSecretary, Chyber Pakhtunkhwa Rubite Service Commission Department.

[MagSecretary, Chyber Pakhtunkhwa Rubite Service Chyber Rubite Servic An Auminious Semi Autonomous, Doors in Larguet & Britannious, Doors in Larguet & Britannious, Doors in Larguet Peshawa.

The Registrate, Peshawar High Court, Peshawar.

The Registrate, Khyber-Britannichwa Public Service Commission.

[Target Service Commission of Peshawar.] oi Raupai Ewrithmultiger 124/2 in Sodies in Khyber Pakinunkhwa IIA All Heer's of Anached Departments in Kryber, Pathinkliva. All Divisional Commissioners in Khyber Pakhiunkhwa.

The Principal Secremy to Chief Minister, Khyber Pakhiunkhwa.

The Principal Secremy to Chief Minister, Khyber Pakhiunkhwa.

All Divisional Commissioners in Khyber Pakhiunkhwa. All Administrative Secretaries to Coal of Kliyber Patrinthya. The Schlot Member Board of Revunce, Khyber Pathunkliva. Additional Chiel Sectebry, Oan, of Khyber Pakhtunkhwa, Planning ·: to papanacion in the MIZE NO & EVEN BATE GOVERNMENT OF THE IURYDER PAKEITUNKHIVA nule 1, sub-rule (2) shall baideleted. **VWENDWENT** Mark tamen sabin ad Ilula Iranibeanna ramely: an 1989, which the first in the Manner of pressor to direct that in the Mayber of the Manner of the is the Chief Minister of Khyter Okhinikhwa is pleased to direct the Khyter Khyter of Khyter Okhinikhwa is pleased to direct the Khyter Khyter of Khyter Okhinikhwa is pleased to direct the Khyter of Khyter of Khyter of Khyter of Chyper o The library cavity Servinis and the powers enalered by secularized of the powers enalered by secularized of the powers and a secularized of the powers of the powers of the powers of the powers and the powers of t th catroles of the puwers canformal by secularize of the ULOSAS \ 30 , oth normules ! heln Q MOLLYDIMELON thechrylida wings MENANAGU TENHERILIAN DEPARTMEN WHYNGLENVH UPRAILY COMERNIEM OF Hnarxung10 B/C

GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT (REGULATION WING)

NOTIFICATION Dated Peshawar the, 06/08/2020

Injexercise 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, namply:

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 Knyber 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

MPHHAP-2023 AZIZULLAN VS GOVT CF PG43

mingst langeliketen ((1817) Verturas Etinage ortig Stanschildern (in gang verturas in schalben er Ag Tegal langeliketen (Vella) Verturas Vertu er er 27

Copy furthereded to the:-अशो है की परस्त की नाहेंकी

(Yallon) (Trail)

् (१०११०४) :

per accelers under Khyber Fabbnatches Cleft Servant (fiffiabney & Discipline) Rufes, od flante execute nationally algorith notices presented above or up us withoutes entering and to Furbermore, these officershaffletels who do not comply with promotion under

Leaving to second promotion in security candillian.

to teckle lifetier impossibilities in case of pressession. Therefore, it is obligationy upon every prevent those west to take premoders to evade positionales or take of the second from the presenting of the second from the se al in nollikoqUzan ovizrani algent a ot gestratte ye alen ilain tol anitaique i mori lesvesa livia a galinawang to latania at okn laid! selt to asliateb selt baland alemnist alast self.

ne , tunit 10502.E0.20 forteb antianifican modification deice deleter transfer france engliste. 1920; 1920 (13) of Rules of Rhyber Pathiantinas Civil Servata (Appolatoral, Promition and Transfer) Stoll-doll terft state et bas evode listes issten all in ECOS. So. 81 bateh ECOSVicamielaqqAVS I an afrected to teles to your faller Mr. Softhanson-Mynaesthyn. भाइ सम्प

ENCONDLING VAD ENVARABILITATIVES TAWY
RELEVEN FARITATIVE CIAIF SENAVALIS (VERGICALDIRAL)
RELEVENAR RELEVENAR CIAIF SENAVALIS (VERGICALDIRAL)
RELEVENAR RELEVENAR CIAIF SENAVALIS (VERGICALDIRAL)

, swelzauniari) rah (rah ba in aminosol) asif Kanminapeli nalezahli Yukasola A Yudisansii

GIDVERHANGAT OF KOLYOKEI PAKULTINKGINYA Ha, SOJPOJCYNIR ADALATATRIAT SETANI BERURAN DE BOR 86, 2023 7.9 -

-Overnment of Knyber Рапитинкниа ELGMENTARY AND SECONDARY EDUCATION DEPARTMENT CIVIL SECRETARIAT PESHAWAR

(Pinono Ho.001-9223587)

Pin.SO (Primary-MYESSEDIZ-8/2023 Lialed Peshaviar line, June 25*,2023

Ŧo

The Director

Elementary & Secondary Education Copariment Khyber Pakhtunkhwo, Peshawar.

Aziz Ullah Khan President

All Primary Teachor's Association, KP

Subject:

GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE JUHYBER PAKHTUNKHWA CIVIL SERVANTS JAPPOINTMENT, PROMOTION

AND TRANSFER RULES, 1989,

) 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.

You are, therefore, requested to depute a representative of your respective Department to attend the meeting on a date, time & vanue as manifoned ábove, please.

Encl: AA

MUHAMMAD SHAD SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICE

No SO (Primary-M)/EASED/2-6/2023 Dated Peshawar the June 25+ 2023

To

The Director Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar

Aziz Uliah Khan Prusident President Ali Primary Teacher's Association, KP

Subject

Guidance recarding deletion of Rule 7(5) in the Khyber Pakhtunkhwa civil Servants (appointment, promotion and transfer) Rules, 1909.

I as a directed to refer to the subject noted above and to enclose here with a letter of Establishment Dopartment 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.

Z. 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 AZIZIJULAH VS GOVT CF PG43

ATTESTED

14

MINUTES OF THE MEETING LAEGARDING APPLICATION SUBMITTED BY ME, ATTE TULLAR PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYSER PARTIUNKHWA REGARDING OF DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULE 1969).

A meeting regolding the subject matter vas held on 06-07-2023 of 11:00 AM under the Chalmanship of Additional Secretary Establishment in his office. The tollowing attended the meeting.

58	NAME	DESIGNATION
. <u> </u>	Mr. Fozal Wahld	Deputy Disector Establishment of Observate Elementary & Secondary Education Department
2	Mr. Azis Ullah	Provincial Frouldent All Frimary Teachers Association Khyber Pokhlunkhyro
- 3	Mr. Ralagal Vilati	General Secretary AFTA Pashawar
4	Muhommod Ishoq	Section Officer (Primary) ESSE Department Civil Secretariot Khyber Pakhtunkhwa Pathawar

- The meeting stated with racitation from the Kely Ouran. The chair welcomed
 the participants, the Deputy Director (Establishment) of Directorate of Barnentary &
 Secondary Education briefled the forum regarding agendo tiem in detail.
- 3. After threadbare discussion it was decided that Directorate at Elementary 2. Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for anward submission to Establishment Department for further necessary action.

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

(Mr. Fozal Wahld) Deputy Birector-I EASE Department

(Mr. Rologal Ullah) General Secretory APTA (Mr Azis Ullah)
Provincial President
Ne Primary Teachers Association
Knyber Pakhlunkhwa

(Muhahmad Lihaq)
Section Officer (Primary-Mate)
EESSP Department

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

WP4442-2023 AZIZIALAH VS GOVT CF PO43

ATTESTED

; '

15 -8/c-

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULIAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING OF DELETION OF RULE 7(8) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 05-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting

SH NAME	DESIGNATION
1. Mr. Fazaf Wahld	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2 Mr. Aziz Ullah	Provincial President All Primary Teachers Association: Khyber Pakhtunkhwa
3 Mr. Rafaqat Ullah	General Secretary APTA Peshawar
4. Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretarial Khyber Pakhtunkhwa Peshawar

- 2. The meeting started with racitation from The Holy Ouran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.
- 3. After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit & self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

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

164- F Ass. 4.13	
(Mr. Fazal Wahld)	• •
Daputy Director-1	
E&SE Department	•
Provincial President	
All Primary Teachers Association	п .
Khyber Pakhtunkhwa	· · · · · · · · · · · · · · · · · · ·
(Mr. Rafagat Ullah)	•
General Secretary APTA	•
Peshavar	
(Muhammad Ishaq)	
Section Officer (Primary-Male)	•
E&SE Department	
	•
1	•
	(Abduliah)
As	HILIPON SESSEETON (Establishment)

ATTRISTED

ENDS SO TYDO BY HAJAJESSA STOS-ES . Շիւաւուտար մե Հաշատվութ Education. Անցեւտ Բանիստահիստ (I-14data3) vormila teatrizak 2 Marier Copy. I. Ly to Director Cotal Directorole. CODY of the thom is to:-Class | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1.1. | 1 フ Ind Covernment of Myber Rethinmthree Establishment Department (Regulation and Internated By Myber Cutes on under:

That Covernment of Myber Rethinmthree Establishment Department (Regulation 1910g)

Adelized Rules 7(2) In this Chail Structure (Appointment Department (Regulation 1910g)

White international court guidance from your good office in the following words wide letter

Who Goest dorsed cooks 1922.

That this office out guidance from your good office in the following words wide letter

(ii) It this proparation the chail servous to either accept fromenium in every condition.

Myber dorsed the chail servous to either accept men the affect of the chail servous to either accept on twen the affect of the chail servous to either accept on twen down the affect of the chair accept on twen from the affect of the chair accept on twen from affect of the chair accept on the acceptance of the chair accept on the acceptance of the chair acceptance of the acceptance of the chair acceptance of the acceptance rabadited for permol and secessory actions picase. The Scalins Offices (Primary-Moles).

Elementary & Secondary Education Department.

Klyder feelblunkings Pollunger.

Subjects - Alivity of the station of the latter No.SOP-thank-10.505.501.11.

Chilecklings of the stationy of the feelbround of the case of understanding click above and to present brief filting of the background of the case of understanding click above and to भाग्यक क्षे स्थवस्य

4

MERKES-5053 VSISTETIVH AS COAL CE LICES

White Replandmen Barmarto & Seanday Educa Autished Director

2. Master Copy 1. PA to Director Local Directorate Copy of the colone to:

The case is submilled for period and necessary " action - שאווק reembers of Remale descriping.

advige bombienes to it south with sweds and to with rit south so by the traite spent is the south of the sout

To missionales and build may been could be sind to trainhald under this Chaimpinship of them. Additional Secretary Establish

Cras-Fo-3 botab gritour oft to esturien of to tribil it toil . sentitions by men inde only condition. this proves may branching promising as is ablighted upon every civil

chies suit tort bette yearinging crar-20-2 batch acas = 10A33 · That the government of KP-ED (Regulation Wiley) vide leter No so (A. Livey)

That year good office forwarded the come to questo concerned white the the the the transfer to questo concerned white the the training to the

salt construct (passes of the of thouses and passes of the city indianay forms of mount this nage by the fit would in

That this office saight suidence from you good uffice in the following vide nutification No. No. sop. VI(EEAD)1-3/2020 dated ob 08-2020. delited rille 7(2) in Civil Servine (Apprintment, promotions Time 1 in (2) Faller both

(Brilly carbinated (Regulation of Regulation Willy) pietos is ano la loraphitad bado, gienis os unesay at has said bills toging on that fol billed that Ital above and to

Does 817] 9 am directed to miles to Luter No. (50. Assert-17) E & ETD /5-1/6.484

Subsed . Minutes of Meeting

אףצי לעלתמנים. Humanay & Swandony Education Department. Section Office (Amage Male)

TECHNUME (12) DIRECTIONATE OF ELEMENTIARY & SECONDARY EDUCATION, KPK :

:07

2-5033 VSISTIPTIVH AS GOAL CL

Scanned with Combeanner

EEL RECITION OFFICER

1. Director EASE Myber Pakhbarkhwa. 2. PS to Secretary, EASE Oscarbnent Knybar Pakhtunkhwa.

(ספא ונהיומולפל זם ליפ:

SECTION OFFICER (FRI MARY MALE)

alborbs yieming it without (tol) to mater

art of the above, the sald amendment may be reconsidered to the were are negative effects on service delivery.

them are married with idds and elder father of mother-in-law who need care. In such teaform duties in the remotest station with no residential or banquit facility. Most of

or such yearly editing experienced events so to a visit anothermore ribus trave orive layed visiting to various your eases amon it last bettimides at it noticemon eart of

Vactoralitivis Ovil Servant (Efficiency & Discipline) fulles, 2011. to evade promotion through different means that it proceed under Myber officers, of the stands and compare sufficers, other of the competents subsorbly or exorts farti bestambini need zani 9 (EBP) zelui9 sharat & nobomoriq jinemondiqos) anaves2

INCI swithfriendisq radyrdt (2)(alun to nabeled haifs that south of bine 2,505, smul. "300 I em directed to reler to your letter Ho. SO(Policy)/ EBAD/ 1-3/2020 dated

15851 SUEDECT: - GUIDANCE REGARDING DELETION OF RULE Z(S) IN THE CIVIL EERVANT (APPOINTMENT, PREMOTION & TRANSFER RULES

Institution octions in the S institution December 3

The Gecretary to Gov. of Khybar Pakhluntawa.

193. SOKPrimary-M)E&SED/2-2/Appointment-Rufus, 2023 Peshawar Dated PES August, 2023

(TB2.0559-160.ch anod9) ELEMENTARY DID SCCONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PEBHAWAR

ーで、一

Ecoselapulates botad ramolas 18-8 (3233 (M. Harrid) 2.0V

Peshaum Establishment and Administration Department, The Secretary to Government of Khybo Bathhindhung.

Gutdonce regending detection of Rule 7(2) in the SUBJECT:

Cirl Sexucit (Aspetitional, Bonstion & Transfer Rubes.

and Sevent (Efficiency and Discipliz) Role 2011. different means shall be proceed under Khyber Akhtunkhua algorith resitement. I shows at but no petronities brestogmes with fo these officially who do not comply with promption and it. tent bestomited need had 40 (P8PL really referror) has rationed dulation of Rule 7(5) Whyler Rothstonthwo Chil Sement (Apparatment) with tarit state of lara Ereconnitate potox acor (E-1) PAJ3 (Assisted to refer to your letter No. 50 (Assisted On D Decr Sir,

- 21 early body teacher his primary you be bruter with effects on service delivery Mather-in-lew weed asse. In such case they are negative Mest of them are manied with bibli and elder father of williage temperary / sortrobings on other Enothers testangs with ri foce serious incovenience while though towe to peoplem duties et avoil nothernory the eleve who was bevol morning to realmost In this connection it is submitted that in some cours lady

Section officer (Wings Section officer (Wings Jan 1

2707 119

operational transfer of St. Broken St. Broken St. B. 29 Drictor EG SE Krybo Rento-Kring. Capy forwarded to;



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

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

Subject: -

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

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-2/Appointment-Rule/2023 dated 23:08:2023 on the subject noted above and to state that necessary guidance has already been tendered to your good office vide this department letter of even No. dated 06.06.2023 (copy enclosed)_

Yours նուներևկից,

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 Depurunent,
- 3. PS to Deputy Secretary (Pulicy), Establishment Department.



- 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, Elementury & Secondary Education Department.

Subject:

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

Dear Str.

i am directed to refer to your letter No. SO(Primary-M)/E&SED/2- 2/Appointment-Rule/2023 dated 23.08.2023 on the subject noted above and to state that necessary guidance has already been tendered to your good office vide this department letter of even No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Endst, Of even No & date

Copy forwarded to the:-

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

Section alcar (Pallcy

WE WAS 2023 ASSULLAN VS GOVE OF POUR TOTAL

22

Honexure - G

- Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar
- 2) Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Civil Secretariat, Peshawar
- 3) Director Elementary and Secondary Education Department

Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020. DATED 06/08/2020. COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA. ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023. WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

Sir/ Madam:-

Your Honorable authority promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Elementary & Secondary Education vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. That, as per mutication 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 will personnent (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 O6th, 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 Eler entary & 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 Klir ber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as a 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) ECD/1-3 1-2020 DATED 06/08/2020, communicated to vide letter dated 00:36/2023, 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 20/03/2024

UMAR HAYAT SIO GHANI KHAN PSHT

١, .

٠:

CHOM TO TVOOD BY HÁLLAUÍÍSA CSSSE-SAAFIY

ቪኒ ነላኒስ ፟ኡር ነኡህ ነኝሮ 🔩 ቾ葉 ሂ

ב ינים בין ביים שו שו ליום מיל של לי בין לא מים ליום ליום ליום בין של של מים לי בין בין בין מים בין בין בין מי ביינום בין ביימוש ונון ליצור ליל בין היים וליום ליל בין אל של ועל עון ביים של של היים לי בין בין בין בין בין מי Etile Lithaul

ישון יצור יוציל יודל יוד בי על נוחו או בין על מין ביו על מין בין לואי און על יובי בין לואי און און בין בין מיני الله الم المناسبة ال

ريدا بالله صياح بداؤ كالم بذل بدلسانه فالك فعاللها والا السياط مادنا المائل بدسيد ويدا

كان المارات المارات المارات المنازع ال المنازع المناز

المائد هذا والامع الجولا لميزيلا المه ולא גל של בונו בב מוללו עול ב

ا يخ يُنجز بهذ (إلي الكين الديميا) بين لا يمواد ا



Kilyber Pakhiunkhwa

nind N. (hilli), 1111. mattes A. passido esto de managastra Priparata P. definir de

FP.

Learned course) for the appellant present.

Let a presadmissioni notice be Issued to the respondents through TCS for submission reply/comments. Appellant is directed to deposit. ICS expenses within three days. To come up for reply/enamients 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 uction shall be taken against the appellant till next date of hearing.

erified to be true copy(Muhammad Akbar Khan) Member (E)

CamScanne

JAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

UMAR HAYAT.

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 SIDDIQULAHC

ASSOCIATES OF MUAZZAM LAW FIRM

to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or delend) 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 the and obtain return of documents, and to represent me/us and to take all necessary steps on my/our behalf in the above matter.

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

<u> com</u>

APPELLANT

ACCEPTED

MUHAMMAD MUAZZAM BUTT

Advocate Supreme Court

MUHAMMAD ADEEL BUTT

Advocate High Court

BASSAM AHMAD SIDBIQUI

Advocato High Court