

FORM OF ORDER SHEET

Court of _____

Appeal No. 1857 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 14.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

S-A # 1857/2024

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

EJAZ HOSSAIN

V/S

Government of KP & others

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ADVOCATE
M. Muazzam Butt

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1857 /2024

Ejaz Hussain Son of Gul Bahadar Khan, PSHT
 District Peshawar, Tehsil & District Peshawar

.....Appellant

VERSUS

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

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED.

PRAYER:

ON ACCEPTANCE OF INSTANT SERVICE APPEAL, THE IMPUGNED NOTIFICATION BEARING NO: SO (POLICY) E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, MAY BE DECLARED AND ORDERED TO BE STRUCK DOWN BEING VOID AND ULTRA VIRES TO THE CONSTITUTION OF PAKISTAN AND FUNDAMENTAL PRINCIPLES OF NATURAL JUSTICE AND AGAINST THE RIGHTS OF APPELLANT.

ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT.

RESPECTFULLY SHEWETH:

1. That the Respondents Department appointed the Appellant as Primary School Head Teacher.
 Copy of Appointment letter is annexed as **Annexure A**.

2. That as per Khyber Pakhtunkhwa (Appointment/ Promotion/ Transfer) Rules, 1989, as well as in other sister services of the other Provinces and Federation as well, availing of promotion by the employees is always optional and the employees as a matter of right may avail or forego their promotion and the next employee in seniority list is to be promoted.
3. That some employees specifically have foregone their promotion as they could not serve in the areas where there is no facility of accommodation and no houses of their elders are available to look after them in far-flung and solitary mountainous hard areas, and as per Section 25 of per KP Civil Servant Act, 1973, rules to the extent of terms and condition is framed by the Chief Minister and such promotion rules are not made applicable with retrospective effect. The rules framed are published in the Gazette notification and part and parcel of KP Civil Servant Appointment, Transfer and Promotion Rules 1989.
4. That Government of K.P without following the rules position mentioned in Para 6 above promulgated Notification No. SO (Policy) E&AD/1-3/2020, dated 06/08/2020, communicated to Respondent No.2 vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. The impugned Notification is reproduced as under:-

"Furthermore, those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency Discipline) Rules, 2011, please".

5. That as per notification No. SD (Policy) /EDAD/1-3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. Copy of impugned notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020 is attached as Annexure B
6. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the respondent No. 1 vide its letter No. SO(Policy) E&AD/1-3/2020 dated Peshawar the June 06th, 2023 directed the respondent No 3. (Directorate of Elementary & Secondary Education) that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. Copy of Impugned Letter dated June 06th, 2023 is attached as Annexure C
7. That thereafter the meeting was also held in the office of Additional Secretary Establishment on 06-07-2023 in which it was decided to examine the case properly and submit a self-contained/ consolidated case for onward submission to the Establishment Department for further necessary action. Copy of Minutes of Meeting dated 06-07-2023 is attached as Annexure D
8. That the Respondent No.3 i.e. Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber

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

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

GROUNDS:-

- a. That as per various judgments it is established and settled principle that executive notifications cannot be given retrospective effect. A valid Notification which confers rights is always applicable with prospective effect, however, if an amendment notification that adversely 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 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 setaside.

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.

- 1. 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

[Signature]
Appellant

Through

[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

5

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____ -P of 2024

In Ref to

Service Appeal No _____ /2024

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

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

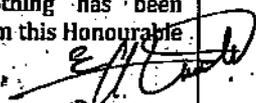
Respectfully Submitted:-

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

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

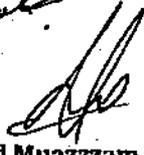
AFFIDAVIT:

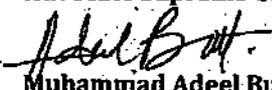
I (the appellant) do hereby solemnly stated on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court


Deponent

Through


Appellant


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court

Page 2 (cont'd)

ATTACHED

1. The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

2. The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

3. The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

4. The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

5. The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

[This section contains a large, dense area of illegible text, likely a list of names and dates, which has been heavily obscured by noise and artifacts during the scanning process.]

The following information was obtained from the records of the Department of Health, Education and Welfare, Bureau of Census, Office of Statistics, Washington, D.C., on 11/16/67:

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, BUREAU OF CENSUS, OFFICE OF STATISTICS, WASHINGTON, D.C.

1997
 H. [unclear]
 [unclear]

ATTESTED

The undersigned hereby certifies that the foregoing is a true and correct copy of the original as the same appears in the records of the Department of the Interior, Bureau of Land Management, at Washington, D.C.

Witness my hand and the seal of the Department of the Interior, at Washington, D.C., this 1st day of January, 1961.

Director, Bureau of Land Management

Special Agent in Charge

Assistant Secretary

E. J. Huson

6

- 8 -

7

ATTESTED

DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

116 28/6/97

(NAME) (TITLE) (ADDRESS)

OFFICE OF THE DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

DEPARTMENT OF THE DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

OFFICE OF THE DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

28/6/1997

MR. (NAME) (TITLE) (ADDRESS)

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the District of Columbia, this 28th day of June, 1997.

ATTEST: (NAME) (TITLE) (ADDRESS)

OFFICE OF THE DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

DEPARTMENT OF THE DISTRICT CLERK (NAME) (TITLE) (ADDRESS)

Dist. Govt. NWFP-Provincial
District Accounts Office Peshawar Dist.
Monthly Salary Statement (February-2024)



9

Personal Information of Mr IJAZ HUSSAIN d/w/s of GUL BAHADAR

Personnel Number: 00000228 CNIC: 1730114513163 NTN: 0
 Date of Birth: 17.05.1974 Entry into Govt. Service: 30.06.1997 Length of Service: 26 Years 08 Months 002 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 80642235-DISTRICT GOVERNMENT KHYBE

DDO Code: PW6568-District Peshawar

Payroll Section: 003 GPF Section: 001 Cash Center: 44

GPF A.C No: EDU 044255 Interest Applied: Yes GPF Balance: 182,463.00

Vendor Number: 30543634 - IJAZ HUSSAIN 230517-NBP 3086116651

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 14 Pay Stage: 23

Wage type	Amount	Wage type	Amount
0001 Basic Pay	62,550.00	1004 House Rent Allow 45% KP21	8,610.00
1210 Convey Allowance - 2015	2,856.00	1300 Medical Allowance	1,503.00
1551 Spl Conveyance to Disable	6,000.00	2148 15% Adhoc Relief All-2013	796.00
2199 Adhoc Relief Allow. of 10%	551.00	2316 Teaching Allowance 2021	3,036.00
2341 Dispr. Red All 15% 2022KP	5,962.00	2347 Adhoc Rel All 15% 22(PS17)	5,962.00
2378 Adhoc Relief All 2023 35%	21,283.00		0.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	4,290.00	3501 Benevolent Fund	1,200.00
3009 Income Tax	2,711.00	3900 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: 42,616.38 Recovered till February-2024: 21,039.00 Exempted: 10653.90 Recoverable: 10,923.48

Gross Pay (Rs.): 119,136.00 Deductions: (Rs.): -8,956.00 Net Pay: (Rs.): 110,180.00

Payee Name: IJAZ HUSSAIN

Account Number: 3086116651

Bank Details: NATIONAL BANK OF PAKISTAN, 230517 MUNICIPAL CORPORATION PESHAWAR, MUNICIPAL CORPORATION (GT ROAD, PESHAWAR)

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: PESH

City: Peshawar

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

ATTESTED

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, 1972 (Khyber Pakhtunkhwa Act No. XXVIII of
1972) 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

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.

Wardah Latif
(WARDAH LATIF)
DEPUTY SECRETARY (POLICY)

ATTESTED

ATTESTED



-11-

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

NOTIFICATION

Dated Peshawar the, 06/08/2020

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

AMENDMENT

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

**CHIEF SECRETARY
: GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

(ANDS): & EVEN DATE

Copy is forwarded to :-

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

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

ATTESTED

INTERESTED

MP4443-2023 AZIZULHAQ VS GOVT OF PGAD

Chief Officer (Policy)

(Asst. Deputy Secy) (Policy)

Yours faithfully,

Copy forwarded to: 1. Asst. Deputy Secy (Policy), Establishment Department; 2. Asst. Deputy Secy (Ops), Establishment Department; 3. Asst. Deputy Secy (Policy), Establishment Department.

Encl: Of even No & date

2011, please.

The basic principle behind the deferral of the bill rule is aimed at preventing a reversal from tampering with the rule by sticking to a single license provision or to prevent those who tend to forge promotion to evade posting/transfer or show lack of capacity to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every officer to accept promotion in every condition. Furthermore, those officers/officers who do not comply with promotion order will be proceeded against under Khyber Pakhtunkhwa Civil Service (Efficiency & Discipline) Rules.

I am directed to refer to your letter No. SO/Prinsecy-MY/2023/172 dated 18.04.2023 on the subject noted above and to state that Sub-Rule 2/A of Rule 7 of Khyber Pakhtunkhwa Civil Service (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with effect from the date of the notification dated 08.08.2020 that, no provision exists to decline or refuse promotion.

Subject: QUADRANT REGARDING JURISDICTION OF RULE 7(A) IN THE KHYBER PAKHTUNKHWA CIVIL SERVICE (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989.

The Government of Khyber Pakhtunkhwa, Ministry & Secretary (Public Administration)



GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT No. SO/Policy/EST/2020 dated 18/04/2023

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Annexure - C

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GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

To
The Government of Khyber Pakhtunkhwa
Elementary & Secondary Education Department.

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

Dear Sir,

I am directed to refer to your letter No SO(Primary.M/E&SED/2 - 2/Appointment/2023) dated 18.04.2023 on the subject noted above and to state that sub-Rule(5) of Rule-7 of Khyber Pakhtunkhwa Civil Servants(Appointment, Promotion and Transfer) Rules, 1989 stands deleted vide this department notification dated 06-08-2020; thus, no provision exists to decline or forgo promotion.

2. The basic rationale behind the deletion of the ibid rule is aimed to preventing a civil servant from temptation for illicit gain by sticking to a single lucrative post/position or to prevent those who tend to forgo promotion to evade posting/transfer or show lack of capacity to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

3. Further 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

Yours faithfully,
(Issa Muhammad Khan)
Section Officer(Policy)

(Encl.), of even No & date

Copy is forwarded to :-

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

Section Officer
(POLICY)

~~ATTESTED~~

-14-

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.001-9223507)

No. SO (Primary-M)/E&SED/2-6/2023
Dated Peshawar (ho. June 28th 2023

To

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

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

Subject: GUIDANCE REGARDING DELETION OF RULE 7(B) 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 herewith 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

[Signature]
(MUHAMMAD Ishaq)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

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

ATTACHED

B/c

15-
No SO (Primary-M)/E&SED/2-6/2023
Dated Peshawar the June 25th 2023

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

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

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

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

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

Encl: AA

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

WP4443-2023 AZIZULLAH VS GOVT CP PG43

~~ATTESTED~~

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 71(S) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

Annexure
01

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.

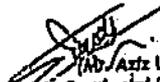
Sl	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Razaqal Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer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

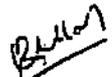
2. The meeting started with recitation from the Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

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

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


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


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


(Mr. Razaqal Ullah)
General Secretary APTA
Peshawar


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

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

~~ATTESTED~~

- 17 -
- B/c -

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH
PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA
REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION
& TRANSFER RULES 1989).

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

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

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

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

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

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

Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

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

(Abdullah)
Additional Secretary (Establishment)

ATTESTED

~~ATTESTED~~

W/14/03-2023 AZHUNJAH VS GOVT CP P041

Assistant Director (Exhibit-1)
Department of Secondary Education
Khyber Pakhtunkhwa

Assistant Director (Exhibit-1)
Department of Secondary Education
Khyber Pakhtunkhwa

17/07/2023

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

The text is submitted for perusal and necessary actions please.

Departmental Promotion Committee
provided they fulfill their written request prior to conclusion of the meeting of
Teachers' Union (TU) may be exempted of implications of the amendment in the rules bid
7(5) have affected negatively a huge number of Female Teachers. Thus it is proposed that
in view of the above, this office is of considered opinion that the decision of Rules
been asked for submission of consolidated case.
Chairman/Secretary of the Additional Secretary Establishment at his office this office has
That, in the light of the minutes of meeting dated 1-07-2023, held under the
(Primary-1) E&AD/1-1/2020 dated 12-06-2023.
The same was received by this office from your good office with letter No.50
will accept promotion under every condition.
that there exist no provision to decline or forego promotion. It is obligatory upon every
Rule) vide letter E&AD/1-1/2020 dated 6-06-2023 categorically stated.
That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation
No.50 (Primary-1) E&AD/1-1/2020 for necessary guidance.
That your good office forwarded the same to the quarter concerned vide letter
provision.
(ii) It is the prerogative of the civil servant to either accept or turn down the offer of
No.6987 dated 16-02-2023.
That this office sought guidance from your good office in the following words with letter
dated 04-08-2020.
The Government of Khyber Pakhtunkhwa Establishment Department (Regulation (Rule)
No.50 (Primary-1) E&AD/1-1/2020 dated 04-08-2020.
The Government of Khyber Pakhtunkhwa Establishment Department (Regulation (Rule)
No.50 (Primary-1) E&AD/1-1/2020 dated 19-07-2023 on the subject cited above and to
precise brief history about the background of the case as under:

The Section Officer (Primary-1),
Department of Secondary Education,
Khyber Pakhtunkhwa
Subject: MINUTES OF THE MEETING

Dear Sir,

8145
Khyber Pakhtunkhwa
Phone: 091-7711111
Email: establishment@kpk.gov.pk



~~RESTRICTED~~

MP4443-2023 AZZULAH VS GOVT OF PAK

2. Master Copy
1. Pt to Director Local Directorate
Copy of the above to:
Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

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

That in light of the minutes of the meeting dated 6-07-2023
held under the chairmanship of Hon. Additional Secretary
Education, this office has been asked for submission of
no provision to delete / stop promotion, it is obligatory upon every civil
servant to accept promotion under every condition.
That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy)
EGAD/1-3/2020 dated 6-06-2023 conspicuously stated that there exists
no provision to delete / stop promotion, it is obligatory upon every civil
servant to accept promotion under every condition.

That your good office forwarded the same to quarters concerned
vide letter No. SO (Promotion) EGAD/2-2/1/1/2023 for necessary
guidance.
That this office sought your good office in the following
vide notification No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

That Government of KP Establishment department (Regulation Wing)
dated 06-08-2020 in Civil Servants (Appointment, Promotion, Transfer, etc.)
vide notification No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.
That this office sought your good office in the following
vide letter No. SO (Promotion) EGAD/1-3/2020 dated 06-08-2020.

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

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

To:

- b/c -

19



20
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8223587)

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

Annexure
E

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

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

Dear Sir,

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

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

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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)
26/8/23

Scanned with CamScanner

WP4443-2023 AZIZULLAH VS GOVT OF PG43

ATTESTED

~~ATTACHED~~

1. Director, E & SE Kyber Pakhtunkhwa
2. PS to Secretary, E & SE Department, Government of Kyber Pakhtunkhwa
Copy forwarded to:
(Muzammil Ishtiaq)
Section Officer (Primary)
Mails

I am directed to refer to your letter No. S.O. (Primary) (P-22) (E & AD) dated 1-3/2023 and to state that after deletion of Rule 7(5) Kyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer Rules 1989) it has been intimated that these 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 Kyber 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.

Dear Sir,
SUBJECT: Guidance regarding deletion of Rule 7(5) in the Civil Servant (Appointment, Promotion & Transfer Rules 1989)
The Secretary to Government of Kyber Pakhtunkhwa, Establishment and Administration Department, Peshawar.

To
No. S. (Primary-M) E&SE D/P-21/2023
Appointment - Rule/2023
Peshawar Dated 23rd August 2023.

- B/c -
- 21 -

Annexure - F



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

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

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

Dear Sir,
I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-
2/Appointment-Rule/2023 dated 23.08.2023 on the subject noted above and to state that
necessary guidance has already been 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.

ATTESTED

MP442-2023 AZIZULLAH VS GOVT OF PK43

22

23-

- B/c -

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

To

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

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

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

Indst. 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 nicer (Policy)

WP-442-2023 AZIZULLAH VS GOVT OF PK

ATTESTED

-24-
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/1-312020. 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 notification No. SO (Policy) /E&AD/1-3/2020 dated 06/08/2020, the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the Establishment Department vide its letter No. SO.(Policy) E&AD/1-3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education that Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted vide notification dated 06-08-2020 and, therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition. That Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No SO(Primary-M) E&SED/2-2/Appointment Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa that necessary guidance has already been provided to the department and therefore no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

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

Dated ___/0_/2024



EJAZ HUSSAIN

ATTESTED BY S/O GUL BAHADAR
KHAN, PSHT

~~ATTESTED~~

WP443-2023 AZIZULLAH VS GOVT OF POK

Handwritten signature and text in Urdu script.

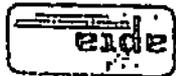
Handwritten signature and date: 28/11/2023

Main body of handwritten text in Urdu script, appearing to be a legal document or affidavit.

Handwritten signature and text in Urdu script.

Annexure - H

APTA House
Govt. Primary School No. 4
Dudhohar, Peshawar City.



Khalid-Parhamkhwa

APTA
0 0223-014518
www.apta.org.pk
Peshawar
1st Floor, Khan

25

07.05.2024



1. Learned counsel for the appellant present.
2. Let a pre-admission notice be issued to the respondents through TCS for submission of reply/comments. Appellant is directed to deposit TCS expenses within three days. To come up for reply/comments as well as preliminary hearing on 10.06.2024 before S.B. 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]
13-6-23

Date of Presentation of Application 10-6-23
 Number of 1
 Copies 1
 Urgent 1
 Total 1
 Name of ---
 Date of 13-6-23
 Date of delivery of copy 13-6-23

GS CamScanner

ATTESTED

27

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

EJAZ HUSSAIN

Appellant

Versus

Government of KP & others

Respondents

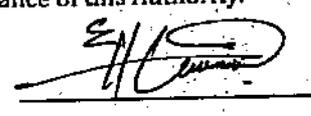
I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC
BASSAM AHMAD SIDDIQUI AHC
&
ASSOCIATES OF MUAZZAM LAW FIRM

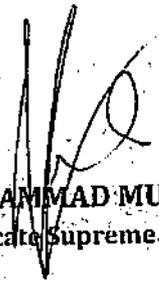
to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any petition connected with the same or any decree or order passed therein and Applications for review to file and obtain return of documents,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

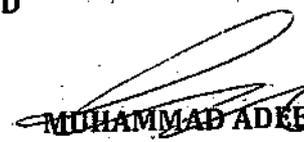
I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.

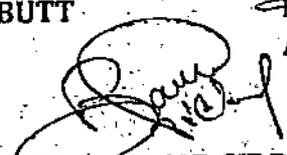


APPELLANT

ACCEPTED


MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court


MUHAMMAD ADEEL BUTT
Advocate High Court


BASSAM AHMAD SIDDIQUI
Advocate High Court