


# FORM OF ORDER SHEET

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

Appeal No. 1872 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/10/2024	<p>The appeal of presented today by Mr. Tahir Sajid Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 28.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman  REGISTRAR</p>

S.A# 1872/2024

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA**

Muhammad Sarwar.....Appellant

Versus

Secretary to Government of Khyber Pakhtunkhwa and  
others.....Respondents

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ADVOCATE

①

**BEFORE THE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA**

**Service Appeal No. 1872/2024**

Muhammad Sarwar son of Wali Ur Rehman PSHT (BPS-15)  
at GPS Manna, Circle Balakot, Mansehra Date of  
Appointment 03.06.1992.....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 NO. SO(Policy)E&AD/1-  
3/2020 DATED 06.08.2020 COMMUNICATED BY  
RESPONDENT NO. 2 VIDE LETTER DATED  
06.06.2023 WHEREIN IT WAS STATED THAT SUB  
RULES 5 OF RULE 7 KHYBER PAKHTUNKHWA CIVIL  
SERVANT (APPOINTMENT, PROMOTION AND  
TRANSFER) RULES, 1989 STANDS DELETED.**

**PRAYER:**

**ON ACCEPTANCE OF INSTANT SERVICE APPEAL,  
THE IMPUGNED NOTIFICATION NO.  
SO(Policy)E&AD/1-3/2020 DATED 06.08.2020  
COMMUNICATED BY 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 HONORABLE  
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, the Khyber Pakhtunkhwa (Appointment/Promotion/Transfer) Rules, 1989, as well as other sister services of the other provinces and Federation as well, availing of promotion by the employee 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 conditions 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, Promotion Rules, 1989.
- 4) That, Government of KP without following the rules position mentioned in Para 6 above promulgated notification SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 communicated to respondent No. 2 vide letter dated 06.06.2023 wherein, it has been made mandatory to the employee 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. 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 notification number SO(POLICY)E&AD/1-3/2020 dated 06.08.2020.

(Copy of impugned notification No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 is annexed as Annexure “B”)
- 6) That, the Director of Elementary and Secondary Education KPK, 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 06.06.2023 directed the respondent no 3 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 06<sup>th</sup>, 2023 is annexed 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 and 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 Rules, 2023 dated 23.08.2023 to reconsider the amendment made in KPK Civil Servants, Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers.

(Copy of letter dated 23.08.2023 is annexed as Annexure "E")

- 9) That, the respondents, vide its letter dated 07.09.2023 directed the Directorate of Elementary & Secondary Education KPK 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 KPK Civil Servants (Efficiency & Discipline) Rules, 2011.

(Copy of impugned letter dated 07.09.2023 is annexed as Annexure "F")

- 10) That, the petitioner feeling aggrieved, filed representation to 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 letter dated 06.06.2023 and 07.09.2023 and the deletion of Rule 7(5) in KPK Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the petitioner file 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 notification cannot be

given retrospective effect of valid notification which confer rights is always applicable with prospective effect, however, if an amendment notification that adversely effects the interests of the employees or causes disadvantages 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 employee 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 employee were permanently debarred from availing the facility of promotion during their entire services. Hence, the employees himself 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 set-aside.

D) That, it is further submitted that on account of grant of promotion some employees who are suffering from several 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 his promotion it must be optional for the employee as to whether to avail or forego to benefit. Any promotion without willingness of employee is illegal and liable to be set-aside.

E) That, non availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, paye way to the next employee in seniority aspiring from 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 childrens as well as ailing dependent family members and in these circumstances in the presence of impugned notification dated 06.08.2023. communicated on 06.06.2023 would not be able to serve in the Department and which shall amount to the snatching of bread and butter of the poor employees.

(5)

**Prayer:**

It is, therefore, humbly prayed that on the acceptance of the instant service appeal; the impugned notification bearing No. SO(POLICY)E&AD/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.*

  
Appellant

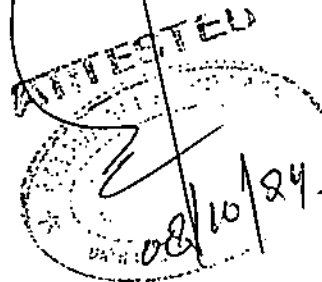
Through: -



Tahir Sajid Advocate  
High Court, District  
Courts, Manshra

**Affidavit**  
I (the appellant) solemnly declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Tribunal.





6

**BEFORE THE SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA**

**C.M No: \_\_\_\_\_ -P of 2024-10-08  
in Ref to  
Service Appeal No. \_\_\_\_\_ /2024**

Muhammad Sarwar.....Appellant

**Versus**

Secretary to Government of Khyber Pakhtunkhwa and  
others.....Respondents

**APPLICATION FOR SUSPENSION OF IMPUGNED  
NOTIFICATION BEARING NO. SO(POLICY) E&SD/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 appellants.
- 3) That, there is likelihood success of the appellant in the lis. And if the notification bearing No. SO(POLICY)E&AD/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 right of the appellant is involved in this case.

In view of the reason, it is humbly requested that the notification bearing No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020, communicated to respondent No. 2 by respondent No. 1, vide letter dated 06.06.2020 may kindly be suspended till the final disposal of the main appeal in hand.

Appellant

Through: -

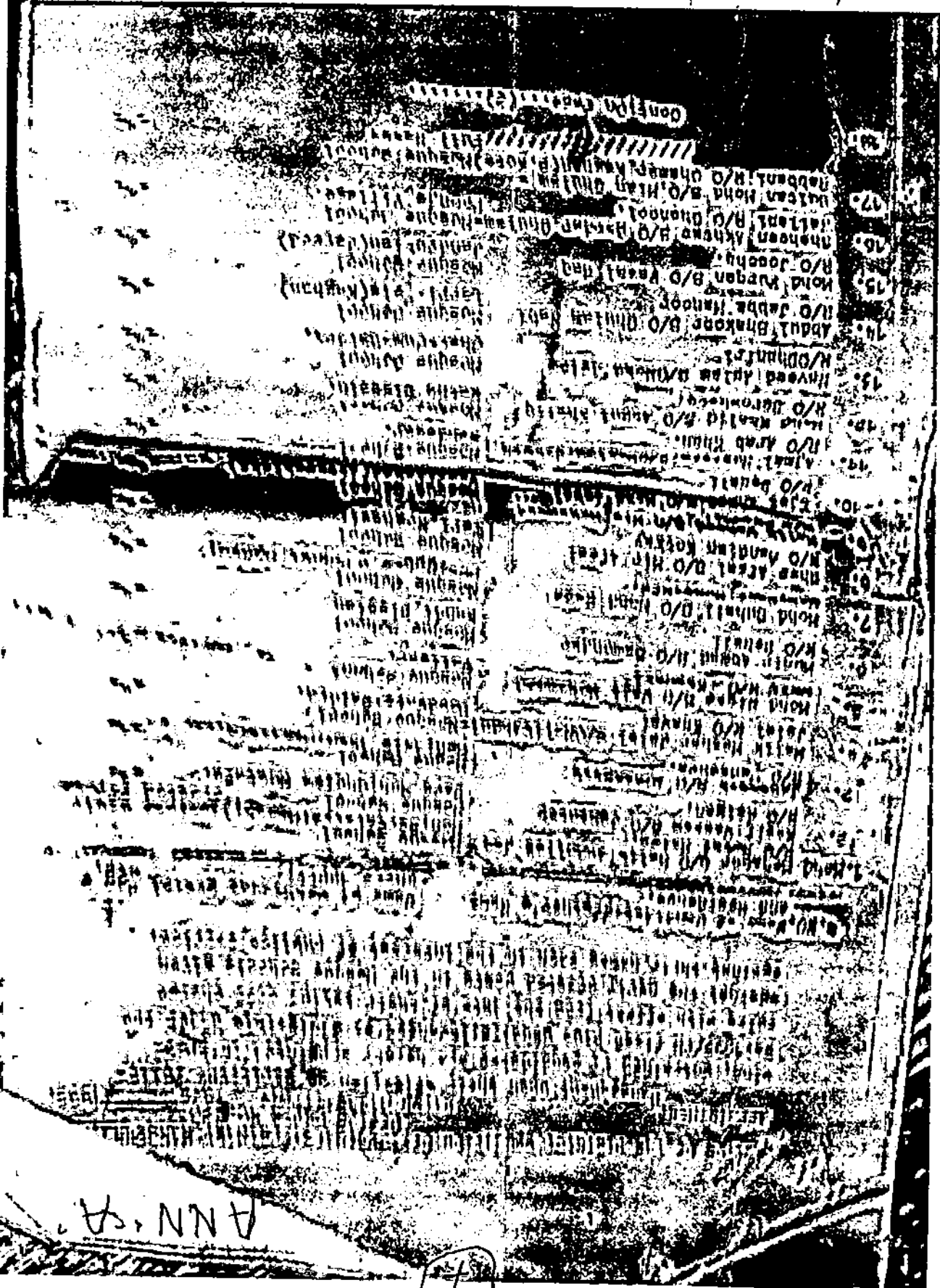
**Tahir Sajid Advocate  
High Court, District  
Courts, Manshra**

**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 Honorable Tribunal.

08/10/24





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18. Abul Malik S/O Haji Mohd Saad  
 R/O Balakote  
 19. Mohd Saad S/O Mohd Saad  
 R/O Balakote  
 20. Mohd Saad S/O Mohd Saad  
 R/O Balakote  
 21. Daud S/O Sharab Khan  
 R/O Seri Bekker  
 22. Mubtaz Ahmad S/O Abul Malik  
 R/O Balakote  
 23. Mohd Razaq S/O Ghulam Nabi  
 R/O Chanoil  
 24. Abul Shaker S/O Ghulam Nabi  
 R/O Seri Bekker  
 25. Zahid Ahmad S/O Haji Malik  
 R/O Balakote  
 26. Ali Asghar S/O Mohd Ayub  
 R/O Shaganat Bala  
 27. Zahid S/O Haji Behman  
 R/O Balakote  
 28. Mohd Asif S/O Mohd Saad  
 R/O Seri Bekker  
 29. Zahid Iqbal S/O Saadur Rehman  
 R/O Farba Bala  
 30. Mohd Khan S/O Rehman Khan  
 R/O Balakote  
 31. Saad S/O Haji Mohammad  
 R/O Balakote  
 32. Mohd Saad S/O Ghulam Saad  
 R/O Balakote  
 33. Saad Hussain S/O Haji Saad  
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 35. Ghulam Saad S/O Ghulam Saad  
 R/O Balakote  
 36. Gul Mohd S/O Gul Rehman  
 R/O Seri Bekker  
 37. Saad Ahmad S/O Saadur Khan  
 R/O Kote (Ghi)  
 38. Mohd Ali S/O Aladdin Khan  
 R/O Balakote  
 39. Umar Saad S/O Saadur Khan  
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 40. Zahid Ahmad S/O Saadur Khan  
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 R/O Balakote

(7)

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

**ANNEXURE**

"A"



Personal Information of Mr MUHAMMAD SARWAR/w/s of WALLUR REHMAN

Personnel Number: 00221852 CNIC: 1350113043709 NTN: \_\_\_\_\_  
 Date of Birth: 15.06.1970 Entry into Govt. Service: 30.06.1992 Length of Service: 32 Years 01 Months 003 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 80627427-DISTRICT GOVERNMENT KHYBE

BDO Code: MA6337-District Manshra

Payroll Section: 001 GPF Section: 001 Cash Center: 09

GPF AC No: EDUMA009751 GPF Interest applied: \_\_\_\_\_ GPF Balance: 1,269,927.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 14

Wage type	Amount	Wage type	Amount
0001 Basic Pay	71,410.00	1001 House Rent Allowance 45%	3,524.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1505 Charge Allowance	40.00	2148 15% Adhoc Relief All-2013	915.00
2190 Adhoc Relief Allow 0% 10%	637.00	2316 Teaching Allowance 2021	3,224.00
2341 Dist. Red All 15% 2022 KP	6,807.00	2347 Adhoc Rel All 15% 22 (PS17)	6,807.00
2378 Adhoc Relief All 2023 35%	24,311.00	2393 Adhoc Relief All 2024 25%	17,860.00

**Deductions - General**

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	-1,290.00	3501 Benevolent Fund	-1,290.00
3609 Income Tax	-6,367.00	3990 Emp. Edu. Fund KPK	-135.00
4004 R. Benefits & Death Comp.	-600.00		0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 101,857.65 Recovered till JUL, 2024: 6,367.00 Exempted: 25463.44 Recoverable: 70,027.21

Gross Pay (Rs.): 139,921.00 Deductions: (Rs.): -12,592.00 Net Pay: (Rs.): 127,329.00

Payee Name: MUHAMMAD SARWAR

Account Number: PLS 8715-0

Bank Details: NATIONAL BANK OF PAKISTAN, 230574 MAIN BRANCH BALAKOT MAIN BRANCH BALAKOT, BALAKOT

Leaves: \_\_\_\_\_ Opening Balance: \_\_\_\_\_ Availed: \_\_\_\_\_ Earned: \_\_\_\_\_ Balance: \_\_\_\_\_

Permanent Address: MANSEHRA

City: MANSEHRA

Domicle: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address: \_\_\_\_\_

City: \_\_\_\_\_ Email: muhammadsarwar1970@gmail.com

Affected

DEPUTY SECRETARY (POLICY)  
(MAJLHAY LALTY)

- 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 Government, Khyber Pakhtunkhwa.
- 5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 6. The Principal Commissioners in Khyber Pakhtunkhwa.
- 7. All Divisions of Attached Departments in Khyber Pakhtunkhwa.
- 8. All Autonomous Bodies in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa.
- 10. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 11. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 12. The Deputy Director (IT), E&A Department.
- 13. All Section Officers in Establishment & Administration Department.
- 14. The Section Officer (Admin), Administration Department.
- 15. The Section Officer (Admin), Administration Department.
- 16. The Director, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 17. The Director, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 18. The Director, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 19. The Director, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 20. The Director, Khyber Pakhtunkhwa Public Service Commission, Peshawar.

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

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

Notification  
in exercise of the powers conferred by section 25 of the  
Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of  
1973) (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:

NOTIFICATION  
Dated Peshawar the 06/8/2020

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(OCCUPATION WING)

Amended  
B  
B



9

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*  
*Admin*

AMIN  
C  
10



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. 611(Policy)I&ADII-3/2020  
Dated Peshawar the June 06, 2023

62

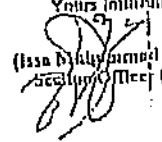
To: The Government of Khyber Pakhtunkhwa,  
Elementary & Secondary Education Department.

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

Dear Sir,  
I am directed in refer to your letter No. SO(Policy-MYI&SUD/2-  
2/Appointment/2023) dated 10.04.2023 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 said rule is aimed at preventing a  
civil servant from temptation for such gain by seeking 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.

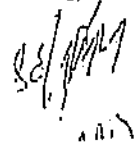
3. Furthermore, those officers/officials who do not comply with promotion order  
of the competent authority or try to evade promotion through different means shall be  
proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules,  
2011, please.

Yours faithfully,  
  
(Jassa Malik) Joint Secy (Policy)

ASSE  
7/6

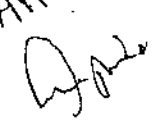
Encl. Of even No & date  
Copy forwarded to:-

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



Recd  
2023  
21/6/23

  
Section Officer (Policy)

Attested  


ANNEXURE

D  
(7)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
CIVIL SECRETARIAT PESHAWAR  
(Phone No. 091-9223587)

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

To,

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

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

*[Signature]*  
26/6/23

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

I am directed to refer to the subject noted above and to enclose here with a letter of Establishment Department letter No. 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 (E&SE) Department in his office.

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

Encl: AA

*[Handwritten mark]*

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

Copy forwarded to the:

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

*[Handwritten mark]*

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

A Hestel  
*[Handwritten signature]*

12

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

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

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, 1909.

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

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

Encl: AA

(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

WP4442-2023 AZIZULLAH VS GOVT OF PG43

Attest  
A. J.



13

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


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


SR	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

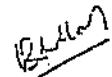
2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.


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

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


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

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

  
(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

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

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

Attested  




15

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

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

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

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

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

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

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

\_\_\_\_\_

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  
Apt

15

ANNEXURE

E



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

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


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

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

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

  
(MUHAMMAD ISMAIL)  
SECTION OFFICER (PRIMARY MALE)

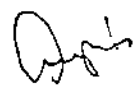
Copy forwarded to the:

- 1. Director EESE Khyber Pakhtunkhwa.
- 2. PS to Secretary, EESE Department Khyber Pakhtunkhwa.

  
SECTION OFFICER (PRIMARY MALE)  
20/8/23

Scanned with CamScanner

Attest



18/8/23  
A/23/1

No. 50 (Primary-M) E.S.S. 18-21  
Appr. 1-2023  
Peshawar Dated 12th August, 2023.

- 2 -  
- B/C -

18

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

SUBJECT: Guidance regarding deletion of Rule 7(5) in the  
Civil Servant (Appointment, Promotion & Transfer Rules  
1987).

Dear Sir,

I am directed to refer to your letter No. 50 (Primary)  
(Peshawar) dated 04 June 2023 and to state that after  
deletion of Rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment,  
Promotion and Transfer Rules 1987) it has been intimated that  
those officers/officials who do not comply with promotion order

of the competent authority or try to evade promotion through  
different means shall be proceed under Khyber Pakhtunkhwa  
Civil Servant (Efficiency and Discipline) Rule 2011.

In this connection it is submitted that in some cases badly  
teachers 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 older fathers of  
mother-in-law who need care. In such cases there are negative  
effects on service delivery. In view of above, the said amendment may be reconsidered to  
the extent of lady teacher in primary schools.

Copy forwarded to:  
1. Director E.G. SE Khyber Pakhtunkhwa.  
2. PS to Secretary, E.G. SE Department Khyber Pakhtunkhwa.

(Muhammad Ismail)  
Section Officer (Primary)  
Peshawar



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

(17)

F

Handwritten signature and initials

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

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

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

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

UP-17-2023 AZIZULAH VS GOVT OF PK

Handwritten initials

18

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. SO(Policy)E&AD/1-3/2023  
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)

Encl: Of even No & date

Copy forwarded to the:-

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

Section Officer (Policy)

Attest  
[Signature]

Alleged  
Office

WP442-2023 AZIZULHAH VS GOVT CP 6043

Atsahard Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

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

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

consolidated case.  
That in light of the minutes of the meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Education at his office. This office has been asked for submission of no provision to clarify/forgo promotion <sup>every</sup> under every condition. That the government of KP-ED (Registrar Wiling) vide letter No. SO (Policy) EQAD/1-2/2020 dated 6-06-2023 accordingly stated that there exists no provision to accept promotion upon every civil servant to accept promotion under every condition. That your good office forwarded the same to quarters concerned vide letter No. SO (Policy) EQAD/2-2/11/2023 for necessary guidance.  
That Government of KP Establishment department (Registrar Wiling) decided rule 7(S) in Civil Servants (Appointment, Promotion, Transfer, etc) 1999 vide notification No. No. SOP-VI (EQAD) 1-3/2020 dated 06-08-2020. That this office sought guidance from your good office in the following vide letter No. 6783 dated 06-07-2023.  
(i) Now it is obligatory upon civil servant to accept promotion. (ii) It is prerogative of civil servant to either accept/demand in the office of promotion.  
That your good office forwarded the same to quarters concerned vide letter No. SO (Policy) EQAD/2-2/11/2023 for necessary guidance.

Dear Sir, I am directed to refer to letter No. (SO Policy-M) EQAD/1-1/GM/1/2023 dated 30-7-2023 on subject cited above and to present brief history, above background of case as under.

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

PSHAWAR  
12-1-7-2023

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

-B/C-

19

Handwritten marks and signature at the top left of the page.

WP4442-2023 AZIZULLAH VS GOVT OF PAK

Assistant Director (Establishment) Ministry of Secondary Education, Kyber Pakhtunkhwa

1. PA to Director, Local Directorate.  
2. Master Copy.

Copy of the above to:-

Assistant Director (Establishment) Ministry of Secondary Education, Kyber Pakhtunkhwa  
Date: 21/7/2023

The case is submitted for perusal and necessary actions please.

The Government of Kyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No. SO (Policy) E&SED/1-3/2020 dated 06-06-2023 categorically stated that there exists no provision in decline of term promotion. It is obligatory upon every civil servant to accept promotion under every condition. The same was received by this office from your good office vide letter No. SO (Primary-h) E&SED/2-2/Appointment/2023 dated 13-06-2023. That, in the light of the minutes of meeting dated 06-07-2023 held under the Chairmanship of Hon. Additional Secretary, Establishment at his office, has been asked for submission of consolidated case. In view of the above, this office is of considered opinion that the deletion of Rules 275) have effected negatively a large number of Female Teachers. Thus it is proposed that Teachers below 175-6 may be exempted of implications of the amendment in the rules held provided they submit their written request prior to conclusion of the meeting of Departmental Promotion Committee.

I am directed to refer to the letter No. SO (Primary-h) E&SED/1-11/2023 dated 10-07-2023 on the subject cited above and in prompt brief history about the background of the case as under:  
That Government of Kyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No. SO (Policy) E&SED/1-3/2020 dated 06-06-2023. That this office sought guidance from your good office in the following words vide letter No. GSR dated 06-07-2023.  
(i) Now it is obligatory upon the civil servant to accept promotion in every condition, (ii) It is the prerogative of the civil servant to either accept or turn down the offer of promotion.  
That your good office forwarded the same to the quarter concerned vide letter No. SO (Primary-h) E&SED/2-2/Appointment/2023 for necessary guidance. The Government of Kyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No. SO (Policy) E&AD/1-3/2020 dated 06-06-2023 categorically stated that there exists no provision in decline of term promotion. It is obligatory upon every civil servant to accept promotion under every condition. The same was received by this office from your good office vide letter No. SO (Primary-h) E&SED/2-2/Appointment/2023 dated 13-06-2023.

Subject - MINUTES OF THE MEETING  
Dear Sir,  
The Section Officer (Primary-Male),  
Ministry of Secondary Education Department,  
Kyber Pakhtunkhwa Peshawar.

No. 8145  
Kyber Pakhtunkhwa, Peshawar  
Date: 21-7-2023  
Phone: 091-9223344  
Email: estab@minedephtk.com



20



## بخدمت جناب سیکرٹری تعلیم خیبر پختونخوا

اپیل!

عرض ہے کہ گورنمنٹ آف خیبر پختونخواہ کی جانب سے جو لازمی پر موشن کا حکم نامہ جاری ہوا وہ ایک تنازعہ نوٹیفیکیشن ہے جس سے ہمیں درج ذیل تحفظات ہیں۔

(1) PSHT پہلے سے سکیل 15 میں ذمہ داریاں سرانجام دے رہے ہیں۔ اپیل دہندہ کی عمر 5 سال ہے اگر وہ سٹی پوسٹ لینا چاہے تو سکیل 15 میں ہی آئیں گے اور سینارٹی متاثر ہو کر بارٹم میں چلے جائیں گے جنکا نقصان یہ ہے کہ وہ SST پوسٹ سے محروم رہ جائیں گے۔

(2) یہ کہ جبراً CT پوسٹ لینا ہمیں منظور نہیں ہے کیونکہ ایک سال کے اندر اندر زیادہ تر PHST، SST پوسٹ پر پروموشن ہونے والے ہیں۔

(3) سابقہ حکومت نے پہلے سے PHST/SPST اور PST کو اپ گریڈ کیا ہے جو کہ 01-07-2023 سے نافذ العمل ہے لیکن مالی کمی کی وجہ سے تاحال تاخیر کا شکار ہیں۔

(4) یہ کہ سکیل 15 سے سکیل 15 میں جانا کہاں کا پروموشن ہے یہ تو صرف کیڈر تبدیل ہو جاتا ہے اور ہمارا مطالبہ پروموشن اپ گریڈیشن ہے جس میں واضح تبدیلی آجائے گی۔

لہذا ہم استاذہ حکومت خیبر پختونخواہ سے مطالبہ کرتے ہیں کہ مذکورہ نوٹیفیکیشن کو منسوخ کریں اور استاذہ کی بے چینی کو ختم کریں۔ ورنہ ہم عدالت جانے میں حق با جانب ہوں گے۔

PSHT چھر سرور 1/24  
GIPS حوناں

کاپی ٹو!

(1) جناب سیکرٹری تعلیمات، KPK

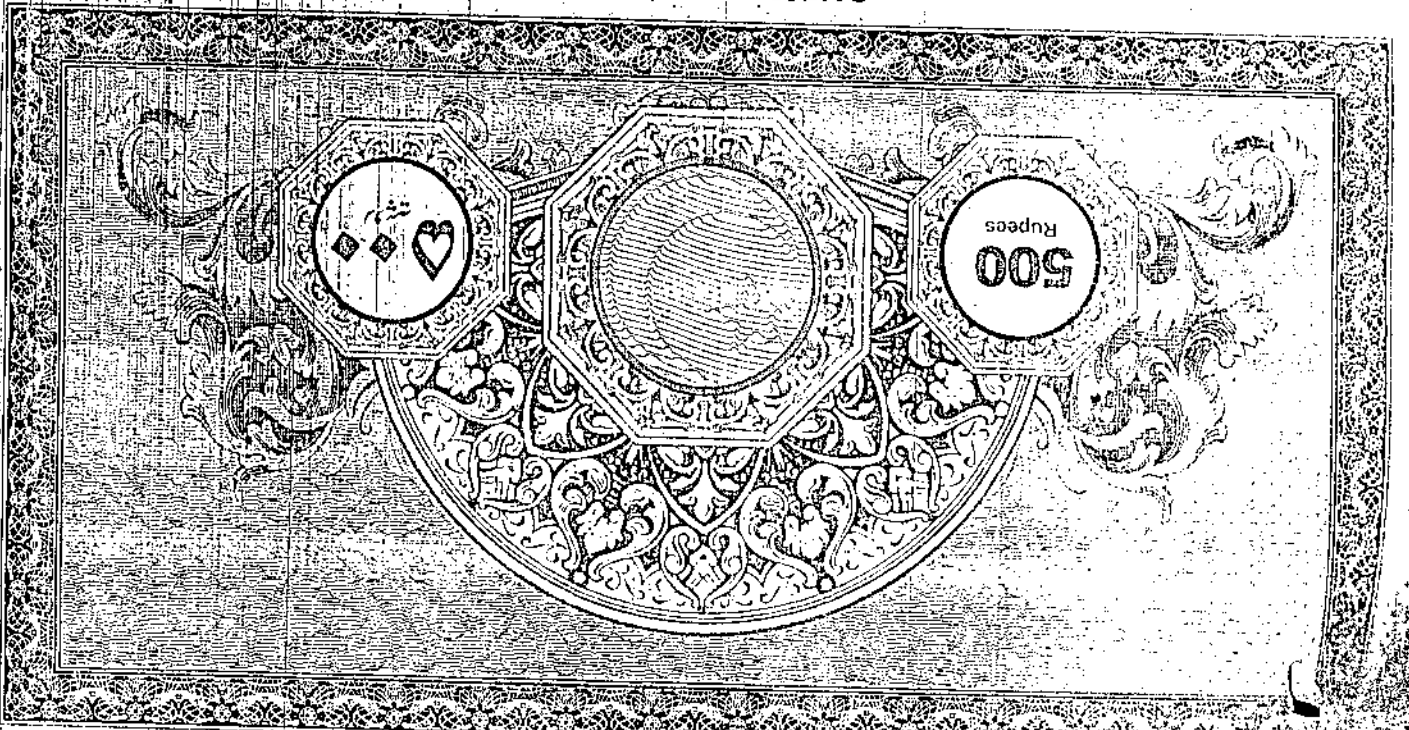
(2) جناب ڈائریکٹر تعلیمات، KPK



N.SL No	O.SL No	Name of Present School	Name	Father's Name	BPS	Acad	Div	Prof.	D.O.B	Date of Promotion	D/Abptt	TO charge
200	1270	GPS DEHRAN BALA	ATTA MUHAMMAD	MUHAMMAD ISMAIL	15	FA		PTC	25/04/1965	25-Feb-13	4/30/1992	1/28/1988
201	1271	GPS BRADDAR	ABOUL UR REHMAN	GHULAM HAIDAR	15	BA		PTC/B.ED	15/03/1967	25-Feb-13	4/30/1992	5/5/1988
202	1280	GPS KANSHIAN BALA	MANZOOR HUSSAIN	HANIDULLAH	15	BA		PTC/S.ED	18/07/1967	25-Feb-13	5/10/1992	5/10/1992
203	1285	GPS TANGRI	MUNIR AFZAL	MUHAMMAD AFZAL	15	FA		PTC	12/04/1969	25-Feb-13	5/10/1992	5/10/1992
204	1286	GPS ANDRASI PHAGAL	ALI MUHAMMAD	MIAN MUHAMMAD SADIQ	15	BA		PTC/B.ED	02/01/1971	25-Feb-13	5/10/1992	5/10/1992
205	1292	GPS NAKKA BUBRAL	MUHAMMAD IQBAL	ALI GOHAR	15	FA		PTC	10/10/1970	25-Feb-13	5/17/1992	5/17/1992
206	1294	GPS GUL SARI	ABDUL SATTAR	MUHAMMAD NOORANI	15	FA		PTC	04/01/1970	25-Feb-13	5/21/1992	5/21/1992
207	1294 A	GPS SHOHAL NAJAF KHAN	MUHAMMAD ZAHID	MUHAMMAD FARID KHAN	15	BA		PTC/B.ED	02/04/1971	19-Nov-15	30/08/1992	30/08/1992
208	1298	GPS BATTANG G H ULLAH	MUHAMMAD RAFIQUE	HACIYATULLAH	15	FA		PTC/CT	04/02/1970	25-Feb-13	9/1/1992	9/1/1992
209	1299	GPS CHANJA	GHULAM MURTAZA	GHULAM RABANI	15	FA		PTC	09/09/1968	25-Feb-13	10/19/1992	10/5/1990
210	1300	GPS CHITTI OHERI	M ISHTIAQ	M AJOON KHAN	15	BA	2nd	PTC/CT/B.ED	01/04/1968	25-Feb-13	10/25/1992	5/5/1988
211	1312	GRS SUNDAR	ABDUR RAZAQ	MUHAMMAD AKBAR KHAN	15	BA		PTC	01/05/1966	25-Feb-13	11/21/1992	5/25/1988
212	1320	GPS MANNA	MUHAMMAD SARWAR	WALI UR REHMAN	15	MA	2nd	PTC/CT/B.ED	15/06/1970	25-Feb-13	11/21/1992	6/30/1992
213	1322	GPS SARAI DANDA KHOLIAN	JEHAN ZEB	AKMAL KHAN	15	MA	2nd	PTC/CT/B.ED	01/01/1972	25-Feb-13	11/21/1992	7/1/1992
214	1323	GPS KHALABUT	SHAH REHMAN	MUHAMMAD ZAMAN	15	FA		PTC	19/12/1972	25-Feb-13	11/21/1992	3/29/1992
215	1328	GPS SHAROTA TOOT	HAKIM KHAN	AR-MED KHAN	15	BA	1st	PTC/CT	03/03/1965	25-Feb-13	11/22/1992	4/14/1988
216	1331	GPS KULHARY NORTH	NASEER AHMED	MUHAMMAD GUL	15	BA		PTC	15/11/1965	25-Feb-13	11/22/1992	5/23/1988
217	1338	GPS GULI BAGH NO.2	MUHAMMAD NAWAZ	MUHAMMAD SAHRIF	15	FA		PTC	01/08/1967	25-Feb-13	11/22/1992	11/22/1988
218	1344	GPS KUND BALA	MUHAMMAD ZAREEN	NOOR SAID	15	MA	2nd	PTC/CT/B.ED	01/01/1969	25-Feb-13	11/22/1992	1/27/1988
219	1346	GPS JAB KASHTRA	AMJAD IMRAN	NIAMAT ULLA	15	BA		PTC/B.ED	16-03-69	25-Feb-13	11/22/1992	4/16/1988
220	1346 A	GPS SHAMORI	SHARJEHAN	AR-MED JEE	15	BA		PTC	04/02/1969	25-Feb-13	11/22/1992	4/16/1988
221	1348	GPS DOSIRI	MUHAMMAD BANARAS	M FARID	15	FA		PTC	12/05/1969	25-Feb-13	11/22/1992	12/16/1990
222	1349	GPS PATHAN COLONY	ARIF HUSSAIN	MUHAMMAD MAROOF	15	BA		PTC/CT	15/05/1969	25-Feb-13	11/22/1992	6/13/1990
223	1350	GPS DATTA	ABDUR REHEEM	MUHAMMAD YOOQUAB	15	BA	2nd	PTC/CT	21/01/1970	25-Feb-13	11/22/1992	11/24/1988
224	1351	GPS BUHRAJ	MUHAMMAD SADAQAT	MUHAMMAD ASLAM	15	MA	2nd	PTC/CT/B.ED/M.ED	23/02/1970	25-Feb-13	11/22/1992	12/1/1988
225	1352	GPS POODNIAL	MUHAMMAD RIAZ	ABDUR REHMAN	15	BA		PTC/B.ED	15/03/1970	25-Feb-13	11/22/1992	7/11/1992
226	1353	GPS MADDAN	ISHTIAQ AHMAD	TAJ MUHAMMAD	15	FA		PTC/CT	30/03/1970	25-Feb-13	11/22/1992	11/22/1988
227	1358	GPS HAR NAKKA	ARIF HUSSAIN SHAH	USMAN SHAH	15	BA	2nd	PTC	04/04/1973	25-Feb-13	11/22/1992	5/7/1991

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Name of Advocate طاہر سراج

S.No

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GENERAL SECRETARY  
District Bar Association  
Manshera

# وکالت نامہ

بعدالت: سردس ٹریسٹریبل بسا اور  
عنوان: محمد سرور  
منجاب: اربیلہند  
نوعیت مقدمہ: سردس ریل

باعث تحریر آتکے

دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقام ایسٹ ایما کے لئے  
طاہر سراج صدر ایڈووکیٹ عالی کورٹ  
کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے  
جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ  
میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام کچہری کے علاوہ  
کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ کچہری کے علاوہ  
کسی اور جگہ سماعت ہوا یا کچہری کے اوقات کے آگے پیچھے سماعت ہونے پر مظہر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار  
نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست  
بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کاروبیہ وصول  
کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپر دائر نامہ و دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا  
بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا یکطرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف  
کر بشرط ادائیگی علیحدہ محنتانہ ادا کرنے کا مجاز ہونگا اور بصورت ضرورت بدورال مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا بیرٹر کو  
بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو  
اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت  
میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پر داختہ وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔  
لہذا وکالت نامہ لکھ دیا ہے اور دستخط/انگوٹھا ثبت کر دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

مورخہ 19 اکتوبر 2024ء

طاہر سراج

ACCEPTED

محمد سرور  
صدر ایڈووکیٹ عالی کورٹ  
منجاب