


FORM OF ORDER SHEET

Court of _____

Appeal No. 1996/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 23.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

A No 1996

ZAKRIA KHAN

V/S

Government of KP & others

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ADVOCATE

M. Musarrat Butt

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 1996 /2024

Zakria Khan Son of Gul Muhammad, SPST
GMPS Senai Lund Khwar, 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 Senior Primary School Teacher.
Copy of Appointment letter is annexed as **Annexure A**

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

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

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

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

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

- c. 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 survive in the department and which shall amount to the snatching of bread and butter of the poor employees

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

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

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

AFFIDAVIT:

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

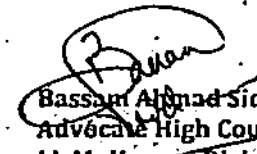

Deponent

Appellant

Through


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court


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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

CM No. _____ -P of 2024

In Ref to

Service Appeal No. _____/2024

ZAKRIA KHAN
VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

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

Respectfully Submitted:-

1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant.
3. That there is likelihood success of the appellant in the IIs. 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

[Signature]
Deponent

Through

Appellant

[Signature]
Muhammad Muazzam Butt
Advocate Supreme Court

[Signature]
Muhammad Adeel Butt
Advocate High Court

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



Personal Information of Mr ZAKRIA KHAN d/w/a of GUL MOHAMMAD

Personnel Number: 00025460 CNIC: 1730112360417 NTN:
Date of Birth: 10.04.1973 Entry into Govt. Service: 06.05.1992 Length of Service: 31 Years 08 Months 027 Days

Employment Category: Vocational Temporary

Designation: SENIOR PRIMARY SCHOOL TEA 80696670-DISTRICT GOVERNMENT KHYBE

DDO Code: PW6574-Sub: Divisional Education Officer (Male) Town 1 Peshawar

Payroll Section: 003 GPF Section: 001 Cash Center: 19

GPF A/C No: EDUMR008798 GPF Interest applied GPF Balance: 1,244,148.00 (provisional)

Vendor Number: 30351576 - ZAKRIA KHAN 22427900006003 HBL 222242

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	1210 Convey Allowance 2005	2,856.00
1300 Medical Allowance	1,500.00	1897 Housing Subsidy Allowance	13,956.00
2148 15% Adhoc Relief All-2013	827.00	2199 Adhoc Relief Allow @10%	555.00
2316 Teaching Allowance 2021	3,036.00	2341 Dispr. Red All 15% 2022KP	5,962.00
2347 Adhoc Rel Al 15% 22(PS)7	5,962.00	2378 Adhoc Relief All 2023 35%	21,283.00

Deductions - General

Wage type	Amount	Wage type	Amount
3014 GPF Subscription	-3,900.00	3501 Benevolent Fund	-1,200.00
3609 Income Tax	-1,362.00	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
6501	HBA Loan Principal Instal	124,800.00	-1,040.00	58,240.00

Deductions - Income Tax

Payable: 20,708.88 Recovered till JAN-2024: 8,722.00 Exempted: 5177.13 Recoverable: 6,809.75

Gross Pay (Rs.): 118,487.00 Deductions (Rs.): -8,237.00 Net Pay (Rs.): 110,250.00

Payee Name: ZAKRIA KHAN

Account Number: 22427900006003

Bank Details: HABIB BANK LIMITED, 222242 Gulbahar Colony2, PESHAWAR, Gulbahar Colony2, PESHAWAR, PESHAWAR

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: Peshawar

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Housing

Temp. Address:

City:

Email: zakriakhan30@gmail.com

ACCEPTED

System generated document in accordance with APPA 4.6.12.9687333/25.01.2024 v.0.0

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICE/02.02.2024/19/00/02)

ADMITTED

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Connection upon the NEW RECRUITMENT POLICY by the Govt. of West Bengal Education Department No. 3059/S-1/91 dated Pophawa on 2/7/1992.

The appointment of the following trained P.T.O. Candidates no. 1000-91 are hereby made with immediate effect in UP-7 (Ra: 1095-20-1991) plus usual allowances in the interest of public service.

Appointment are made according to the Govt. Policy para No. 1. Recruitment of P.T.O. Teachers under this new Recruitment policy shall be strictly on the basis of merit and only P.T.O. trained persons will be included. Candidates will be in a provincial constituency from among candidates belonging to that constituency.

S. No.	Name/Father's Name Home address/Qualification	P.T.O. Marks	Name of school where posted	Remarks
<u>U.P. 13 - MARDAN - C</u>				
1.	Mr. Sajjad Ahmed S/O Nisar, Muzammar R/O Mohamadg Khel House Mardan, Bx.	656	G.M.P. Kashan, Abad	Against post.
2.	Mr. Iqbal Ahmad S/O Imdad Wazirabad, Bx. SSC	685	Khat Khilji (Moti)	-do-
3.	Mr. Khan S/O K. R. Khan R/O Shabdandh Baba Mardan	667	Wazir Khan Kuroona Moti.	-do-
4.	Muhammad Ali S/O Jafar, Ahmed R/O Mialim, Abad Mardan, Bx.	584	Bako Dhari (Bakhsheji Road)	-do-
<u>U.P. 20 - MARDAN - C</u>				
5.	Alam Zeb S/O Ghazoor Shah R/O Buzi Galyala Bx.	671	Saeed Abad Hussai.	-do-
<u>U.P. 21 - MARDAN - C</u>				
6.	Hajjad Ahmed S/O Zarin Gul R/O Babusai Mardan, Bx.	689	Miongan Ase Khel (Daherai)	-do-
7.	Ram Bahadur S/O B. Bahadur Bx. R/O Jafar Mardan	688	Sawal Mardan	-do-
8.	Muhammad Ibrahim S/O B. Ghani R/O Chahi Bazar Mardan, Bx.	600	Haji Sardar Dunda Kotlang.	-do-
9.	Sardar Shah S/O Farid Khan, Bx. R/O Babusai Mardan	601	Kamal Dind Baba	-do-
10.	Ghulam Muhammad S/O Ghulam Ahmad R/O Khatlang Mardan, Bx.	670	Haji Farid Khan Katti Ghri.	-do-
11.	Amirul Hossain S/O Asad, Mardan R/O Begowala Bazar, Bx. SSC	672	Shah Bahar Mardan	-do-
12.	Ahan Shah S/O Farid, Bx. R/O Khatlang Mardan	673	Masjid, Habibullah Lakpani.	-do-
13.	Amirul Hossain S/O Asad, Mardan R/O Begowala Bazar, Bx. SSC	669	Ishahul Haq (Sangasi)	-do-
14.	Atiqul Rehman S/O Ghulam Khan R/O Babusai Mardan, Bx.	662	Ajo Benda	-do-
15.	Muhammad Shah S/O Farid, Bx. R/O Begowala Bazar, Bx. SSC	661	Munirif Shah Kotri.	-do-
16.	Muhammad Khan S/O Habibullah Khan R/O Babusai Mardan, Bx.	657	Culak (Chundo)	-do-
<u>U.P. 23 - MARDAN - C</u>				
17.	Farid Ahmad S/O Zahir, Bx. R/O Babusai Mardan, Bx.	602	Toktar	-do-
18.	Muhammad Imad S/O Abdul Majeed R/O Mardan, Bx. Bx.	675	Doblan	-do-
19.	Imdad Ahmad S/O Mardan, Bx. R/O Babusai Mardan, Bx.	665	G.M. Gokal	-do-

15

The following P.T.O. teachers are hereby advertised on his own pay and grade in the interest of public service with immediate effect.

C. No.	Name of Teacher	From	To	Remarks
1.	Habib Khan P.T.O.	GMPS. Kancher Abad	C.M.S. Mohi Killa	V/Post.
2.	Wajid Ali P.T.O. Jhab	GMPS. Saali Abad	GMPS. Jhalala Jhalced.	do
3.	Zakria Khan	GMPS. Bani	GMPS. P.S. Eddi	do
4.	Fakhri Alam	GMPS. Takker	GMPS. Haji Usman Killa	do
5.	Jahid Jehan P.T.O.	GMPS. for P.S.	GMPS. Muzhar Abad. V/S. No. 1.	

Note: - No TA/DA is allowed/ Charge reports should be submitted to this office in duplicate.

(Signature)
 (Mr. M. J. HAYAT KHAN)
 JAWHAR DIVISIONAL EDUCATION OFFICER
 (WALL) TAKHT MIAI, PUNJAB

(Inst. No. 583-89) Dated Takht Mial the 9/5/1992.

Copy of the above is forwarded for information to the:-

1. S.D.O. concerned.
- 2-5. All Head Teachers concerned.
6. Accountant local office.

(Signature)
 Divisional Education Officer
 (W) Takht Mial, Punjab

to be filled up

ATTN

~~ATTESTED~~

Handwritten: 4/1/89

DEPUTY SECRETARY POLICY
(MAJIDAH LATIF)

Handwritten signature

ATTESTED



- 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 Governor, Khyber Pakhtunkhwa.
- 4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 5. The Principal Secretary to Government, Khyber Pakhtunkhwa.
- 6. The Principal Secretaries to Government, Khyber Pakhtunkhwa.
- 7. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
- 10. All Deputy Commissioners in Khyber Pakhtunkhwa.
- 11. The Registrar, Khyber Pakhtunkhwa Public Service Commission, 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 with the request to The Section Officer (Admin), Administration Department.
- 15. The Section Officer (Admin), Administration Department.
- 16. The Section Officer (Admin), Administration Department.
- 17. The Section Officer (Admin), Administration Department.
- 18. The Section Officer (Admin), Administration Department.
- 19. The Section Officer (Admin), Administration Department.
- 20. The Section Officer (Admin), Administration Department.

CHIEF SECRETARY GOVERNMENT OF THE KHYBER PAKHTUNKHWA

CHIEF SECRETARY GOVERNMENT OF THE KHYBER PAKHTUNKHWA

AMENDMENT

Notification in rule 7, sub-rule (5) shall be deleted.

AMENDMENT

Further amendments shall be made, namely:

1. The Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Services Act No. XVIII of 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) in exercise of the powers conferred by section 26 of the said Act, the following amendments shall be made, namely:

2. The Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Services Act No. XVIII of 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) in exercise of the powers conferred by section 26 of the said Act, the following amendments shall be made, namely:

NOTIFICATION

GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT (REGISTRATION WING)

Annexure - B

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

REQUESTED

WFAA-2-2023 AZZULMAN VS GOVT OF POLA

2011, please
Copy forwarded to them:
1. Deputy Special Attorney General, Substitution Department
2. Deputy Secretary (Policy), Substitution Department
3. Deputy Secretary (Policy), Substitution Department

(See Attached Officer Policy)

(See Attached Officer Policy)

Further, these officers/agents who do not comply with promotion order of the competent authority or by to create promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011, please.

The basic rationale behind the deletion of this bill was to avoid any provision which will prevent from promotion for their jobs by adding to a large inactive position or to prevent those who tend to large promotion to evade posting/transfer or show lack of capacity to take higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

Appointments dated 14.01.2023 in the subject noted above and to state that Sub-Section (5) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with this department notification dated 06.08.2021 thus, no provision exists to decline or forgo promotion.

To: The Government of Khyber Pakhtunkhwa
Secretary & Secondary Education Department

Subject: GUARANTEE OF PROMOTION OR HIGHER POST IN THE CIVIL SERVICE AND TRANSFER RULES, 1989

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO/Est/HR/AR/12020
Dated: Islamabad, 06.08.2023



Annexure - C

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.001-8223587)

No.60 (Primary-M)E&SED/2-6/2023
Dated Peshawar (ha) June 26th, 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. 60 (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)

ATTESTED

14

B/c

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, 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)

WP4443-2023 AZIZULLAH VS GOVT CP RG43

~~REQUESTED~~

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

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

Annexure
0

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. Rafiqat 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 the above 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-I
E&SE Department

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

(Mr. Rafiqat Ullah)
General Secretary APTA
Peshawar

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

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

ATTESTED

16
- 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

S#	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



No. 8145

Ministry of Education and Higher Education
Palestine
Phone: 972-2-7777777
Email: info@moeh.gov.ps

The Section Officer (Primary-Side),
Ministry of Education and Higher Education,
Rajab, Ashmashim, Palestine.

Subject: MINUTES OF THE MEETING

Dear Sir,

I am pleased to refer to the letter No.50/P/primary-105452/11-11
G.M.H/S/Ministry of the Meeting/PST/2023 dated 10-07-2023 on the subject cited above and to
present brief history about the background of the case as under:

The Government of Rajab Palestinian Establishment Department (Registration Wing)
divided into 7(7) in the Civil Services (Appointment, Promotion & Transfer Rules 1959)
with notification No. 508-VI (E&AD)/1-2/2020 dated 06-08-2020.

That this office sought guidance from your good office in the following words with letter
No.6987 dated 09-02-2022.

(i) How to obligate upon the civil servant to accept promotion in every condition,
promotion.

(ii) Is it the prerogative of the civil servant to either accept or turn down the offer of
promotion.

That your good office forwarded the same to the quarter concerned vide letter
No.50 (Primary-4) E&AD/2-2/Appointment/2023 for necessary guidance.

That the Government of Rajab Palestinian Establishment Department (Registration Wing)
vide letter No.50 (Policy) E&AD/1-2/2020 dated 06-06-2022 categorically stated
that there shall be no provision in decline or forego 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 with letter No.50
(Primary-4) E&AD/2-2/Appointment/2023 dated 12-06-2022.

That, in the light of the minutes of meeting held 06-07-2022, held under the
Chairmanship of Hon. Additional Secretary Establishment of his office, has
been asked for submission of consolidated case.

In view of the above, this office is of considered opinion that the decision of Rules
(75) have affected a huge number of female teachers. Thus it is proposed that
Teachers below 75-16 may be exempted of implications of the amendment in the rules laid
provided they submit their written request prior to conclusion of the meeting of
Departmental Promotion Committee.

The case is submitted for perusal and necessary actions please.

Assistant Director (Primary-4)
Ministry of Education and Higher Education
Rajab, Ashmashim
Date: 17/07/2023

Extno No. _____
Copy of the above is to:-
1. PA to Director Local Directorate.
2. Master Copy.

Assistant Director (Establish-1)
Ministry of Education and Higher Education
Rajab, Ashmashim

RECEIVED

14442-2023 AZIZULAH VS GOVT OF PALE

RECEIVED

WP4412-2023 AZIZULAH VS GOVT OF PKA

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

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

That in light of the minutes of the meeting dated 5-07-2023
held under the Chairmanship of Hon. Additional Secretary Education
Government at his office. This office has been asked for submission of
consolidated case.

no provision to decline foreign 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. 50 (Reg)
EGAD/1-2/2020 dated 6-06-2023 accordingly stated that there shall

That your good office forwarded the same to a quarter concerned
vide letter No. 50 (Reg) (M) EGAD/2-2/2020 dated 23-06-2023 for necessary
guidance.
offer of promotion.
(U) B-13 prescriptive of civil servant to either accept/decline the
offer of promotion.

That the office sought guidance from your good office in the following
vide notification No. 50R-VI (EGAD) 1-3/2020 dated 05-08-2020.
dated rule 7(S) in Civil Servant (Appointment, Promotion, Transfer & 1997)
That Government of KP Establishment department (Regulation Wing)
present brief history, also background of case as under.

Minister of meeting 15/7/2023 on subject cited above and to
I am directed to refer to letter No. 50 (Reg) (M) EGAD/1-1/2020/
Dear Sir, I am directed to refer to letter No. 50 (Reg) (M) EGAD/1-1/2020/
Subject: Minutes of Meeting
KPK, Peshawar
Elementary & Secondary Education Department

To:
Section Officer (Primary Male)
Directorate of Elementary & Secondary Education, KPK
Peshawar (21-7-2023)

-B/C-



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8221587)

No: SO(Primary-M)EBSED/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.

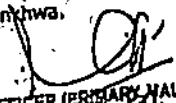
2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father or 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 EBSE Khyber Pakhtunkhwa.
2. PS to Secretary, EBSE Department Khyber Pakhtunkhwa.


SECTION OFFICER (PRIMARY MALE)
20/8/23

Scanned with CamScanner

WP4443-2023 AZIZULLAH VS GOVT CP PG43

ATTESTED

- B/c -

- 12 -

No. 50 (Primary - M) E & SE D / 9-2 /
 Appointment - Rule / 2023
 Peshawar Dated 23rd August, 2023.

To.

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

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

Dear Sir,

I am directed to refer to your letter No. 50 (Policy) / ELAD
 / 1-3 / 2020 dated 6th June 2022 and to state that after
 deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment,
 Promotion and Transfer Rules 1989) it has been intimated that
 those officers/officials who do not comply with promotion order
 of the competent authority or try to evade promotion through
 different means shall be proceed under Khyber Pakhtunkhwa
 Civil Servant (Efficiency and Discipline) Rule 2011.

In this connection it is submitted that in some cases lady
 teacher of primary level who avail such promotion have to
 face serious inconvenience while they have to perform duties
 in the remotest stations with no residential / transport facilities.
 Most of them are married with kids and elder 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 extend of lady teacher in primary schools.

Copy forwarded to;

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

(Muhammad Ishaq)
 Section Officer (Primary
 Male)

ATTESTED

Annexure - F



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

TESTE

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,

[Signature]
Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

WP442-2023 AZIZUL CAH VS GOVT OF PK

21

-B/C-

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

To

The Secretary to Government of Khyber Pakhtunkhwa,
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)

Encls. Of even No & date

Copy forwarded to the:-

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

Section Officer (Policy)

[Handwritten signature]
ACCEPTED

Annexure - G

To,

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

Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-3/2020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA- ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

Sir/ Madam:-

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

It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&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 26/01/2024

ATTESTED

Zakria Khan
ZAKRIA KHAN
S/O GUL MUHAMMAD
SPST.

~~ARRESTED~~

WP443-2017 AZIZULHAQ VS GOVT OF PERAK

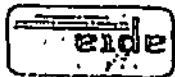
8/11/2017
~~Signature~~
Tuan M. Azizi
Tuan M. Azizi

7. Dalam hal ini, Mahkamah memutuskan bahawa tuntutan permohonan pembebasan segera yang dibuat oleh Pemandu Busway (Pemandu) adalah tidak beralasan. Mahkamah memutuskan bahawa Pemandu Busway (Pemandu) telah melanggar peraturan yang ditetapkan oleh Jabatan Pengangkutan Jalan (JPJ) dan bahawa Pemandu Busway (Pemandu) bertanggungjawab terhadap keselamatan dan kesejahteraan orang ramai. Oleh itu, Mahkamah memutuskan bahawa permohonan pembebasan segera Pemandu Busway (Pemandu) ditolak.

Uraian: Pemandu Busway (Pemandu) telah melanggar peraturan yang ditetapkan oleh Jabatan Pengangkutan Jalan (JPJ) dan bahawa Pemandu Busway (Pemandu) bertanggungjawab terhadap keselamatan dan kesejahteraan orang ramai.

Annexure - H
Uraian: Pemandu Busway (Pemandu) telah melanggar peraturan yang ditetapkan oleh Jabatan Pengangkutan Jalan (JPJ) dan bahawa Pemandu Busway (Pemandu) bertanggungjawab terhadap keselamatan dan kesejahteraan orang ramai.

APTA House,
Govt. Primary School, Malak, Kuala Lumpur, Malaysia.



Kaliber Pahlawan

Produced by
112 Little Khan
0333-011658
www.apta.gov.my

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 (I)

[Handwritten signature]
Muhammad Akbar Khan
Member (I)

Date of Presentation of Application 10-6-24
 Number of 1
 Copying 5/-
 Deposit 5/-
 Total 10/-
 Name of 13-6-23
 Date of 12-6-24
 Date of delivery of copy 12-6-24

~~RESERVED~~

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

ZAKRIA KHAN
Versus

Appellant

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC


BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM

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

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



APPELLANT

ACCEPTED



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court