


# FORM OF ORDER SHEET

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

Appeal No. 2089/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 30.10.2024. 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

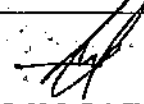
A - No. 2089/2024  
Arshid Naseem

V/S

Government of KP & others

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ADVOCATE

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 2089/2024

Arshid Naseem Son of Muhamamd Naseem Khan Resident of Tehsil & District Manshera

Designation: Primary School Head Teacher at GPS Balyani

.....Appellant

**V E R S U S**

- 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

.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020, 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/1-312020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, MAY BE DECLARED AND ORDERED TO BE STRUCK DOWN BEING VOID AND ULTRA VIRES TO THE CONSTITUTION OF PAKISTAN AND FUNDAMENTAL PRINCIPLES OF NATURAL JUSTICE AND AGAINST THE RIGHTS OF APPELLANT.**

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

**RESPECTFULLY SHEWETH:**

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

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

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

**GROUND:-**

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

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

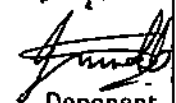
**It is, therefore, humbly prayed that on the acceptance of the instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3 1-2020 DATED 06/08/2020, communicated to Respondent No.2 by Respondent NO.1, vide letter dated 06/06/2023, may please be declared and ordered to be struck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

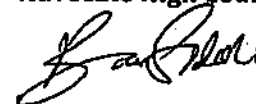
**AFFIDAVIT:**  
I Arshid Nasim Son of Muhamamd Naseem Khan Resident of Tehsil & District Manshera do hereby solemnly affirm and declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court

  
Deponent

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

C.M No \_\_\_\_\_ -P of 2024

In Ref to

Service Appeal No \_\_\_\_\_ /2024

ARSHID NASEEM  
VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

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

Respectfully Submitted:-

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

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

AFFIDAVIT:

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

Deponent

Through

  
Appellant

  
Muhammad Muazzam Butt  
Advocate Supreme Court

  
Muhammad Adeel Butt  
Advocate High Court

6

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



**Personal Information of Mr ARSHID NASIM d/w/s of MUHAMMAD NASEEM KHAN**

Personnel Number: 00224161 CNIC: 1350305212563 NTN:  
 Date of Birth: 29.06.1973 Entry into Govt. Service: 13.11.1994 Length of Service: 29 Years 02 Months 02 Days

**Employment Category: Active Permanent**

Designation: PRIMARY SCHOOL HEAD TEACH 80003206-DISTRICT GOVERNMENT KHYBE

DDO Code: MA6145-Mansehra

Payroll Section: 001

GPF Section: 001

Cash Center: 2

GPF A/C No: EDUMA009956

GPF Interest applied

GPF Balance:

1,107,276.00 (provisional)

Vendor Number: -

**Pay and Allowances:**

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 15

Pay Stage: 22

Wage type		Amount	Wage type		Amount
0001	Basic Pay	67,480.00	1001	House Rent Allowance 45%	3,524.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	827.00	2199	Adhoc Relief Allow @10%	591.00
2316	Teaching Allowance 2021	3,224.00	2341	Dispr. Red All 15% 2022KP	6,408.00
2347	Adhoc Rel AI 15% 22(PS17)	6,408.00	2378	Adhoc Relief All 2023 35%	22,925.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-4,290.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-2,414.00	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
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**Deductions - Income Tax**

Payable: 37,376.88 Recovered till JAN-2024: 15,968.00 Exempted: 9343.28 Recoverable: 12,065.60

Gross Pay (Rs.): 115,743.00 Deductions: (Rs.): -8,639.00 Net Pay: (Rs.): 107,104.00

Payee Name: ARSHID NASIM

Account Number: CA 5356-3

Bank Details: NATIONAL BANK OF PAKISTAN, 230364 MAIN BRANCH MANSEHRA MAIN BRANCH MANSEHRA, MANSEHRA

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: MANSEHRA

City: MANSEHRA

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: arshidnaseem7@gmail.com

**ATTESTED**

System generated document in accordance with APPM 4.6.12.9(SO399005/25.01.2024/v3.0)

All amounts are in Pak Rupees

Errors & omissions excepted (SERVICES/01.02.2024/19-43-15)



PSHT - BRS - 15

**NOTIFICATION.**

In pursuance of Government of Khyber Pakhtunkhwa Peshawar Notification No SO(B&A)/1-18/E&SE/2012 and Finance Department Notification No SO(FR)/FD/10-22(E)/2010 Dated 18/07/2012, and subsequently Notification issued by the District Education Officer, (Male) Mansehra Endst: No 3000-125 Notification PSHT Dated 27/02/2015 the following Primary School Head Teachers B15 are adjusted against vacant post of PSHT (B-15) with the following terms & conditions given below with effect from their taking over the charge.

S.#	S.L.N	Name of Teacher	Present School	Union Council	Adjusted School	Union Council
1	997 B	Aurangzeb	GPS Shah Kol	Behal	GPS Charachi	Behal
2	1429	Saeed Isahaq	GPS Mohar Khurd	Sawan Marn	GPS Kangar Doga	Sawan Marn
3	1430	Muhammad Nawaz	GPS Chakli Ilyas	Lassan Nawab	GPS Chakli Ilyas	Lassan Nawab
4	1431	Muhammad Shoukat	GPS Kalih Sarash	Solban	GPS Bala Sacha	Hungari
5	1432	Zakar Hussain	GPS Rahi	G.H. Ullah	GPS Bakran	Baital
6	1433	Muhammad Aslam	GPS Kaghlan	Kaghlan	GPS Sarf Rajwal	Kaghlan
7	1434	Muhammad Nazeer	GPS Gharaol	Gharaol	GPS Poprang	Gharaol
8	1435	Aurangzeb	GPS Makhan Gali	Karol	GPS Makhan Gali	Karol
9	1437	Shahid Ur Rahman	GPS Tarnah	Dhodini	GPS Nindhar	Bhogranwari
10	1444	Muhammad Nazim	GPS Dhara	Ogdi	GPS Jabli Bazargay	Ogdi
11	1445	Muhammad Rizaz	GPS Trade	Hikot	GPS Tarhadda	Hikot
12	1446	Muhammad Shafiq	GPS Bondi Gula No 2	Sawan Marn	GPS Bondi Gula No 2	Sawan Marn
13	1447	Chauk All Shah	GPS Kall Gula	Ichran	GPS Larami	Ichran
14	1447 B	Jam Muhammad	GPS Mori Dhannala	Phura	GPS Mori Dhannala	Phura
15	1449	Fida Mahana	GPS Suni	Sun	GPS Bando Sachan	Sachan
16	1450	Umar Zaman	GPS Kheran	Phura	GPS Ghazkai	Phura
17	1451	Muhammad Iqbal	GPS Jabha Yeveh	Lassan Nawab	GPS New Yagub	Lassan Nawab
18	1459	Muhammad Ijaz	GPS Khudran	Lassan Nawab	GPS Khudran	Lassan Nawab
19	1401	Imdad Ahmad	GPS Saver	Hungari	GPS Chikana	Hungari
20	1463	Muhammad Khan	GPS Chai Gali	Kallai	GPS Bando Sydan	Kallai
21	1465	Zahir Nawaz Khan	GPS Bherkand	Bherkand	GPS Shandro	Malik Pira
22	1467	Muhammad Asif	GPS Hassan	Tahata	GPS Gulson	Tahata
23	1468	Muhammad Hanayun	GPS Nawar Sher	Dandi Shungli	GPS Nawar Sher	Dandi Shungli
24	1469	Muhammad Umar	GPS Bala Patis	Hungari	GPS Kund	Hungari
25	1471	Zahid Khan	GPS M. Zareen Shungli	Sandzar	GPS Nodi Bala Patis	B/Shungli
26	1470	Muhammad Tahir	GPS Kangar Khola	Phura	GPS Kangar Khola	Phura
27	1477	Sami Mustafa	GPS Khar Daga	Mohandri	GPS Pottan	Mohandri
28	1478	Aarif Ali	GPS Gahval	Altorshaha	GPS Karol	Karol
29	1479	Muhammad Saleem	GPS Riaz Abad	Phurhna	GPS Bondi Karli	Phurhna
30	1480	Umar Farooq	GPS Dada Malo	Dhodini	GPS Dadi Di Bari	Bhogranwari
31	1481	Dalwar Khan	GPS Changan	Kallai	GPS Larana Chkur	Kallai
32	1484	Saf Khan	GPS Suni	Kaghlan	GPS Soch	Kaghlan
33	1485	Zulfiqar Khan	GPS Dada Malo	Dhodini	GPS Basol	Bhogranwari
34	1487	Amir Zeh	GPS Ogda	Behal	GPS Lund Tal	Shergarh
35	1488	Niaz Muhammad	GPS Ichran	Ichran	GPS Kamrang Itaba	Baital
36	1489	Muhammad Hani	GPS Inayat Abad	Inayat Abad	GPS Karida	Baital
37	1491	Sheraz Ur Rahman	GPS Jabha	Jaloo	GPS Mared Abad	Jaloo
38	1492	Ghazi Khan	GPS M.M. Pak	Sandzar	GPS Chakli Bala	B/Shungli
39	1502	Affan Iqbal Khan	GPS Lassan Thakrol	Lassan Thakrol	GPS Khumrin	Shergarh
40	1503	Azmat Ali	GPS Lassan Thakrol	Gallan	GPS Chiji Patis	Gallan
41	1505	Nisar Ahmad	GPS Chagan Unb	Dhodini	GPS Chanyal	Jabon
42	1509	Rashid Khan	GPS Bahra	Mohandri	GPS Naka Jarod	Mohandri
43	1507	Aarif Khurshid	GPS Kandi Daga	City No 1	GPS Naka Jarod	Mohandri
44	1510	Muhammad Khan	GPS Jhanchha No 1	Sun	GPS Champ	Nakka Patis
45	1512	Ali Golam	GPS Patis Tindari	Nakka Patis	GPS Rajwal	Kaghlan
46	1513	Abdul Qayyum	GPS Bherkand	Kaghlan	GPS Sundi	Jabon
47	1514	Shabbir Ahmad	GPS Shikri No 2	Dhodini	GPS Dabbar Kalma	Jabon
48	1516	Mohd Hussain	GPS Nani Motel	Dhodini		

*[Handwritten Signature]*  
**ATTESTED**

1510	Zahir Khan	GPS Malookra	Shamdhra	GPS Lurdi Tari	Shamdhra
1511	Muhammad Aul	GPS Jaktol	Chanoel	GPS Dewkhar	Chanoel
1512	Atfal Shakoer	GPS Dhatlan	Chanoel	GPS Kichan	Kichan
1513	Muhammad Rafique	GPS Chapira Ghoshal	Chanoel	GPS Tiamira	Kawan
1514	Ashiq Ahmed	GPS Kuhnary	Balla	GPS Bakas	Udhal
1515	Mansha Khan	GPS Badal Gran	Mahandi	GPS Badal Gran	Mahandi
1516	Kharshid Anwar	GPS Ghosi Bando	Chanoel	GPS Patti Jarood	Mahandi
1517	Muhammad Miskeen	GPS Jhal Kridah	Shahid Mazulali	GPS Phagan	B/Singhli
1518	Aul Hussain Shah	GPS Jlo Alara	Lamanjuran	GPS Hanisharinn	Hanisharinn
1519	Inyat U Rehman	GPS Khatu	Chanoel	GPS Pahan Dhori	Kawan
1520	Hana Khan	GPS Nawar Sher	Unadi Singhal	GPS Nawar Shar	Unadi Singhal
1521	Ghulam Hussain	GPS Jaisal Matri	Kaghan	GPS Jaisal Matri	Kaghan
1522	Alfal Hussain	GPS Qmli No. 1	Qmli	GPS Chakol	Qmli
1523	Imdad Ahmad	GPS Bata Kandi	Kaghan	GPS Ghahar	Kaghan
1524	Mateer U Rehman	GPS Chaita Datta	Sardar	GPS Jarami	C/Plah
1525	Muhammad Siddique	GPS Har Sam	Shahid Mazulali	GPS Sunj	B/Singhli
1526	Sarda Bahadar	GPS Khatu	Phan	GPS Muan Gali	Phan
1527	Muhammad Sahar	GPS Khatu	Shannayn	GPS Kala	Shannayn
1528	Jam Muhammad	GPS Khatu	Phan	GPS Kawan Matri	Phan
1529	Muhammad Sabir	GPS Riaz Atad	Phan	GPS Khatu	Shargah
1530	Muhammad Yousof	GPS Chaita	Phan	GPS Bujjar	Phan
1531	Sayeed Ahmad	GPS Datta	Phan	GPS Jhal Piyon	B/Singhli
1532	Khan Bahadar	GPS Qmli No. 1	Qmli	GPS Ghazkol	Nakka Pani
1533	Muhammad Aul	GPS Jagan	Phan	GPS Khatu Bardo	Qmli
1534	Ashiq Khan	GPS Phagan	Sardar	GPS D. Khatu Khal	Phan
1535	M. Farooq	GPS Jagan	Unband	GPS Bando Muroor	Phan
1536	Qid Ghani	GPS Ghahar Sari	Phan	GPS Phagan	Nakka Pani
1537	Rala Khan	GPS Malakhan	Unband	GPS Jhal	Lahori Nawab
1538	Ahmed Zaman	GPS Unband	Unband	GPS Mochan	Unband
1539	Muhammad Akram	GPS Salya	Sawan Mala	GPS Salya	Sawan Mala
1540	Muhammad Rashed	GPS Dhat Chanoel	Mahandi	GPS Dhat Kandi Wan	Kaghan
1541	Sayid U Rehman	GPS Nakka Pani	Nakka Pani	GPS Nakka Pani	Nakka Pani
1542	Hana Khan	GPS Ghahar Khand	Shannayn	GPS Doin	Shannayn
1543	Muhammad Aul	GPS Phagan	Unband	GPS Thal Matri	Shannayn
1544	Muhammad Aul	GPS Phagan	Unband	GPS Nakka Pani Wan	Shannayn
1545	Rafiq Zangul	GPS Phagan	Unband	GPS Sulfatin Paha	Qmli
1546	Muhammad Aul	GPS Khatu	Unband	GPS Makhyat	Kawan
1547	Hana Muhammad	GPS New Unband	Unband	GPS Doin Kol	Shannayn
1548	Ghulam Hata	GPS Mochan	Sabani	GPS Dangl Sari	Kaghan
1549	Muhammad Hussain	GPS Salkhan	Sabani	GPS Lahar Ursada	Kaghan
1550	Muhammad Aul	GPS Muan Gali	Phan	GPS Tannayn	Phan
1551	Muhammad Khan	GPS Dhat	Nakka Pani	GPS Doin Ghazkol	Nakka Pani
1552	Muhammad Akhtar	GPS Dhat	Nakka Pani	GPS Angar Doin	Nakka Pani
1553	Ab Rehman	GPS Dhat	Phan	GPS Chann Ghazkol	Phan
1554	Waqar Hana	GPS Syndhat	Unband	GPS Sindhoo	Unband
1555	Muhammad Imdad	GPS Dhat	Kawan	GPS Dhat Bata	B/Singhli
1556	Ashiq Hassan	GPS Khatu	Lahori	GPS Jagan Lam Hata	Lahori
1557	Muhammad Faryaz Khan	GPS Chava Katan	Unband	GPS Ghahar	Dhat
1558	Mateer U Rehman	GPS Tando	Tanda	GPS Doin	Dhat
1559	Muhammad Hussain	GPS Sumdhra	Shamdhra	GPS Charangada	Kawan
1560	Gul Faraz	GPS Alzal Abad	Shakti Abad	GPS Baslan	Kawan
1561	Qazi Muhammad Nawaz	GPS Gali Badal	Shargah	GPS Harool	Shargah
1562	Sultan U Anjeen	GPS Jagan	Bherkund	GPS Khatu	Shargah
1563	Waqar U Rehman	GPS Salya	Khatu	GPS Kundan	Khatu
1564	Imad U Rehman	GPS Bherkund	Bherkund	GPS Kharyala	Unband
1565	Sarda Bahadar	GPS Tradh Panjoc	Sachan	GPS Doin	Doin Jabar
1566	Muhammad Sollen	GPS Bata Matri	Tanda	GPS Joro Bata	B/Singhli
1567	Hana Muhammad	GPS Khatu Nawar Abad	Doin Jabar	GPS Khatu	Sachan
1568	M. Farooq	GPS Doin	Sabani	GPS Doin Phagal	Kaghan
1569	Noor U Islam	GPS Koray	Unband	GPS Sari Bata	C/Plah
1570	Muhammad Shari	GPS Doin Balakot	Balakot	GPS Lasa Dhat	Kawan
1571	Muhammad Yousof	GPS Chaita	Kawan	GPS Haryat Shargah	Kawan
1572	Muhammad Rashed	GPS Ghazkol	Doin	GPS Haryat Monso	Doin
1573	Qid Muhammad	GPS Phagan	Sardar	GPS Sari Kaghan	Kaghan
1574	Sayid Ali Khan	GPS Phagan	Chaita	GPS Chaita	Chaita
1575	Muhammad Maharan	GPS Zillar Unband	Chaita	GPS Sari Gola	Shargah

Handwritten signature and the word "ATTESTED" in large, bold, capital letters.

1034	Ahmad Mahmood	GPS Dablan	Ghanool	GPS Phagal	Kaghan
1035	Mohammad Fayaz	GPS Mottaj	Jaberl	GPS Kanchaji	Nawrozabad
1036	Ali U. Rhaman	GPS Bari Mahar Gud	Karori	GPS Seri Mahar Gud	Karori
1037	Muhammad Sirkool	GPS Qazabnd	Ichlan	GPS Chopra Bab	Batal
1038	Byad Malang Shah	GPS Balfan	Daldan	GPS Unchar	Balfan
1039	Munir Ahmed	GPS Zamaerl	Talhan	GPS Paltan	B/Shangli

**TERMS AND CONDITIONS:-**

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, he shall be proceeded under the E&O Rule 2011, framed from time to time.
4. Charge report should be submitted to all concerned.
5. Their inter se Seniority on lower post will remain intact.
6. No TA/DA is allowed for joining his duty.
7. They will give an under taking to this effect to be recorded in their service Book.

Sd/-  
DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA

Enclst:- No.3961-4081 Notification PSHT Dated 14/03/2015.

Copy forwarded for information and necessary action to the:-

1. The Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner Mansehra
3. The District Monitoring Officer IMU Mansehra
4. District Accounts Officer Mansehra.
5. Deputy District Education Officer (Male) Mansehra.
6. Sub Divisional Education Officer (Male) Mansehra.
7. All ASDEO (M) Concerned
8. Office order file.

DY: DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA

**ATTESTED**

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY MANSEHRA

Encl No: 2201-2301

OFFICE ORDER NO. 93

13-11-1994

DATED 13-11-1994

APPOINTMENT

Consequent upon their selection on merit, the following PTC Trained candidates are hereby appointed in BPS No. 7 @ Rs. 1480-81-2695 plus usual allowances as admissible under the Rules w.e.f the date of their taking over charge against the newly created/vacant posts in the schools given in against their names in the interest of Public Service.

S.NO	NAME & FATHER'S NAME	RESIDENCE	PLACE OF POSTING	REMARKS
1.	S. Malang Shah S/O S. Akbar Shah Tilli (Kund)		GPS Garhi A/Zai	A:V/post
2.	Umar Zareen S/O Muhammed Zar. Dour Mera		GPS Manja Kote	---do---
3.	Gul Sharir Said S/O S. Haroon Shah Zunglay (A.Z)		GPS Bimbal	---do---
4.	Sher Haider S/O Aurangzeb Japeet		Kand. Bala	---do---
5.	Russeia Ahmad S/O Azizur Rehman Choond M.K		GPS Bartooni	---do---
6.	Muhammad. Naeem S/O Muhammad Younis Khan Sarori		GPS Kotkay	---do---
7.	Muhammad Shohbib S/O Azizur Rehman Choond MK		GPS Choond M.K	---do---
8.	Sahib Zada S/O Muhammad Sadiq Gawandla		GPS Nadrey	---do---
9.	Sardar Behadar Shah S/O Noor Ahmad Shah Zunglay AZ		GPS Bateela	---do---
10.	Afsar Muhammed S/O Taj Muhammad Khan Kambisar		GPS Dore Mera	---do---
11.	Inshanullah S/O Wahidullah Zunglay		GPS Chera Kote	---do---
12.	Muhammad Saleem S/O Baz Muhammad Kambisar		GPS Sulemani	---do---
13.	Tanweer Ahmad S/O Muhammad Khan Karlal (Bebali)		GPS Kunhar	---do---
14.	Muhammad Saeed Ahmad S/O Azizur Rahman Dada		GPS Kander Tawara	---do---
15.	Azhar Bilal S/O Ghulam Mustefa Nogezi		GPS Zungla K.D	---do---
16.	Muhammad Tufail S/O Abdul Ghani. Pothe		GPS Chamb Kilagay	---do---
17.	Saifur Rehman S/O Shafiqur Rehman Karer		GPS Doha KD	---do---
18.	Arshid Naeem S/O Muhammad Naeem Bela Kote		GPS Bhayani	---do---
19.	Mazharul Haq S/O Afzal Haq Banda Balola		GPS Darbani	---do---
20.	Muhammad Rashid S/O Ghulam Sarwar Chakia		GPS Darbani	---do---
21.	Muhammad Intiez S/O Fazalur Rehman Bissian		GPS Sachka	---do---
22.	Qaiser Naeem S/O Ghulam Jan Chakia		GPS Lashora	---do---
23.	Naeem Ejaz S/O Muhammad Iqbal Chanana		GPS Zeeza Rai	---do---
24.	Muhammad Ejaz S/O Abdur Rashid Banda Balona		GPS Zeeza Rai	---do---
25.	Iftikhar Hussain Shah S/O S. Maqbool Sh. Nakote		GPS Karore	---do---
26.	Letifur Rehman S/O Muhammad Yousuf Hari Mera		GPS Phag Ban	---do---
27.	Sultanul Harifeen S/O H. Mazafar Iqbal Hari Mera		GPS Phag Ban	---do---
28.	Ibadur Rehman S/O Gul Faraz Kotli Payeen		GPS Mchri Bala	---do---
29.	Muhammad Saleem S/O Mazafar Khan Baffe		GPS Seri Kandow	---do---
30.	Mazhar Hussain S/O Muhammad Maroof Tarangri Bala		GPS Keesay Shtal	---do---
31.	Iftikhar Ahmed S/O Muhammad Fareed Dhodial		GPS Banda Dada	---do---
32.	Iftikhar Ahmed S/O Muhammad Irfan Shinklari		GPS Curay Asharay	---do---
33.	Akhtar Saeed S/O Muhammad Saeed N.kote		GPS Shalson	---do---
34.	Akhtar Zeb S/O Abdul Qayum Kotli Bala		GPS Karna	---do---
35.	Shakirullah S/O Shafi Ullah Baffe		GPS Sooran	---do---

Contd: Page No. 2.....

ATTESTED

36. Tajwar Sultan S/O Ghulam Nabi Tarangri Bala GPS Mara K.K Ag:V/post
37. Muhammed Naseem S/O Muhammed Farid Shensi Bala GPS Shingal Dhar ---do---
38. Fazel Rabi x S/O Ghulam Samdari Baffe GPS Daddam ---do---
39. Muhammed Shafiqat S/O Muhammed Miskin Dhodial GPS Dharoo ---do---
40. Muhammed Shakil S/O Ghulam Farid Dhodial Mosq:Kaleesh KD ---do---
41. Chan Zeb S/O.Khan Wali Khan Dheri Mosq:Abu Shanaye ---do---
42. Habibur Rehman E/O Khelilur Rehman Tanda Mosq:Nambal. ---do---
43. Beshir Ahmad S/O Ghulam Hessen Hafiz Bandi Mosq:Abu M.Khel ---do---
44. Muhammed Akber S/O.Muhammed Sabir Batang Mosq:Jiggal ---do---
45. Gul Farez S/O Sarfarez Khawajgan Mosq:Saibay H.Z ---do---
46. Noorul Islam S/O M.Shabir Ahmad Koray Mosq:Geetay KD ---do---
47. Sheukat Ali S/O Abbas Khan Kotli Payeen Mosq:Mara A/Zai ---do---
48. Anjam Saeed S/O Saeedur Rehman Nokote Mosq:Surmal. ---do---
49. Niaz Ali Shah S/O Ali Akber Shah Dadar. Mosq:Chawang ---do---
50. Muhammed Farooq S/O Ghulam Kabbani Balakote Mosq: (Seri Tota. ---do---
51. Naseer Ahmad S/O Basheer Ahmed Kashtara --- GPS:Gali Ghanool ---do---
52. Muhammed Naseem S/O Muhammed Yusuf Patlang. Mosq:Kotkay Manoor ---do---
53. Sabir Hussain S/O Baz Gul Sengar --- GPS:GPS Lohar Banda ---do---
54. Muhammed Rafique S/O Ghulam Nabi Ghanool GPS Andrasi ---do---
55. Muhammed Arshid Farooq S/O Ali Asghar Khan Jabbi GPS Shaktiran ---do---
56. Imdad Hussain S/O Yar Ali Sengar GPS Mohandri Vill. ---do---
57. S. Ishaq Hussain Shah S/O Ali Asghar Shah Talhatta GPS Badalgran ---do---
58. Muhammed Irfan S/O Mir Zaman Kanshian GPS Seri Manoor. ---do---
59. Mushtaq Ahmad S/O Abdullah Sengar GPS Bele Manoor ---do---
60. S. Ibadet Shah S/O S. Umar Shah Kanshian GPS Buttian Manoor ---do---
61. Liaqat Hussain Shah S/O Ghaazi Shah Kanooch GPS Naka Jared ---do---
62. Arshid Mehmood S/O Muhammed Alam Garlat GPS Dhanoo ---do---
63. Muhammed Sherif S/O Muhammed Daud Sower GPS Choshal ---do---
64. Samsur Rehman S/O Habibur Rehman Shohal Nazullah GPS Bhattian ---do---
65. Zahid Jamil S/O Masoodur Rehman Patseri GPS Kunda ---do---
66. Muhammed Mushtaq S/O Ghulam Sarwar Bhoonja GPS Harva ---do---
67. Khurshid Anwar S/O Ghulam Din Arban GPS Buddi Da Naka ---do---
68. Dil Muhammad S/O Sherab Khan Seri Garlat GPS Budi Da Naka ---do---
69. Munir Ahmad S/O Abdul Rashid Shohal Nazullah GPS Gali Dhanoo. ---do---
70. Hakim Khan S/O Shah Zullah Chajer Payeen GPS Chijri Payeen ---do---
71. Muhammed Fiaz S/O After Khan Ghanian Mosq: Jilal Abad ---do---
72. Sardar Behadar S/O Haroon Khan Sochan Kelan GPS Surpanj. ---do---
73. S. Nadim Hussain Shah S/O Zefar Ali A. Ghah Bai Bala GPS Dana Sharkool ---do---
74. Nasir Mehmood S/O Abdul Wadood Khan Keri GPS Jabbar ---do---
75. Nasir Mehmood S/O Muhammed Ismail Kanog. GPS Kayan ---do---
76. Shah Nawaz S/O Dolat Khan Shahdore GPS Malookra. ---do---
77. Wezirur Rehman S/O Muhammed Shafee --- GPS:GPS Kunder GPS Mohri. ---do---
78. Muhammed Fiaz S/O Muhammed Nawaz Buzbails GPS Mohri. ---do---

~~TESTED~~

			A.V/Post.
79.	Muhammad Naseer S/O Muhammad Aslam Khan Banda	Grisaco	GPS Sondi ---do---
80.	Muhammad Imran S/O Abdullah Jan	Bankota	GPS Bhandar ---do---
81.	Mazhar Hussain S/O Iftikhar Hussain Shamdara		GPS Bhandar ---do---
82.	Wajid Raza S/O Muhammad Raza	Molige	GPS Chungeri ---do---
83.	Muhammad Shakeel S/O Muhammad Saleem Tarkher		GPS Chungeri ---do---
84.	Muhammad Nawaz S/O Muhammad Jamshed Gali Badral	Msq: Doga Miangan	---do---
85.	Niaz Muhammad S/O Behram	Battlay	Msq: Kali Gatti ---do---
86.	Abdur Rashid S/O Rehmat Ullah	Sher Garh	Msq: Kharee Ahmad Abad ---do---
87.	Gul Faruz S/O Muhammad Yunis	Shergarh	Msq: Chitta Batta (Shergarh) ---do---
88.	Muhammad Khurshid S/O Shah Zaman	Gul Dheri	Msq: Badral ---do---
89.	Shahid Shujauz Zaman S/O Sher Muhammad Kotehra		GPS Mera Khairoo ---do---
90.	Muhammad Riaz S/O Ghulam Jan	Ram Kote	Msq: Shamal Bandi ---do---
91.	Muhammad Riaz S/O Abdur Razaq	Bhato Bandi	Msq: Abbi Behn ---do---
92.	Muhammad Yunis S/O Khalilur Rehman Seri Jhand		Msq: Salaya Shungli ---do---
93.	S. Amin Shah S/O Rehmat Shah	New Darband	Msq: Keel Batla Bala ---do---
94.	Muhammad Irfan S/O Ali Akber	Kala Mera	Msq: Kongrooria ---do---
95.	Attiqur Rehman S/O Maqboolur Rehman Neabal		Msq: Milkawani ---do---
96.	Muhammad Safer S/O Taj Muhammad Khajambar		Msq: Khajambar ---do---

TERMS AND CONDITIONS.

1. They should submit their charge reports to all concerned.
2. Their appointment is purely on temporary basis and liable for termination at any stage without assigning any reason.
3. Their appointment is subject to the verification of their original Academic and Professional certificates/documents. Their original Academic & Professional certificates should be checked thoroughly before handing over the charge and should not be handed over the charge if their original certificates are not found correct.
4. No one should be handed over charge if he is below 18 years and above 30 years in case of the candidates relating to Zone III and 27 years of others.
5. Their pay will not be drawn until they produce age & health certificate from Medical Superintendent, D.H.O Hospital Mansehra.
6. They will be governed under prescribed service rules framed by the Govt. of N.W.F.P.

(M. I. S. SHAH)  
I/O DISTRICT EDUCATION OFFICER,  
(MALE) PRIMARY MANSEHRA.

Encl: No 2201-2301/GB(G/I) Dated Mansehra the 15/11/1994.  
III/94.

Copy forwarded to the:-

1. Secretary to Govt. of NWFP Education Department Peshawar.
2. Director Primary Education NWFP (Hyderabad) Peshawar.
3. District Accounts Officer Mansehra.
4. Sub Divisional Education Officer (Male) Mansehra.
- 5-100. All the candidates concerned.
101. Superintendent local office.

I/O DISTRICT EDUCATION OFFICER,  
(M. I. S.) PRIMARY MANSEHRA.

**ATTESTED**

Annexure - B -

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar, the 06/08/2020

Under E.S.A. No. 17/2020, in exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) the Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following further amendment shall be made, namely:

AMENDMENT

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

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

EXIST. NO & 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 (Admn), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

18/08/2020

(WAJAH LATIF)  
DEPUTY SECRETARY (POLICY)

ATTESTED

ATTESTED

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/08/2020

In exercise of the powers conferred by section 26 of the Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII of B) 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



ATTESTED

USA 44-38861-2023 AZIZULHAQ VS GOVT OF INDIA

Secretary, Office (Policy)

Secretary (Internal Affairs)

- 1. Copy forwarded to the...
- 2. P3 to Special Security (Legal, Establishment Department)
- 3. P3 to Additional Secretary (Legal, Establishment Department)
- 4. P3 to Deputy Secretary (Policy), Establishment Department

Under Cover No. 216

216

2011, please.

Further, these 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 Service (Promotion & Discipline) Rules, 2011, please.

The basic rationale behind the deletion of the bill was to prevent a reversal from legislation for bills which by virtue of a large incentive provision or to prevent those who lead to large promotion to evade paying/taxation or above lack of capacity to handle higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

The basic rationale behind the deletion of the bill was to prevent a reversal from legislation for bills which by virtue of a large incentive provision or to prevent those who lead to large promotion to evade paying/taxation or above lack of capacity to handle higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

provision exists to decline or forgo promotion.

15) of Rule 7 of Khyber Pakhtunkhwa Civil Service (Appointment, Promotion and Transfer) Rules, 1987 stands deleted) who this department notification dated 06.08.2020; this, no notification dated 18.02.2023 on the subject noted above and to state that Sub-Rule 7.1 not directed to refer to your letter No. SD/10007-M/1744/2023.

Dear Sir,

Subject: **MEMORANDUM REGARDING DELETION OF SUB-RULE 7.1 IN THE KHYBER PAKHTUNKHWA CIVIL SERVICE (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1987**

The Government of Khyber Pakhtunkhwa  
Secretary & Secretary (Internal Affairs)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
SECRETARY (INTERNAL AFFAIRS)  
No. SD/10007-M/1744/2023  
Dated: 06.08.2023



Annexure - C



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

No.RO (Primary-M)E&SED2-6/2023  
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(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 here with a letter of Establishment Department letter No. SO (Policy)ESAD/1-3/2020 dated 06 June, 2023 and to state that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the Chairmanship of Additional Secretary (Estab) E&SE Department in his office.

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

Encl: AA

*[Signature]*

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

Copy forwarded to the:

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

*[Signature]*

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

~~APPROVED~~

B/c

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

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

Encl: AA

(MUHAMMAD ISRAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

ATTESTED

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH REGARDING PROMOTION OF ALL PRIMARY TEACHERS ASSOCIATION KHAYER PAKHTUNKHWA TRANSFER RULES 1989)

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

Sl.	NAME	DESIGNATION
1	Mr. Faraz Wajid	Deputy Director, Establishment & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khayber Pakhtunkhwa
3	Mr. Bilal Ullah	General Secretary APTA Faisalabad
4	Muhammad Ishaq	Section Officer (Primary) Establishment Department Faisalabad

- The meeting started with recitation from the Holy Quran, the choir welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education chaired the forum regarding agenda item in detail.
- After the opening discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-combined/consolidated case for onward submission to Establishment Department for further necessary action.

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

(Mr. Faraz Wajid)  
Deputy Director  
Establishment

(Mr. Bilal Ullah)  
General Secretary APTA  
Faisalabad

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

(Muhammad Ishaq)  
Section Officer (Primary-Male)  
Establishment  
Faisalabad

(Abdulah)  
Additional Secretary (Establishment)  
Establishment

WP 443-2023 AZIZ ULLAH VS GOVT OF POK

FILED

Amir

19  
-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 715 IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION  
& TRANSFER RULES 1989).

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

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

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

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

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

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

Provincial President  
All Primary Teachers Association  
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

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

(Abdullah)

Additional Secretary (Establishment)

~~TESTED~~

ALTESHO

W/440-2023 AZZULAH VS GOVT CP 004

Arbitral Director (Exhibit-1)  
Ministry of Secondary Education  
Khyber Pakhtunkhwa

1. Master Copy  
2. Copy of the above to Mr. [Name]

Arbitral Director (Exhibit-1)  
Ministry of Secondary Education  
Khyber Pakhtunkhwa

The case is submitted for partial and necessary actions please.

Departmental Resolution Committee.  
provided they, under this written request prior to conclusion of the meeting of  
Teachers Union No. 16 may be requested of implications of the amendments in the rules bid  
753 have affected adversely a huge number of Female Teachers. Thus it is proposed that  
in view of the above, this office is of convinced opinion that the decision of Rules  
been asked for submission of consolidated case.  
Chairman of the National Teachers' Association at his office, this office has  
That, in the light of the minutes of meeting dated 6-07-2023, held under the  
(Priority-40) E&AD/1-172020 dated 12-06-2023  
The same was received by this office from your good office with letter No. 60  
civil servant to accept promotion under every condition.  
that there exists no provision to decline or reject promotion. It is obligatory upon every  
(P) v/s (R) E&AD/1-172020 dated 6-06-2023 categorically stated  
That the Government of Khyber Pakhtunkhwa Education Department (Regulation  
No. 57 (Priority-40) E&AD/1-172020 dated 12-06-2023 for necessary guidance.  
That you have not provided the same to the quarter concerned vide letter  
promotional.  
(ii) If the regulations of the civil servant to other accept or turn down the offer of  
No. 6987 dated 06-07-2023.  
That this office has provided guidance from your good office in the following words vide letter  
dated 06-07-2023.  
vide notification No. 508-VI (E&AD)/1-172020 dated 06-08-2020.  
The Government of Khyber Pakhtunkhwa Education Department (Regulation (P) No.  
dated Rules 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Subject: MINUTES OF THE MEETING

Khyber Pakhtunkhwa Education Department  
Ministry of Secondary Education  
Khyber Pakhtunkhwa

To

Phone: 011-2331414 Email: education@kpk.gov.pk



No. 8145

Ministry of Secondary Education  
Khyber Pakhtunkhwa

~~TESTED~~

WP4413-2023 AZIZULHAQ VS GOVT OF PAK

Copy of the above to:  
1. PA to Director Local Directorate  
2. Master Copy  
Richard Director  
Elementary & Secondary Education  
Hydrabad, Hyderabad

Please:  
The case is submitted for perusal and necessary action  
members of female teachers  
that the deletion of Rules 7(S) have affected negatively a huge  
In view of the above, this office is of considered opinion  
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 decline/forfeiture promotion, it is obligatory upon every civil  
servant to accept promotion under any condition.  
That the government of RP-ED (Regulation wing) vide letter No. SO (Policy)  
EGAD/1-3/2020 dated 6-06-2023 accordingly stated that there exists  
no provision to decline/forfeiture promotion, it is obligatory upon every civil  
servant to accept promotion under any condition.

That your good office forwarded the same to quarters concerned  
with letter No. SO (Hydrabad) EGAD/1-2/11/2023 for necessary  
guidance.  
That the government of RP-ED (Regulation wing) vide letter No. SO (Policy)  
EGAD/1-3/2020 dated 6-06-2023 accordingly stated that there exists  
no provision to decline/forfeiture promotion, it is obligatory upon every civil  
servant to accept promotion under any condition.  
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  
consolidated case  
In view of the above, this office is of considered opinion  
members of female teachers  
that the deletion of Rules 7(S) have affected negatively a huge  
The case is submitted for perusal and necessary action

Section Officer (Range Male)  
Elementary & Secondary Education Department  
KPR, Hyderabad  
Subject: Minutes of Meeting

To:  
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPR  
Hydrabad  
(21-7-2023)

-B/c-



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

No. SO(Policy-M)EBSED/2-2/Appointment-Rule /2023  
Peshawar Dated 23<sup>rd</sup> 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  
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 ISHAK)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. Director EBSE Khyber Pakhtunkhwa.
2. PS to Secretary, EBSE Department Khyber Pakhtunkhwa.

(MUHAMMAD ISHAK)  
SECTION OFFICER (PRIMARY MALE)  
28/8/23

Scanned with CamScanner

WP442-2023 AZIZULLAH VS GOVT OF PK43

~~ACCEPTED~~



- B/c - - 2 -

No. 55 (Primary - M) E & SE D / 2-2 /  
Amendment - 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. SA (Primary) / 1-3 / 2020 dated 6th June 2023 and to state that after deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer Rules 1989) it has been intimated that those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency and Discipline) Rule 2011.

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

- Copy forwarded to;
1. Director E & SE Khyber Pakhtunkhwa.
  2. PS to Secretary, E & SE Department, Khyber Pakhtunkhwa.

(Muhammad Ishaq)  
Section Officer (Primary  
Male)

ATTESTED

Annexure - F



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

To

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

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

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

WP442-2023 AZIZULLAH VS GOVT OF PK

ATTESTED

24

25

- B/C -

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. 50(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)

End of even No & date

Copy forwarded to the:-

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

Section Officer (Policy)

WP-447-2023 AZIZULLAH VS GOVT OF PK

ATTESTED

To,

Dated: 28-01-2024

- 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


**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. 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. 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.

Best Regards

  
Arshid Nasim Son of Muhammad  
Naseem Khan Resident of Tehsil &  
District Manshera

~~ALLEGED~~

• 104443-2023 AZIZULAH VA GOVT CR FILE3

Handwritten text in Urdu script, possibly a signature or name.

Handwritten signature and date: 08/11/2023

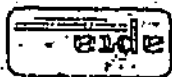
Main body of handwritten text in Urdu script, appearing to be a formal statement or affidavit.

Handwritten text at the bottom of the main body, possibly a closing or signature.

Annexure - H

Handwritten text in Urdu script, likely a title or reference for the annexure.

APTA House  
Govt Primary School No.4  
Gulshan-e-Farooq, Faisalabad



Khayber Pakhtunkhwa

APTA House  
Govt Primary School No.4  
Gulshan-e-Farooq, Faisalabad

07.05.2024



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

*[Handwritten signature]*  
Muhammad Akbar Khan  
Member (B)

Date of Presentation of Application 13-5-24  
 Number of 5  
 Copies 5  
 Report 5  
 Total 5  
 Name of 13-5-24  
 Date of 13-5-24  
 Date of receipt of copy 17-6-24

~~ATTESTED~~

# VAKALAT NAMA

## BEFORE THE SERVICE TRIBUNAL PESHAWAR

ARSHID NASEEM

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC

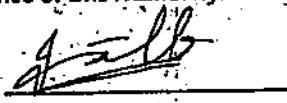
BASSAM AHMAD SIDDIQULAH

&

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.



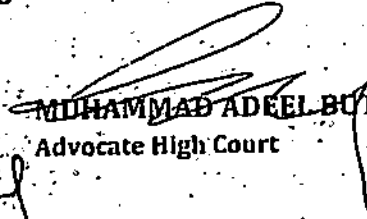
APPELLANT

ACCEPTED

MUHAMMAD MUAZZAM BUTT  
Advocate Supreme Court



MUHAMMAD ADEEL BUTT  
Advocate High Court



BASSAM AHMAD SIDDIQULAH  
Advocate High Court

