


FORM OF ORDER SHEET

Court of _____

Appeal No. 2127 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1.	24/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 01.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

C.M No _____-P of 2024

In Ref to

Service Appeal No 2127 2024


Muhammad Farooq

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

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ADVOCATE

M. Muazzam Butt

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No _____/2024

Muhammad Farooq Son of Aziz Ur Rehman, PSHT (BPS-15)

Mohallah Mian abad, Bafa Town, Tehsil and District, Mansehra

.....Appellant

VERSUS

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

.....Respondents

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

PRAYER:

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

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

RESPECTFULLY SHEWETH:

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

- 2
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 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 forego 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 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.

- 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.
- f. That the impugned promotion Notification dated 06/08/2020 communicated on 06/06/2023 is perverse, discriminatory, against the law, pungent and is a blunt blow of hammer on the rights of the appellant. It is not out of place to mention here that the appellant are teachers and have to look after their children as well as ailing dependent family members and in these circumstances in the presence of impugned Notification dated 06/08 /2023 communicated on 06/06/23 would not be able to serve in the department and which shall amount to the snatching of bread and butter of the poor employees

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

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

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

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

[Signature]
 Appellant

Through

[Signature]
 Muhammad Muazzam Butt
 Advocate/Supreme Court

[Signature]
 Muhammad Adeel Butt
 Advocate High Court

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

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____-P of 2024

In Ref to

Service Appeal No _____ 2024

Muhammad Farooq

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.

Farooq
Appellant

Through

Muhammad
Muhammad ~~Muhammad~~ Butt
Advocate Supreme Court
Adeel Butt
Muhammad Adeel Butt
Advocate High Court

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 this Honorable Court.

Farooq
Deponent

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



Personal Information of Mr MUHAMMAD FAROOQ d/w/s of AZIZ UR REHMAN

Personnel Number: 00224488 CNIC: 1350305115739 NTN:
Date of Birth: 30.05.1972 Entry into Govt. Service: 01.09.1992 Length of Service: 32 Years 00 Months 001 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 80990949-DISTRICT GOVERNMENT KHYBE

DDO Code: MA6373-Manshra

Payroll Section: 001 GPF Section: 001 Cash Center: 5

GPF A/C No: EDUMA013764 GPF Interest applied GPF Balance: 1,08,983.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 23

Wage type	Amount	Wage type	Amount
0001 Basic Pay	69,460.00	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	888.00	2199 Adhoc Relief Allow @10%	594.00
2316 Teaching Allowance 2021	3,224.00	2341 Dispr. Red All 15% 2022KP	6,607.00
2347 Adhoc Rel Al 15% 22(PS17)	6,608.00	2378 Adhoc Relief All 2023 35%	23,618.00
2393 Adhoc Relief All 2024 25%	17,365.00		0.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	-4,290.00	3501 Benevolent Fund	-1,200.00
3609 Income Tax	-5,953.00	3990 Emp.Edu. Fund KPK	-135.00
4004 R. Benefits & Death Comp:	-600.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 95,239.80 Recovered till AUG-2024: 11,906.00 Exempted: 23809.40 Recoverable: 59,524.40

Gross Pay (Rs.): 136,244.00 Deductions: (Rs.): -12,178.00 Net Pay: (Rs.): 124,066.00

Payee Name: MUHAMMAD FAROOQ

Account Number: PLS 4172-6

Bank Details: NATIONAL BANK OF PAKISTAN, 231423 BAFFA BAFFA, MANSEHRA

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: MANSEHRA

City: MANSEHRA Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City: Email: fk551806@gmail.com

ATTN

APPOINTMENT

DATED MANSEHRA 25/8/1992

Consequent upon their selection on merit, the following untrained candidates are hereby appointed in BPS(7) BS:1095/PM fixed, plus usual allowances as admissible under the rules with effect from the date of their taking over charge against the newly created/vacant PTO posts in Govt. Primary/Mosque Schools given against their names each in the interest of public service.

S.NO.	NAME OF CANDIDATES/FATHER'S NAME AND RESIDENCE.	NAME OF SCHOOL WHERE APPOINTMENT MADE.	REMARKS
1.	Abdul Jalil S/O Darwish R/O Chappra Balakote.	GPS, Began Bela	Against V/PTO Post.
2.	Shahid Abdullah S/O Zainul Abidin R/O Sh: Khatra	Mosque School Hoteer Kawai.	Against Newly Created post.
3.	Shoukat Khan S/O Yar Mohd Khan R/O Baffa.	GPS, Timari Battang.	Against V/Post.
4.	Sajjad Ahmad S/O Mohd Firidoon Sabir Shah.	Mosque School Jano Mindi.	-do-
5.	Waqar Hussain S/O Shah R/O Mir Danji.	Mosque School Kurmitti.	-do-
6.	Thir S/O Dost Mohamad R/O Dharrab(Oghi)	GPS, Seri Arbora.	-do-
7.	Zaibur Rehman S/O Abdul Karim R/O Tarawara.	GPS, Bayian(Battal.	-do-
8.	Saddaqt Hussain S/O Mohd Firdos R/O Shamdhara.	GPS, Pata Ali.	-do-
9.	Saeedur Rehman S/O Abdul Hayee R/O Jalgali.	GPS Patalban.	-do-
10.	Adil Khan S/O Mohd Ishaq Khan R/O Ahl (Battal)	Mosque School Khal .S.	-do-
11.	Bakhtiar Ahmad S/O Dost Mohd R/O Arbora.	GPS, Haida Pain.	-do-
12.	Abdul Aziz Shah S/O Pir Ali Shah R/O Jabbori.	GPS, Pan Kalan.	-do-
13.	Shah Rehman S/O Mohd Zaman R/O Kurmang Bala.	GPS Pa .	-do-
14.	Shujait Ali S/O Noorullah R/O Bailien(Oghi)	Mosque School Ghani n Shamali.	-do-
15.	Imdad Hussain S/O Pir Badshah R/O Salona Battal.	GPS Bada Jalgali.	-do-

CONT: ON PAGE.... 2).....

~~APPROVED~~

Md. Anwar Farooq
 Director

CONT:ON PAGE.....3.....

- 35. S.Asif Shah S/O Anwar Shah GPS Sadu Khan(KD) Against V/P^o Post.
R/O Gangat Tilli.
- 36. Azzatullah S/O Asmatullah G^oS, Karnah. -do-
Mera Made Khail.
- 37. Zubair Shah S/O Noorul Haq G^oS Soonia. -do-
Shah R/O Sormal N.Khail
- 38. Mohd Jan S/O Ali Rehman G^oS Sooray Ashray. -do-
R/O Teetsi Madekhail.
- 39. Shad Mohd S/O Sabir Khan GPS, Sachkrah -do-
R/O Kalish
- 40. Basool Jan S/O Jumma Khan GPS, Karor -do-
R/O Umar Matti.
- 41. Fazale Khaliq S/O Mohd Imran Mosque School -do-
R/O Kamiser Petawa Ashary.
- 42. Masrullah Jan S/O Wala Jan GPS, Pakban. -do-
R/O Asira Madekhail.
- 43. Gul Nazar Said S/O Danyazar Said G^oS Kotkai -do-
R/O Soral.
- 44. Mohd Hasamb Khan S/O Halim Khan G^oS, Jham Kalagay. -do-
R/O Palosa Hassanzai.
- 45. Banaris Khan S/O Abdul Sawab G^oS, Soorban. -do-
R/O Ganwandla
- 46. Abdul Maheed S/O Umar G^oo M^oo^oo School -do-
R/O Bartooni Bassi Khail. Gigani.
- 47. Mohd Hafeem S/O Hassanzai Mosque School -do-
R/O Kand Bala. Gunbat.
- 48. Sarfaraz Khan S/O Sirajul Islam Mosque School -do-
R/O Bartooni. Leega Teega.
- 49. Mohd Aliyas Khan S/O Ghulam Mahmood GPS, Shahloon -do-
S/O Jabat Bassikhail.
- 50. Riyazullah S/O Molvi Abdul Baqi G^oS, Choer Htilioe. Against the
R/O Kalish. newly created
P^o Post.
- 51. Mohd Aliyas S/O Sabe Haq GPS, Dadam -do-
R/O Murgri
- 52. Amal Jan S/O Khawas Khan G^oS, Dadam -do-
R/O Bartooni.
- 53. Mohd Ijaz S/O Mohd Younis G^oS, Teetai -do-
R/O Jhechan Dheri.
- 54. Abdul Hafeem S/O Abdul Khaliq GPS, Teetai -do-
R/O Ionian

CONT:ON PAGE.....4.....



- 55. Said Alam S/O, Bazar, said
R/O Shingoldar. GPS, Barrow (Akazat) against newly created post. -do-
- 56. Abdur Rahim Khan S/O, Michd, Younis GPS, Barrow -do-
- 57. KNAN R/O Uroora Mangrai
Nisar Ahmad S/O Nasir Khan GPS, Barrow against newly created post. -do-
- 58. R/O Kamaisar. GPS, Barrow -do-
- 59. Ashraf Khan S/O Hamatullah GPS, Barrow -do-
- 60. R/O Dilo Haidar GPS, Barrow -do-
- 61. Bustam Khan S/O Nawab Khan GPS, Shingoldar (Alai) -do-
- 62. R/O Bi- (Alai) -do-
- 63. Muzaffarullah S/O Qasim Khan Mosque School Warsok. -do-
- 64. R/O Rabbat (Alai) -do-
- 65. Haloud Bin GPS, Begran to (Alai) (Alai) M. Ittikhar on study leave.

TERMS AND CONDITIONS:-

1. They shall submit their cases reported by all concerned.
2. Their appointment is purely temporary and can be terminated at any time without assigning any reasons.
3. Their original academic certificates shall be checked thoroughly. If any discrepancy is found, the original certificates shall be handed over if the original certificates are not found correct.
4. Their appointment is subject to the verification of their academic certificates/documents.
5. Their pay shall not be drawn till they produce their eye and health certificates issued by the medical officer, D.H.H. Hospital, Warsok.
6. They shall be governed under prescribed service rules of Govt; or J.P.
7. Their appointment will be cancelled if any thing wrong is detected later on in their academic qualifications etc.
8. Their age shall not be less than 18 years and above 35 years.
9. They will not be paid for the summer vacations, 1992.
10. They are allowed to take over the charge of the post after 15 days of the date of their appointment.

(Signature)
Director of Education
Warsok


ATTACHED


9
Enclat: No. 11025, 11193/GE/ Apptt: PTC Dated Mansehra the 25/8 /92.

Copy of the above is forwarded to the:-

1. Sub-Divisional Education Officer (Male) Mansehra and Battagram.
2. Accountant General N.W.F.P. Peshawar.
3. District Account Officer Mansehra.
4. All the ASDEOs in Mansehra and Battagram Sub Division.
5. All the H.M.A.T Govt: Middle/Primary/Mosque School concerned.
6. All the candidate concerned.
7. All the Incharge Pay Centres Mansehra and Battagram.
8. ASDEOs (Account) Male Mansehra and Battagram.
9. ADEO (Account) Local Office.
10. Office Order File.

Gul Zaman Asstt:


DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA.


DISTRICT EDUCATION OFFICER
(MALE) PRIMARY MANSEHRA.

RECEIVED

11.11.20

ATTESTED



DEPUTY SECRETARY POLICY
(MAJLIS HAJATI)

[Handwritten signature]

The Director, Administration Department.
The Section Officer (Admn), Administration Department.
The Deputy Officer in Establishment & Administration Department with the request to

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department, Khyber Pakhtunkhwa.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Principal Secretary to Govt. of Khyber Pakhtunkhwa.
6. All Heads of Attached Departments in Khyber Pakhtunkhwa.
7. All Autonomous Bodies in Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. The Director (IT), E&A Department.
14. All Section Officers in Establishment & Administration Department.
15. The Section Officer (Admn), Administration Department.
16. The Director, Administration Department.
17. The Section Officer (Admn), Administration Department.
18. The Director, Administration Department.
19. The Section Officer (Admn), Administration Department.
20. The Director, Administration Department.

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CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

EXIST. NO & REV. DATE

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

AMENDMENT

in exercise of the powers conferred by section 25 of the Government of Khyber Pakhtunkhwa Act No. XXVII of 1973 (Khyber Pakhtunkhwa) is pleased to direct that in the Khyber Pakhtunkhwa (Civil Servants) (Appointment, Termination and Transfer) Rules 1989, the following further amendment shall be made, namely:

NOTIFICATION

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGISTRATION WING)

Annexure-1
10-B

M

**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))**

POSTED

[Handwritten signature]

WP4442-2023 AZZULLAM VS GOVT OF PC43

21.6.23
2023

Section Officer (Policy)

[Handwritten signature]

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

Copy forwarded to the
Head, Office No. & Date

ASSE
2/6

(Asst. Deputy Secretary (Policy))

[Handwritten signature]

Yours faithfully,

Furthermore, those 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.

3. Furthermore, those 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.

2. The basic rationale behind the delay of the bill rule is aimed at preventing a servant from promotion for which he is by adding to a single lucrative position or to prevent those who tend to forge promotion by evade posting/transfer or show lack of capacity to take higher responsibility in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

1. I am directed to refer to your letter No. SO/Primary-MY/MS/2022 dated 18.04.2023 in the subject noted above and to state that sub-rule (3) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with the department notification dated 08.08.2020. Thus, no provision exists to decide or forge promotion.

1. I am directed to refer to your letter No. SO/Primary-MY/MS/2022 dated 18.04.2023 in the subject noted above and to state that sub-rule (3) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with the department notification dated 08.08.2020. Thus, no provision exists to decide or forge promotion.

Subject: **REVISION OF THE BILL IN THE ESTABLISHMENT DEPARTMENT, PESHAWAR**

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

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
PESHAWAR
Dated Peshawar the 21st June 2023

Amrux - C
12

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No. 091-8223507)

No. SO (Primary-MYE&SEO/2-6/2023
Dated Peshawar the. June 26th, 2023

To

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

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

26/6/23

Subject: GUIDANCE REGARDING DELETION OF RULE 7(B) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1988.

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)
26/6/23

ATTACHED

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, 1989.

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

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

Encl: AA

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

15

**MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH
PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA
REGARDING DELETION OF RULE 7(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
①

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-I
E&SE Department

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

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

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

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

[Handwritten signature]

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

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

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

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

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

Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

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

(Abdullah)

Additional Secretary (Establishment)

[Handwritten signature]

RECEIVED

WP4447-2023 AZIZULHAH VS GOVT OF PERAK

Auliah Director
Elementary & Secondary Education
Kluang Bahru

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

The case is submitted for percol and necessary
please.

In view of the above, this office is of considered opinion
that the deletion of Rules 7(S) have affected negatively a huge
members of Female teachers.

That in light of the minutes of the meeting dated 6-07-2023
held under the Chairmanship of Hon. Additional Secretary
-ment of his office. This office has been asked for submission of
consolidated case.

That the government of KP-ED (Regulator Wng) vide letter No. SO (Policy)
EQAD/1-3/2020 dated 6-06-2023 accordingly stated that there exists
no provision to decline / forgo promotion. It is obligatory upon every civil
servant to accept promotion under every condition.

That your good office forwarded the same to quarters concerned
vide letter No. SO (Promotion) EQSD/1-2/Appointment/2023 for necessary
guidance.

That this office sought guidance from your good office in the following
vide notification No. No. SR-VI (EQAD) 1-3/2020 dated 06-08-2020.
dated rule 7(S) in Civil Servant (Appointment, Promotion, Transfer & 1987)
That Government of KP Establishment department (Regulator Wng)

I am directed to refer to letter No. (SO. Promog-M) EQSD/1-1/General/
Minister of meeting/PST/2023 dated 30-7-2023 on subject cited above and to
present brief history, also background of case as under:

Subject: Minutes of Meeting

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

PESHAWAR
121-3-2023

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

-B/c-



No. 8145

Phone: 081-2222111

Ministry of Education, Government of Karnataka
Email: education@karnataka.gov

The Section Officer (Primary-Sub),
Elementary & Secondary Education Department,
Karnataka Sahasra Shiksha Pariwar.

Subject -

MINUTES OF THE MEETING

I am directed to refer to the letter No. SO/Primary-Sub/ESD/1/2023 on the subject cited above and to present brief history of the meeting/ST/2023 dated 10-07-2023 in the subject cited above and to

- The Government of Karnataka Sahasra Shiksha Pariwar (Regulation Wing) dated Rule 7C in the Civil Service (Appointment, Promotion & Transfer Rules 1986) vide notification No. 50R-VI (E&AD)/1-3/2020 dated 06-08-2020.
- The office sought guidance from your good office in the following words vide letter No. 9987 dated 06-02-2023.
- (i) How is the obligation upon the civil servant to accept promotion in every condition (ii) If it is the prerogative of the civil servant to either accept or turn down the offer of promotion.

- The joint office forwarded the same to the quarter concerned vide letter No. SO (Primary-Sub) E&AD/2-1/2023 for necessary guidance.
- The Government of Karnataka Sahasra Shiksha Pariwar (Regulation Wing) vide letter No. SO (Policy) E&AD/1-3/2020 dated 06-08-2023 categorically stated that there shall be no provision to decline or forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.

- The same were received by this office from your good office vide letter No. SO (Primary-Sub) E&AD/2-1/2023 dated 12-06-2023.
- In the light of the minutes of meeting dated 07-07-2023 held under the Chairmanship of Joint Additional Secretary, Establishment at his office, it has been asked for submission of consolidated case.

- In view of the above, this office is of considered opinion that the date of Rules 7(5) have effect retroactively a large number of Female Teachers. Thus it is proposed that Teachers below 10-16 may be exempted of implications of the amendment in the rules bid provided they submit their written request prior to conclusion of the meeting of Departmental Promotion Commission.

This case is submitted for perusal and necessary actions please.

17/07/2023
Assistant Director (Grade A-I)
Elementary & Secondary Education
Karnataka Sahasra Shiksha Pariwar

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

Assistant Director (Grade-I)
Elementary & Secondary Education
Karnataka Sahasra Shiksha Pariwar



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

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

Annexure
E

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

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

DEAR SIR,

I am directed to refer to your letter No. SO(Policy)/ E&AD/ 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 E&SE Khyber Pakhtunkhwa.
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)
20/8/23

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10/10/2023

Department of Education, Government of Khyber Pakhtunkhwa

2. PS to Secretary, E & SE

1. Division E & SE Khyber Pakhtunkhwa

Copy forwarded to:

(Muhammad Ishaq)
Section Officer (D)

In this connection it is submitted that in some cases lady teacher of primary level who avail such promotion have to face serious inconvenience while they have to perform duties in the remotest stations with no residential/transport facilities. Most of them are married with kids and elder father of Mother-in-law who need care. In such cases there are negative effects on service delivery. In view of above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.

I am directed to refer to your letter No. S0 (Primary) (P222) /E&AD dated 07 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.

Dear Sir,

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

Peshawar.

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

To

Peshawar Dated 23rd August 2023.

No. S0 (Primary-M) E&SE/PA-2/1
Appointment-Rule/2023

-B/c-

-12-

20

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.

22

- 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 PAIKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

Section nicer (Policy)

23.

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 1/04/2024



Farooq
MUHAMMAD FAROOQ
SON OF
AZIZ-UR-REHMAN
PSHT

Handwritten signature or scribble at the top of the page.

WP4412-2023 AZIZULHAQ VS GOVT OF PERAK

Handwritten signature and date: 08/11/2023

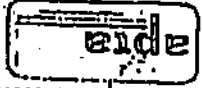
Handwritten text: "KUALA KANGSAR, PERAK"

Main body of handwritten text in Malay, detailing a legal notice or court order.

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

Annexure H

APTA HOUSE, Govt. Primary School Road, Kuala Kangsar, Perak



Agenda: Paktinshawa

APTA House, Kuala Kangsar, Perak, Malaysia. Contact: 0333-0414518, apta@perak.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.J. 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]
13-6-24

Date of Presentation of Application 10-6-24
 Number of 1
 Copying 57
 Urgent 57
 Total 57
 Name of ---
 Date of 13-6-24
 Date of delivery of copy 17-6-24

[Handwritten signature]

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

MUHAMMAD FAROOQ
Versus

Appellant

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC

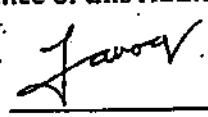
BASSAM AHMAD SIDDIQUI AHC

&

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.

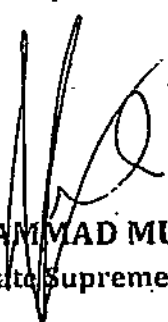
I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.



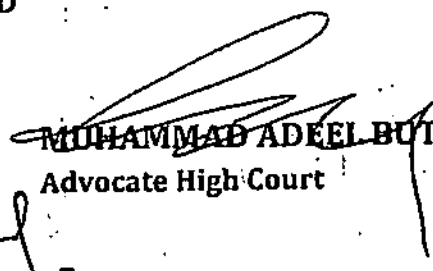
APPELLANT

ACCEPTED

MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court

