


FORM OF ORDER SHEET

Court of _____

Appeal No. 2271 /2024

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | 2 | 3 |
| 1- | 30/10/2024 | <p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 06.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman  REGISTRAR</p> |

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Case Title: Munair Ahmad Vs Govt of KP

| S# | CONTENTS | YES | NO |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1 | This Appeal has been presented by: <u>M. Muazzam Butt</u> | — | |
| 2 | Whether Counsel/Appellant/Respondent/Deponent has signed the requisite documents? | — | |
| 3 | Whether appeal is within time? | — | |
| 4 | Whether the enactment under which the appeal is filed mentioned? | — | |
| 5 | Whether the enactment under which the appeal is filed is correct? | — | |
| 6 | Whether affidavit is appended? | — | |
| 7 | Whether affidavit is duly attested by competent Oath Commissioner? | — | |
| 8 | Whether appeal/annexures are properly paged? | — | |
| 9 | Whether certificate regarding filing any earlier appeal on the subject, furnished? | — | |
| 10 | Whether annexures are legible? | — | |
| 11 | Whether annexures are attested? | — | |
| 12 | Whether copies of annexures are readable/clear? | — | |
| 13 | Whether copy of appeal is delivered to AG/DAG? | — | |
| 14 | Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents? | — | |
| 15 | Whether numbers of referred cases given are correct? | — | |
| 16 | Whether appeal contains cutting/overwriting? | — | |
| 17 | Whether list of books has been provided at the end of the appeal? | — | |
| 18 | Whether case relate to this court? | — | |
| 19 | Whether requisite number of spare copies attached? | — | |
| 20 | Whether complete spare copy is filed in separate file cover? | — | |
| 21 | Whether addresses of parties given are complete? | — | |
| 22 | Whether index filed? | — | |
| 23 | Whether index is correct? | — | |
| 24 | Whether Security and Process Fee deposited? On | — | |
| 25 | Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On | — | |
| 26 | Whether copies of comments/reply/rejoinder submitted? On | — | |
| 27 | Whether copies of comments/reply/rejoinder provided to opposite party? On | — | |

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

M. Muazzam Butt

Signature:

[Signature]

Dated:

20/09/21

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

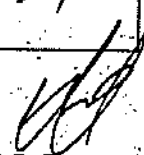
A - No - 2271 / 2024
Munir Ahmad

v/s

Government of KP & others

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| 4. | Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020 | B. | 13 - 14 |
| 5. | Copy of Impugned Letter dated June 06th, 2023 | C. | 15 - 17 |
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| 7. | Copy of Letter dated 23-08-2023 | E. | 22 - 23 |
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| 9. | Copy of Representation against the said notification and representation made by APTA President | G & H | 26, 27 28 |
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ADVOCATE

-|-

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 2271 /2024

Munir Ahmad Son of Abdur Rasheed Resident of Tehsil & District Manshera

Designation: Primary School Head Teacher at GPS Patia

.....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/1-3/2020, 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 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 effects the interests of the employees or causes disadvantage to the employee is not tenable in the eyes of law. The notification/guidance dated 06/08/2020 06/06/2023 are liable to be set-aside.
- b. That there are no terms and conditions of service mentioned in the appointment order of the appellant wherein, availing of promotion is mandatory. It is further submitted that employees in the past, have foregone their promotion along with their posting. It is submitted that when domestic and other personal issues do not permit the employees/appellant to avail the promotion order and in that case, the employees who foregone their promotion were allowed not to avail the promotion for a period of 04 years and on second refusal the employees were permanently debarred from availing the facility of promotion during their entire service. Hence the employees himself/herself forebear agonies of foregoing their promotions. As a result, junior to the appellant according to the order of seniority cum fitness are granted promotion to next rank.
- c. That as per Civil Servant laws, promotion is a kind of appointment which is always optional to get promotion or not, hence the impugned notification is void, illegal and against the law and the same to the extent of the appellant is liable to be set-aside.
- d. That it is further submitted that on account of grant of promotion, some employees who are suffering from severe medical ailment or facing acute domestic issues cannot avail promotion with transfer in other areas, therefore, no employee can be compelled to accept the promotion compulsorily which is not beneficial to the employee but if an employee does not avail and get benefit of her promotion it must be optional for the employees as to whether to avail or forego the benefits. Any promotion without willingness of employee is illegal and liable to be setaside.

- 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.

AFFIDAVIT:

I Munir Ahmad Son of Abdur Rasheed Resident of Tehsil & District Manshera 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

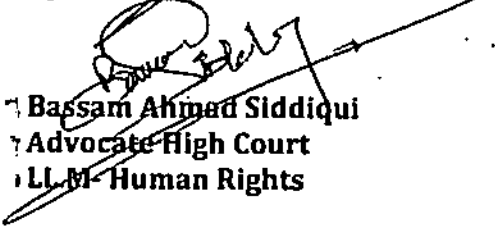

Dependent

Through


Appellant


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Ateeel Butt
Advocate High Court


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

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA

CM No _____ -P- of 2024

In Ref to

Service Appeal No _____ /2024

MUNIR AHMAD

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, WIDE LETTER DATED 08/08/2023 TILL THE FINAL DISPOSAL OF CASE IN HAND.

Respectfully Submitted:-

1. That the instant application may be treated as part and parcel of service appeal of the appellant

2. That the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellant

3. That there is likelihood success of the appellant in the IIs. And if the notification bearing No. So (Policy) E&D/1-3/2020 dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Wide 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, Wide Letter Dated 06/06/2023, may kindly be suspended till the final disposal of the main appeal in hand.

Appellant

Munir Ahmad
Muhammad Muzammil Butt
Advocate Supreme Court
Muhammad Azeel Butt
Advocate High Court

Through

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 Honorable Court
Munir Ahmad
Deponent

-6-

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



Personal Information of Mr MUNIR AHMED d/w/s of ABDUR RASHEED

Personnel Number: 00219033

CNIC: 1350113095447

NTN:

Date of Birth: 01.02.1975

Entry into Govt. Service: 14.11.1994

Length of Service: 29 Years 02 Months 019 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH

80627427-DISTRICT GOVERNMENT KHYBE

DDO Code: MA6337-District Mansehra

Payroll Section: 001

GPF Section: 001

Cash Center: 09

GPF A/C No: EDU MA 10476

GPF Interest applied

GPF Balance:

1,111,983.00 (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 |
| 1505 | Charge Allowance | 40.00 | 2148 | 15% Adhoc Relief All-2013 | 915.00 |
| 2199 | Adhoc Relief Allow @10% | 614.00 | 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 | | | 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 | -2,716.00 | 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: 42,211.69 Recovered till JAN-2024: 18,082.00 Exempted: 10552.39 Recoverable: 13,577.30

Gross Pay (Rs.): 118,966.00 Deductions: (Rs.): -8,941.00 Net Pay: (Rs.): 110,025.00

Payee Name: MUNIR AHMED

Account Number: PLS 2180-8

Bank Details: NATIONAL BANK OF PAKISTAN, 230665 GARHI HABIBULLAH GARHI HABIBULLAH, MANSEHRA

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: MANSEHRA

City: MANSEHRA

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: munir.ahmed4689@gmail.com

ATTESTED

System generated document in accordance with APPM 4.6.12.9(50399005/25.01.2024/v3.0)

* All amounts are in Pak Rupees

* Errors & omissions excepted (SERVICES/07/2024/10-40-56)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) DISTRICT MANSEHRA

PSHT - BPS - 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 16/07/2012, 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 Kot | Behali | GPS Charach | Behali |
| 2 | 1429 | Saeed Ishtiaq | GPS Mohar Khurd | Sawan Mera | GPS Kangar Doga | Sawan Mera |
| 3 | 1430 | Muhammad Nawaz | GPS Chakli Ilyas | Lassan Nawab | GPS Chakli Ilyas | Lassan Nawab |
| 4 | 1431 | Muhammad Shoukat | GPS Kailh Sarash | Saibani | GPS Bela Sacha | Hangari |
| 5 | 1432 | Zakar Hussain | GPS Roh | G.H. Ullah | GPS Bakran | Battal |
| 6 | 1433 | Muhammad Aslam | GPS Kaghan | Kaghan | GPS Sari Rajwal | Kaghan |
| 7 | 1434 | Muhammad Nazeer | GPS Ghanool | Ghanool | GPS Paprang | Ghanool |
| 8 | 1436 | Aurangzeb | GPS Makhian Gali | Karori | GPS Makhian Gali | Karori |
| 9 | 1437 | Shahiq Ur Rahman | GPS Tarnali | Dhodial | GPS Hindhar | Bhogarmang |
| 10 | 1444 | Muhammad Nasim | GPS Dhara | Oghi | GPS Jabri Bazargay | Oghi |
| 11 | 1445 | Muhammad Riaz | GPS Trnda | Hilkot | GPS Terhadda | Hilkot |
| 12 | 1446 | Muhammad Shafique | GPS Bandi Gulo No 2 | Sawan Mera | GPS Bandi Gulo No 2 | Sawan Mera |
| 13 | 1447 | Chau Ali Shah | GPS Kotti Bala | Ichrian | GPS Lamini | Ichrian |
| 14 | 1447 B | Jam Muhammad | GPS Moni Dhanoola | Phulra | GPS Moni Dhanoola | Phulra |
| 15 | 1449 | Fida Meharud | GPS Sum | Sum | GPS Banda Sachan | Sachan |
| 16 | 1450 | Qamar Zaman | GPS Khorian | Phulra | GPS Ghazikot | Phulra |
| 17 | 1451 | Muhammad Iqbal | GPS Jabba Yaqub | Lassan Nawab | GPS Jabba Yaqub | Lassan Nawab |
| 18 | 1459 | Imdad Hussain | GPS Khudlan | Lassan Nawab | GPS Khudlan | Lassan Nawab |
| 19 | 1461 | Ishtiaq Ahmad | GPS Syar | Hungrai | GPS Chukara | Hungrai |
| 20 | 1463 | Mushaf Khan | GPS Chani Gali | Kathai | GPS Banda Sydian | Kathai |
| 21 | 1465 | Akhir Nawaz Khan | GPS Bherkund | Bherkund | GPS Sirandra | Malik Pur |
| 22 | 1467 | Muhammad Asif | GPS Hassan | Talhatta | GPS Gulseri | Talhatta |
| 23 | 1468 | Muhammad Hanayun | GPS Nawab Sher | Bandi Shungli | GPS Nawab Sher | Bandi Shungli |
| 24 | 1469 | Muhammad Danaraz | GPS Bela Paris | Hungrai | GPS Kund | Hungrai |
| 25 | 1473 | Zulfiq Khan | GPS M. Zareen Shalwad | Sandser | GPS Nool Balta Pain | B/Shungli |
| 26 | 1476 | Muhammad Tariq | GPS Kangar Khola | Parian | GPS Kangar Khola | Parian |
| 27 | 1477 | Saim Mullah | GPS Kunar Dana | Mohandri | GPS Pallian | Mohandri |
| 28 | 1478 | Anjad Ali | GPS Gurwal | Atorshisha | GPS Karori | Karori |
| 29 | 1479 | Muhammad Saleem | GPS Riaz Abad | Pherhina | GPS Bandi Kanth | Pherhina |
| 30 | 1480 | Umar Farooq | GPS Dulla Mera | Dhodial | GPS Dadi Dill Bani | Bhogarmang |
| 31 | 1481 | Delayar Khan | GPS Changali | Kathai | GPS Lamma Chikar | Kathai |
| 32 | 1484 | Saf Rheen | GPS Sorch | Kaghan | GPS Sochi | Kaghan |
| 33 | 1486 | Zulfiqar Khan | GPS Dulla Mera | Dhodial | GPS Basol | Bhogarmang |
| 34 | 1487 | Alan Zeb | GPS Ogha | Behali | GPS Lundi Tarf | Shergarhh |
| 35 | 1488 | Niaz Muhammad | GPS Ichrian | Ichrian | GPS Karmang Bala | Battal |
| 36 | 1489 | Muhammad Haidi | GPS Inayat Abad | Inayat Abad | GPS Kendla | Battal |
| 37 | 1491 | Saeed Ur Rehman | GPS Jabon | Jaloo | GPS Muraed Abari | Jaloo |
| 38 | 1492 | Ghazi Khan | GPS M.H.Pote | Sandser | GPS Chakal Bala | B/Shungli |
| 39 | 1502 | Aftab Iqbal Khan | GPS Lassan Thakral | Lassan Thakral | GPS Khumlan | Shergarhh |
| 40 | 1503 | Azmat Ali | GPS Chajari Bala | Bailian | GPS Chijra Pain | Bailian |
| 41 | 1505 | Nisar Ahmad | GPS Baillian | Dhodial | GPS Chinyani | Jabon |
| 42 | 1506 | Roshan Khan | GPS Kover Dana | Mohandri | GPS Naka Jareed | Mohandri |
| 43 | 1507 | Anjad Khurshid | GPS Manshra No 1 | City No 1 | GPS Chappri | B/Shungli |
| 44 | 1510 | Mohammad Khan | GPS Pakha Timhari | Sum | GPS Kol Dalbani | Sum |
| 45 | 1512 | Ali Gohar | GPS Dabbar | Nakka Pani | GPS Chamb | Nakka Pani |
| 46 | 1513 | Abdul Qayyum | GPS Andasi Phahal | Kaghan | GPS Rajwal | Kaghan |
| 47 | 1514 | Shabbir Ahmad | GPS Shalby No 2 | Dhodial | GPS Sundhi | Jabon |
| 48 | 1515 | Mohd Hussain | GPS Katti Mohi | Jabon | GPS Dabbar Katha | Jabon |

ATTESTED

I am Sorry !!!!

-8-

| Roll No. | Name | GPS | Shardhra | GPS Lundi Tari | Shardhra |
|----------|----------------------|----------------------|----------------|----------------------|--------------|
| 1501 | Muhammad Aul | GPS Jalokra | Chanoel | GPS Deshwar | Shardhra |
| 1502 | Amir Shaker | GPS Jiskol | Chanoel | GPS Kohal | Kawal |
| 1503 | Muhammad Rafiq | GPS Bhaitun | Jhangol | GPS Thuman | Kawal |
| 1504 | Ashiq Ahmed | GPS Chapra Choshal | Dalla | GPS Bakal | Dalla |
| 1505 | Mansab Khan | GPS Kulhary | Mohandri | GPS Dada Gran | Mohandri |
| 1506 | Khajshi Anwar | GPS Badal Guan | Chanoel | GPS Palla Jarod | Mohandri |
| 1507 | Muhammad Alskern | GPS Ghoni Bandh | Shohal Mazdikh | GPS Phojara | UShangli |
| 1508 | Arif Hussain Shah | GPS Jabli Kaljati | Hamsabralan | GPS Hamsabran | Hamsabran |
| 1509 | Inayat U Rehman | GPS Jia Mara | Chanoel | GPS Palla Dheri | Kawal |
| 1510 | Umar Khan | GPS Khola | Hand Shungli | GPS Nawar Shoi | Dadu Shungli |
| 1511 | Shaban Hussain | GPS Nawar Sher | Kaghan | GPS Jamal Meel | Kaghan |
| 1512 | Abul Hussain | GPS Jamal Maji | Oghi | GPS Chokol | Oghi |
| 1513 | Indraz Anwar | GPS Oghi No. 1 | Kaghan | GPS Quldar | Kaghan |
| 1514 | Hafeez U Rehman | GPS Balla Kundh | Sandher | GPS Daudra | CiPala |
| 1515 | Muhammad Saddique | GPS Chala Datta | Shohal Mazdikh | GPS Saril | UShangli |
| 1516 | Sarda Daudra | GPS Nor Sun | Phuba | GPS Minna Gali | Phuba |
| 1517 | Muhammad Sabir | GPS Kalwat | Shanaya | GPS Kalla | Shanaya |
| 1518 | Jam Muhammad | GPS Kalla | Phuba | GPS Karan Mail | Phuba |
| 1519 | Muhammad Salim | GPS Kalwat | Phubha | GPS Dabkar | Shergarh |
| 1520 | Ali Muhammad Yousaf | GPS Riaz Abad | Phubha | GPS Daggal | Hungai |
| 1521 | Yaqoob Ahmed | GPS Chakka | Hungai | GPS Jigal Payan | UShangli |
| 1522 | Bhan Bahadar | GPS Palla | Dakhal | GPS Ghazikot | Nakka Pori |
| 1523 | Ashiq Anwar | GPS Daudra | Nakka Pori | GPS Husain Parida | Oghi |
| 1524 | Chanoel Khan | GPS Oghi No. 1 | Oghi | GPS U Khan Khol | Phuba |
| 1525 | Ali Khan | GPS Phuba | Phuba | GPS Daudh Manjar | Hungai |
| 1526 | Ali Khan | GPS Jageen | Saltan | GPS Phubha | Nakka Pori |
| 1527 | Ali Khan | GPS Ghuman Sarl | Darband | GPS Bhokan | Lahara Nawab |
| 1528 | Ali Khan | GPS Madsanin | Phuba | GPS Mohan | Darband |
| 1529 | Ali Khan | GPS Darband | Darband | GPS Shilke | Sawan Alara |
| 1530 | Muhammad Akram | GPS Singla | Sawan Moja | GPS Dera Kanai Dap | Kaghan |
| 1531 | Ali Khan | GPS Daudh Dharoo | Mohandri | GPS Nakka Pori | Nakka Pori |
| 1532 | Shahid U Rehman | GPS Nakka Pori | Nakka Pori | GPS Dera | Shanaya |
| 1533 | Dada Khan | GPS Hazal Khad | Shanaya | GPS Dera Maba | Shungli |
| 1534 | Muhammad Zaid | GPS Kiyara | Darband | GPS Kadal Har Wala | Hungai |
| 1535 | Muhammad Anwar | GPS Kiyara | Uchral | GPS Sullain Paha | Oghi |
| 1536 | Dadi Zameer | GPS Palla | Dalla | GPS Makhyala | Kawal |
| 1537 | Muhammad Aul | GPS Kiala | Dharband | GPS Daud Kol | Shanaya |
| 1538 | Dadar Muhammad | GPS New Darband | Darband | GPS Dongl Serl | Kaghan |
| 1539 | Gulshan Bala | GPS Manli | Saltan | GPS Lohar Dauda | Kaghan |
| 1540 | Muhammad Hussain | GPS Saltan | Saltan | GPS Tamang | Phuba |
| 1541 | Muhammad Ayub | GPS Minna Gali | Phuba | GPS Dakal Ghazikot | Nakka Pori |
| 1542 | Muhammad Khan | GPS Brother | Nakka Pori | GPS Angar Dab | Nakka Pori |
| 1543 | Muhammad Akhtar | GPS Brother | Nakka Pori | GPS Ghara Ghazikot | Phuba |
| 1544 | Ali Rehman | GPS Dalia | Phubha | GPS Shadral | Dalla |
| 1545 | Waqar Dera | GPS Syalbot | Dalla | GPS Rai Dera | UShangli |
| 1546 | Muhammad Indraz | GPS Dera | Kamal | GPS Lakar Loo Haka | Lakarkol |
| 1547 | Arshad Hussain | GPS Kaghna | Lakarkol | GPS Ghanna | Dilbari |
| 1548 | Muhammad Fayyaz Khan | GPS Chora Kalan | Dilbari | GPS Desum | Dalla |
| 1549 | Habib U Rehman | GPS Tando | Tanda | GPS Charangada | Kollai |
| 1550 | Muhammad Hussain | GPS Samdhra | Shardhra | GPS Dulan | Karori |
| 1551 | Gul Feroz | GPS Alai Abad | Shokul Abad | GPS Anroal | Shergarh |
| 1552 | Qazi Muhammad Nawaz | GPS Gali Dandl | Shergarh | GPS Rankol | Shergarh |
| 1553 | Sultan U Arifan | GPS Jhagan | Bherkund | GPS Kundra | Kathal |
| 1554 | Waqar U Rehman | GPS Sahkot | Kollai | GPS Gharyala | Karori |
| 1555 | Lah U Rehman | GPS Bherkund | Bherkund | GPS Dowl | Dowl Jabar |
| 1556 | Sarda Bhadar | GPS Tradh Panyot | Sachan | GPS Jora Balla | B/Shungli |
| 1557 | Muhammad Salim | GPS Bana Mara | Tanda | GPS Halkal | Sachan |
| 1558 | Nadir Mahmood | GPS Kari Hafeez Abad | Dowl Jabar | GPS Deeran Phagal | Kaghan |
| 1559 | M Ferooz | GPS Banda | Saltan | GPS Serl Bela | CiPala |
| 1560 | Noor U Islam | GPS Karay | Ichilan | GPS Lassa Darband | Kawal |
| 1561 | Muhammad Sharif | GPS Daro Balakol | Balakol | GPS Haryala Shergarh | Karori |
| 1562 | Muhammad Younas | GPS Chaman | Karori | GPS Seri Kaghan | Kaghan |
| 1563 | Muhammad Rashid | GPS Ghazikot | Dalla | GPS Chaman | Ichilan |
| 1564 | Ali Muhammad | GPS Hessa | Garkal | GPS Serl Gola | Shergarh |
| 1565 | Shahid Ali Khan | GPS Kollay Pori | Ichilan | | |
| 1566 | Muhammad Hafeez | GPS Zatta Madan | City Mir | | |

ATTESTED

I am Sorry!!!!

| | | | | | |
|------|------------------|--------------------|----------|--------------------|-----------|
| 1034 | Ashraf Mahmood | GPS Dabrian | Ghanooof | GPS Phagan | Kaghan |
| 1035 | Mohamud Fayaz | GPS Malthi | Jabori | GPS Kanchajri | Nawzabad |
| 117 | Aliq Ur Rihman | GPS Seri Mohar Gul | Karori | GPS Sorf Mehar Gul | Karori |
| 110 | Muhammad Shakeel | GPS Qozlabad | Ichrfan | GPS Chapra Bala | Battel |
| 119 | Syed Malang Shah | GPS Ballan | Ballan | GPS Barchar | Ballan |
| 120 | Munir Ahmed | GPS Zameeri | Talinda | GPS Pattian | B/Shurgli |

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&D 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

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

1. Copy forwarded for information and necessary action to the:-
2. The Director E&SE Khyber, Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner Mansehra
4. The District Monitoring Officer IMU Mansehra
5. District Accounts Officer Mansehra.
6. Deputy District Education Officer (Male) Mansehra.
7. Sub Divisional Education Officer (Male) Mansehra.
8. All ASDEO (M) Concerned
9. Office order file.

DY: DISTRICT EDUCATION OFFICER
(MALE) MANSEHRA

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY, MANSEHRA.

Encl No. 2201-2301

13-11-1994

OFFICE ORDER NO. 93 /

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 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 Muhammad Zar Dour | Mera | GPS Manja Kote | ---do--- |
| 3. | Gul Sherir Said S/O S. Haroon Shah | Zunglay (A-2) | GPS Bimbal | ---do--- |
| 4. | Sher Haider S/O Aurangzeb | Japeet | Kand Bala | ---do--- |
| 5. | Hussain Ahmad S/O Azizur Rehman | Chond M.K. | GPS Bartolani | ---do--- |
| 6. | Muhammad Naeem S/O Muhammad Younis Khan | Sarori | GPS Kotkey | ---do--- |
| 7. | Muhammad Shohsib S/O Azizur Rehman | Chond M.K. | GPS Chond M.K. | ---do--- |
| 8. | Sahib Zada S/O Muhammad Sadiq | Gawadla | GPS Nadray | ---do--- |
| 9. | Sardar Behader Shah S/O Noor Ahmad | Shah Zunglay | AZ GPS Bateela | ---do--- |
| 10. | Afsar Muhammad S/O Tej Muhammad Khan | Kambisar | GPS Dore Mera | ---do--- |
| 11. | Ihsanullah S/O Wahidullah | Zunglay | GPS Chars Kote | ---do--- |
| 12. | Muhammad Saleem S/O Baz Muhammad | Kambisar | GPS Sulmani | ---do--- |
| 13. | Tanweer Ahmad S/O Muhammad Khan | Karlal (Behali) | GPS Kunher | ---do--- |
| 14. | Muhammad Saeed Ahmad S/O Azizur Rehman | Deta | GPS Kander Tawara | ---do--- |
| 15. | Azhar Bilal S/O Ghulam Mustafa | Nogazi | GPS Zungla K.D. | ---do--- |
| 16. | Muhammad Tufail S/O Abdul Ghani | Pothe | GPS Chamb Kilegay | ---do--- |
| 17. | Sadfur Rehman S/O Shafiqur Rehman | Karer | GPS Doba KD | ---do--- |
| 18. | Arshid Naseem S/O Muhammad Naseem | Bala L. Kote | GPS Baiyani | ---do--- |
| 19. | Mazharul Haq S/O Afzal Haq | Banda Balola | GPS Daroani | ---do--- |
| 20. | Muhammad Rashid S/O Ghulam Sarwar | Chakia | GPS Darbani | ---do--- |
| 21. | Muhammad Imtiaz S/O Fazelur Rehman | Bission | GPS Sachka | ---do--- |
| 22. | Qaiser Naeem S/O Ghulam Jan | Chakia | GPS Lashora | ---do--- |
| 23. | Naeem Ejaz S/O Muhammad Iqbal | Chanenar | GPS Zeeza Rai | ---do--- |
| 24. | Muhammad Ejaz S/O Abdur Rashid | Banda Baloda | GPS Zeeza Rai | ---do--- |
| 25. | Iftikhar Hussain Shah S/O S. Maqbool Sh. | Nakote | GPS Barore | ---do--- |
| 26. | Latifur Rehman S/O Muhammad Yousuf | Hari Mera | GPS Phag Ban | ---do--- |
| 27. | Sultanal Harifeen S/O M. Mazafar | Iqbal Hari Mera | GPS Phag Ban | ---do--- |
| 28. | Ibadur Rehman S/O Gul Faraz | Kotli Payeen | GPS Mehri Bala | ---do--- |
| 29. | Muhammad Saleem S/O Mazafar Khan | Baffa | GPS Seri Kandow | ---do--- |
| 30. | Mazhar Hussain S/O Muhammad Maroof | Tarangri Bala | GPS Aesay Shatal | ---do--- |
| 31. | Iftikhar Ahmad S/O Muhammad Fareed | Dhodral | GPS Bando Dada | ---do--- |
| 32. | Iftikhar Ahmad S/O Muhammad Irfan | Shinkhari | GPS Luffy Asharay | ---do--- |
| 33. | Akhtar Saeed S/O Muhammad Saeed | Nakote | GPS Shalori | ---do--- |
| 34. | Akhtar Zeb S/O Abdul Qayum | Kotli Bala | GPS Mera | ---do--- |
| 35. | Shakirullah S/O Shafi Ullah | Baffa | GPS Soorban | ---do--- |

Contd: Page No. 2.

ATTESTED

36. Tajwar Sultan S/O Ghulam Nabi Tarangri Bala GPS Mera K.K Ag:V/post.
37. Muhammed Naseem S/O Muhammad Farid Shanai Bala GPS Shingal Dhar ---do---
38. Fazal Rabi x S/O Ghulam Samdani Baffa GPS Daddam ---do---
39. Muhammed Shafiqat S/O Muhammad Miskin Dhodial GPS Dharoo ---do---
40. Muhammad 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 S/O Khalilur Rehman Tanda Mosq Nambal ---do---
43. Bashir Ahmad S/O Ghulam Hassan Hafiz Bendi Mosq Abu M.Khel ---do---
44. Muhammed Akbar S/O Muhammed Sabir Batang Mosq Jiggs ---do---
45. Gul Faraz S/O Sarfarez Khawajgan Mosq Saibay B-2 ---do---
46. Noorul Islam S/O M.Shabir Ahmad Koray Mosq Geetay KD ---do---
47. Shaukat Ali S/O Abbas Khan Kotli Payeen Mosq Mera V/Zal ---do---
48. Anjam Saeed S/O Saeedur Rehman Nokote Mosq Surmal ---do---
49. Niaz Ali Shah S/O Ali Akbar Shah Dedar Mosq Chawang ---do---
50. Muhammed Farooq S/O Ghulam Rabbani Balakote Mosq Seri Tota ---do---
51. Naseer Ahmed S/O Basheer Ahmed Kashtara GPS Gail Ghenool ---do---
52. Muhammed Naseem S/O Muhammed Yusuf Patlang Mosq Kotkay Manoor ---do---
53. Sabir Hussain S/O Baz Gul Sangar Mosq GPS Lohar Bando ---do---
54. Muhammed Rafique S/O Ghulam Nabi Ghenool GPS Andrazi ---do---
55. Muhammed Arshid Farooq S/O Ali Asghar Khan Jabbi GPS Shakiran B ---do---
56. Imdad Hussein S/O Yez Ali Sangar GPS Mehandri Vill ---do---
57. S. Ishaq Hussain Shah S/O Ali Asghar Shah Talhatta GPS Bedalgran ---do---
58. Muhammed Irfan S/O Mir Zaman Kanshian GPS Seri Manoor ---do---
59. Mushtaq Ahmad S/O Abdullah Sangar GPS Bela Manoor ---do---
60. S. Ibadat Shah S/O S.Umer Shah Kanshian GPS Buttian Manoor ---do---
61. Liaqat Hussain Shah S/O Ghazi Shah Kanoach GPS Naka Jared ---do---
62. Arshid Mehmood S/O Muhammad Alam Garlat GPS Dhanoo ---do---
63. Muhammed Sharif S/O Muhammad Daud Sawyer GPS Ghoshal ---do---
64. Samsur Rehman S/O Habibur Rehman Shohal Mazulla GPS Bhattian ---do---
65. Zahid Jamil S/O Masoodur Rehman Patseri GPS Kunda ---do---
66. Muhammed Mushtaq S/O Ghulam Serwar Bhoonja GPS Harva ---do---
67. Khurshid Anwar S/O Ghulam Din Arban GPS Buddi De Naka ---do---
68. Dil Muhammed S/O Shareb Khan Seri Garlat GPS Budi De Naka ---do---
69. Munir Ahmad S/O Abdur Rashid S/O Shohal Mazulla GPS Gail Dhanoo ---do---
70. Hakim Khan S/O Shah Zullah Chajar Payeen GPS Chijri Payeen ---do---
71. Muhammed Fiaz S/O After Khan Ghanian Mosq Jilal Abad ---do---
72. Sardar Behadar S/O Heroon Khan Sachan Kalan GPS Surbanj ---do---
73. S. Nadim Hussein Shah S/O Zafar Ali A Shah Bai Bala GPS Dana Sharkool ---do---
74. Nasir Mehmood S/O Abdul Wedood Khan Keri GPS Jabbar ---do---
75. Nasir Mehmood S/O Muhammad Ismail Kanog GPS Ayan ---do---
76. Shah Nawaz S/O Dolet Khan Shahdore GPS Malookra ---do---
77. Wazizur Rehman S/O Muhammed Shafee GPS Mohri ---do---
78. Muhammed Fiaz S/O Muhammed Nawaz Buzbaila GPS Mohri ---do---

ATTESTED

| | | | A.V/Post. |
|-----|-------------------------------------------------|--------|---------------------------|
| 79. | Muhammed Naseer S/O Muhammed Aslam Khan Banda | Gisach | GPS Sundi ---do--- |
| 80. | Muhammed Inran S/O Abdullah Jan Bankote | GPS | Bhandar ---do--- |
| 81. | Mazhar Hussain S/O Iftikhar Hussain Shamdara | GPS | Bhandar ---do--- |
| 82. | Wajid Raza S/O Muhammed Raza Moraga | GPS | Chungeri ---do--- |
| 83. | Muhammed Shakeel S/O Muhammed Sulaman Tarkher | GPS | Chungeri ---do--- |
| 84. | Muhammed Nawaz S/O Muhammed Jamshed Gali Badral | Msq: | Doga Miangan---do--- |
| 85. | Niaz Muhamad S/O Behram Battley | Msq: | Kali Gatti ---do--- |
| 86. | Abdur Rashid S/O Rehmat Ullah Shergarh | Msq: | Kharee Ahmad Abad---do--- |
| 87. | Gul Faraz S/O Muhammed Yunis Shergarh | Msq: | Chitte Batta (Shergarh) |
| 88. | Muhammed Khurshid S/O Shah Zaman Gul Dheri | Msq: | Badral ---do--- |
| 89. | Shahid Shujauz Zaman S/O Sher Muhammad Kobera | GPS | Mera Khairoo ---do--- |
| 90. | Muhammed Riaz S/O Ghulam Jan Ram Kotla | Msq: | Shamal Bandi ---do--- |
| 91. | Muhammed Riaz S/O Abdur Razaq Bhatto Bandi | Msq: | Abbi Behn. ---do--- |
| 92. | Muhammed Yunis S/O Khelilur Rehman Seri Jhand | Msq: | Saleya Shungli. ---do--- |
| 93. | S.Amin Shah S/O Rehmat Shah New Darband | Msq: | Neel Batla Bals ---do--- |
| 94. | Muhammed Irfan S/O Ali Akber Kala Mera | Msq: | Kangroorian ---do--- |
| 95. | Attiqur Rehman S/O Magboolur Rehman Nasbal | Msq: | Milkawani ---do--- |
| 96. | Muhammed Safer S/O Taj Muhammed Khajamber | Msq: | Khajamber ---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.Q Hospital Mansehra.
6. They will be governed under prescribed service rules framed by the Govt: of N.W.F.P.

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

Endst: No. 2201-2301/GB(G/I) Dated Mansehra the 13/11/1994.
 III/94.

Copy forwarded to the:-

1. Secretary to Govt: of NWFP Education Department Peshawar.
2. Director Primary Education NWFP (Islamabad) 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,
 (MALE) PRIMARY MANSEHRA.

ATTESTED

Annexure - B -

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar, the 06/8/2020

In exercise of the powers conferred by section 26 of the
Khyber Pakhtunkhwa Civil Servants Act, 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

INDEX: 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.



(Signature)
WARDAH LATIF
DEPUTY SECRETARY (POLICY)

ATTESTED

ATTESTED

-14-

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar-the, 06/08/2020

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

AMENDMENT

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

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

Copy is forwarded to :-

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

(WARDAH LATIF)
DEPUTY SECRETARY (POLICY)

ATTESTED

TESTED

WP4447-2023 AZIZULLAH VS GOVT OF POK

21/6/23
2023

Section Officer (Policy)

Section Officer (Policy)

Yours faithfully,

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

Copy forwarded to him.

Index, Drawn No of Note

ASSE
2/6

2011, please.

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, these officials/employees who do not comply with promotion order shall be liable to accept promotion in every condition.

to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every official to accept promotion in every condition.

2. The basic rationale behind the above rule is aimed at preventing a servant from resignation for being in a single lucrative position or to prevent those who tend to forge promotion in evade posting/transfer or show lack of capacity to accept promotion in every condition.

1. The basic rationale behind the above rule is aimed at preventing a servant from resignation for being in a single lucrative position or to prevent those who tend to forge promotion in evade posting/transfer or show lack of capacity to accept promotion in every condition.

2. Appointment dated 18.04.2023 on the subject noted above and to state that Sub-Rule (5) of Rule 7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with effect from the date 06.08.2020 this, no provision exists for decline or forgo promotion.

1. I am directed in refer to your letter No. SO/1000000-KY/18.04.2023.

2. Appointment dated 18.04.2023 on the subject noted above and to state that Sub-Rule (5) of Rule 7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 stands deleted with effect from the date 06.08.2020 this, no provision exists for decline or forgo promotion.

The Government of Khyber Pakhtunkhwa,
Efficiency & Secondary Education Department.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Polcy)/KAT/1/2020
Dated Peshawar the 06, 2023



Annexure - C

-15-



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

No. SO (Primary) E&SEDP-6/2023
Dated Peshawar, June 26th, 2023

To

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

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

[Handwritten 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)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

[Handwritten initials]

[Handwritten signature]
(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

[Handwritten initials]

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

~~ATTESTED~~

17-
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/1-3/2023 dated 06 June, 2023 and to state
that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the
Chairmanship of Additional Secretary (Estab) E&SE Department in his office.

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

Encl: AA

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

ATTESTED

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).

Annexure
D

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

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

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

3. After 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

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

ATTESTED

-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 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)

ATTESTED

ATTESTED

WP1442-2023 AZIZULAH VS GOVT CP PG43

Assistant Director (Ex-104-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

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

Copy of the above is to:-
Educat No.

24/7/2023
Assistant Director (Ex-104-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

The case is submitted for perusal and necessary actions please.

Departmental Promotion Committee.
provided they submit their written refusal prior to conclusion of the meeting of
Teachers' Union. It may be exempted of implications of the amendment in the rules bid
7(5) have affected negatively a large number of Female Teachers. Thus it is proposed that
in view of the above, this office is of considered opinion that the deletion of Rules
has been asked for submission of consolidated case.
Chairman of their Additional Secretary Establishment at his office this office has
That, in the light of the minutes of meeting dated 6-07-2023 held under the
(Primary-4) E&SED/2-1/Appointment/2023 dated 12-06-2023.
The same was received by this office from your good office vide letter No.50
civil servant to accept promotion under every condition.
that there shall be no provision to decline or forgo promotion. It is obligatory upon every
Wing) vide letter No.50 (Policy) E&AD/1-1/2020 dated 6-06-2023 categorically stated
That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation
No.50 (Primary-4) E&SED/2-1/Appointment/2023 for necessary guidance.
That your office forwarded the same to the quarter concerned vide letter
provision.
(ii) It is the responsibility of the civil servant to either accept or turn down the offer of
No.6987 dated 16-02-2023.
That this office should be guided from your good office in the following words vide letter
wide notification No. 508-VI (E&AD)/1-3/2020 dated 06-08-2020.
dated Rule 7(c) in the Civil Servants (Appointment, Promotion & Transfer Rules 1979)
The Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing)
present brief history about the background of the case as under:

Subject: - MINUTES OF THE MEETING

The Section Officer (Primary-4),
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa

Dear Sir,

No. 8145
Khyber Pakhtunkhwa, Peshawar
Date: 23/7/2023
Email: estab@kpk.gov.pk



ATTESTED

WP4447-2023 AZIZULLAH VS GOVT OF POK

Richard Director
Elementary & Secondary Education
Khyber Pakhtunkhwa

1. PA to Director Local Directorate
2. Master Copy

Copy of the above to:

The case is submitted for perusal and necessary action please

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

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.

no provision to decline for promotion. It is obligatory upon every civil servant to accept promotion under every condition. That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E&ED/1-2/2020 dated 6-06-2023 accordingly stated that those civil

That your good office forwarded the same to a/units concerned vide letter No. SO (Policy) E&ED/2-2/Appointment/2023 for necessary guidance.

(i) It is obligatory upon civil servant to accept promotion. (ii) It is negative of civil servant to either accept/decline the offer of promotion.

That this office sought guidance from your good office in the following wide notification No. W. SOR-VI(E&ED)-1-3/2020 dated 06-08-2020. dated rule 7(S) in Civil Servants (Appointment, Transfer & Promotion) Regulation Wing (Regulation Wing) of KP Establishment department (Regulation Wing) present brief history about background of case as under:

I am directed to refer to letter No. (SO. Policy-M) E&ED/5-1/General/Minuties of meeting 13/7/2023 on subject cited above and to

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

Subject: Minutes of Meeting
To:
DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK
PESHAWAR
(21-7-2023)



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

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

Annexure
E

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

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

Dear Sir, I am directed to refer to your letter No. SO(Policy)/ 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.

(Signature)
(MUHAMMAD ISMAIL)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

(Signature)
SECTION OFFICER (PRIMARY MALE)
23/8/23

Scanned with CamScanner

ATTESTED

~~SECRETED~~

WP4442-2023 22/08/2023

(Muhammad Ismail)
Section Officer (Primary
Male)

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

Copy forwarded to,

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

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 the remotest stations with no residential/transport facilities face serious inconvenience while they have to perform duties teacher of primary level who avail such promotion have to 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.

Copy forwarded to,

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

Dear Sir,

9 am directed to refer to your letter No. SO (Primary) (E&AD) /1-3/2023 dated 6th June 2023 and to state that after deletion of Rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer Rules 1989) it has been intimated that those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency and Discipline) Rule 2011.

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

SUBJECT: Guidance regarding deletion of Rule 7(5) in the Civil Servant (Appointment, Promotion & Transfer Rules 1989).

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

To

No. 5 (Primary-M) E&SE/D/18-8/ Appointment - Rule/2023
Peshawar Dated 23rd August 2023.

-B/c-

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(S) IN THE
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

ATTESTED

WP# 42-2023 AZIZUL LAH VS GOVT OF PK 03

-25-

- B/C -

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

To

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

Subject -

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

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2- Z/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.

Section Officer (Policy)

ATTESTED

-26-

Annexure "G"

To,

Dated: 22-01-2024

- 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.

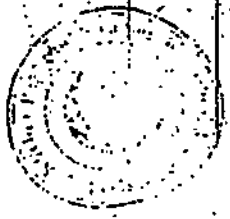
It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&D/1-3. 1-2020 DATED 06/08/2020, communicated to vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution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

Best Regards



Munir Ahmad Son of Abdur Rasheed
Resident of Tehsil & District Manshera

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/objections. Appellant is directed to deposit TCS expenses within three days. To come up for reply/objections as well as preliminary hearing on 10.06.2024 before S.D. 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]
13/5/24

Date of Presentation of Application 13-5-24
 Number of 1
 Copies 1
 Urgent 1
 Total 1
 Name of 13-5-24
 Date of 13-5-24
 Date of delivery of copy 13-5-24

ATTESTED

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

MUNIR AHMAD

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC

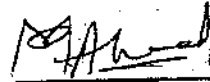
BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM


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

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




APPELLANT

ACCEPTED



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court