


FORM OF ORDER SHEET

Court of _____

Appeal No. 2247/2024

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 style="text-align: right;">By order of the Chairman  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

CM No _____ -P of 2024

In Ref to

Service Appeal No 2247 2024

Shakeela Begum

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 2247 /2024

Shakeela Begum wife of Khalid Usman, SPST (BPS-14)

Near Tablighi Markaz, PO Gulpani Jhandai, Jahangirabad, Tehsil Takht Bhai, District Mardan

.....Appellant

VERSUS

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

.....Respondents

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

PRAYER:

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

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

RESPECTFULLY SHEWETH:

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

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

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

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

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

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

GROUNDS:-

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

- c. That non-availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, pave way to the next employee in seniority, aspiring for promotion could be promoted.
- 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 appellants 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

Through

[Signature]
 Appellant

[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

5

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____-P of 2024

In Ref to

Service Appeal No _____ 2024

Shakeela Begum

VERSUS

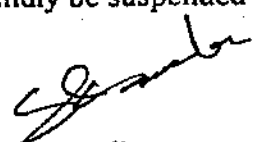
Secretary to Government of Khyber Pakhtunkhwa, & others

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:-

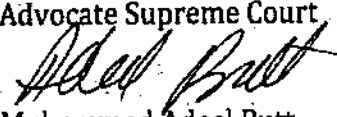
1. That the instant application may be treated as part and parcel of service appeal of the appellatant.
2. That the appellatant has brought a good prima facie case and balance of convenience also lies in favor of the appellatant.
3. That there is likelihood success of the appellatant in the lis. And 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 appellatant would suffer irreparable loss.
4. That valuable rights of the appellatant 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.


Appellant

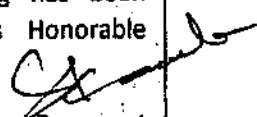
Through

Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court

AFFIDAVIT

I (the appellatant) 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.


Deponent

-6-

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



Personal Information of Miss SHAKEELA BEGUM d/w/s of HAZRAT ULLAH

Personnel Number: 00123873 CNIC: 1610122214362 NTN: 0
 Date of Birth: 05.04.1976 Entry into Govt. Service: 23.06.1997 Length of Service: 27 Years 01 Month 010 Days

Employment Category: Active Temporary

Designation: SENIOR PRIMARY SCHOOL TEA R0003435-DISTRICT GOVERNMENT KHYBE

DDO Code: MR6159-DY.DISTRICT EDUCATION OFFICER (F) TAKIIT BIAI

Payroll Section: 003 GPF Section: 001 Cash Center: 6

GPF A/C No: EDUMR011768 GPF Interest applied GPF Balance: 831,141.00 (provisional)

Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 14 Pay Stage: 22

Wage type		Amount	Wage type		Amount
0001	Basic Pay	60,810.00	1001	House Rent Allowance 45%	3,321.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	796.00	2199	Adhoc Relief Allow @10%	535.00
2316	Teaching Allowance 2021	3,036.00	2341	Dispr. Red All 15% 2022KP	5,787.00
2347	Adhoc Rel Al 15% 22(PS17)	5,787.00	2378	Adhoc Relief All 2023 35%	20,674.00
2393	Adhoc Relief All 2024 25%	15,202.00	5011	Adj Conveyance Allowance	17,136.00

Deductions - General

Wage type		Amount	Wage type		Amount
3014	GPF Subscription	-3,900.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-6,730.00	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: 69,118.28 Recovered till JUL-2024: 6,730.00 Exempted: 16636.53 Recoverable: 45,751.75

Gross Pay (Rs.): 137,440.00 Deductions: (Rs.): -12,565.00 Net Pay: (Rs.): 124,875.00

Payee Name: SHAKEELA BEGUM

Account Number: 012-6874-8

Bank Details: UNITED BANK LIMITED, 210033 BANK ROAD BANK ROAD,

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: TEH DIST: MARDAN

City: MARDAN

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

Email: shakilabegumkpk@gmail.com

Y:

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) PESHAWAR

NOTIFICATION

Consequent upon their selection by the Departmental selection committee, the District Education Officer (Female) Peshawar is pleased to appoint the following trained P.T.O. candidates at the schools named against their names in E.P.O. No. 7 (R.S. 148V-81-2-5) plus usual allowances on an ad-hoc basis under the rules with immediate effect subject to the existing terms and conditions.

S.No.	Name/Father's Name/Address.	No. of Months	School where posted.	Remarks.
1.	Miss Alia Begum D/o Gulistan ur Rehman of Toral Mardan.	1	GOPS, Pajaro Killa, Toral Mardan.	Post already occupied.
2.	Azra D/o Mohd. Zaid of Toral Mardan.	2	" Arab Baig	Post already occupied.
3.	Haseena D/o Mustafa Ali of Katlang.	3	" Umar Akad	Post already occupied.
4.	Shagufta D/o Ali Akbar/Mardan.	4	" Shabdand	Post already occupied.
5.	Zohra Begum D/o Zarin Khan/T.B.5	5	" Arabi Banda	Rashida Taj Toral Mardan.
6.	Shazia D/o Qamat Gul/Hatn.	6	" Malyano Killa	Post occupied by her.
7.	Safina D/o Qamat Gul/Hatn.	7	" do	" do
8.	Sarwasia D/o A. Sattar/Takkar	8	" Malyano Killa	Post occupied by her.
9.	Shahida D/o S. A. Chakoor/Bakhshali	9	" Jampur	Post occupied by her.
10.	Bus Nihar D/o Johar Zeb L/Kh.10	10	" Dandow	Post already occupied.
11.	Nasima D/o D/o Shaukatullah of Hoti Mardan.	11	" Mahd. Khari	Sadia Termination.
12.	Naveeda Begum D/o Zargun Shah L/Khwar.	12	" Jandow	Post already occupied.
13.	Afzal Begum D/o Ghulam Gull Khan/Gujrat.	13	" Salamat Killa	Post already occupied.
14.	Rabia D/o Bakhtawar Khan/Gujrat.	14	" Bakhshali-1	Post already occupied.
15.	Nadia D/o Mohd. Amir/D.K.	15	" Bakhshali-2	Post already occupied.
16.	Musarat D/o Raza Khan/B. Shal.	16	" Shabbir Ghora	Post already occupied.
17.	Rukhaya D/o Shamul Qabar/Qasim.	17	" Mulla Jodded	Post already occupied.
18.	Shazia D/o Gul Faraz/L. Kavar	18	" Malyano Killa	Nasima Termination.
19.	Suzain D/o Shaktiullah L/K	19	" Mulla Khan Killa	Nagima Termination.
20.	Wajchat D/o Adil Mohd of L/K	20	" G.P. Ahmad Kor.	Hobina Termination.
21.	Asia Aram D/o Waqar Mohd Bghd.	21	" Baghdadia	Post already occupied.
22.	Neelam Perveen/Tar Mohd/Katlang.	22	" Katlang	Post already occupied.
23.	Rashida Naz D/o Sher Zami.	23	" Ghaz Killa	Post already occupied.
24.	Fahra Begum/Amir Khan/T. Bai	24	" Farat Killa	Nasima Termination.
25.	Nagina M. Tama/T. Bhal.	25	" T. Bhal	Post already occupied.
26.	Nasreen D/o Azizuddin/D.K.	26	" Chiroghain Killa	Rozan Termination.
27.	Robina/Painda Gul/D.K.	27	" Doko Bhal	Nasima Termination.
28.	Sarvana/Dalwar Hussain	28	" Gulshan Abad	Naveeda Termination.
29.	Sajida/Rahman Din/T. Bhal.	29	" Ghaz Killa	Post already occupied.
30.	Mehrin Nisa/Sher Mohd K/Shah	30	" Kala Bhal	Zahra Termination.
31.	Sajida/Mohd. Amir of Hoti	31	" Khadi Killa	Post already occupied.
32.	Kalsoon/Gulnast Khan(Ruhtan)	32	" Bazar (*)	Post already occupied.

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F.F.21.

172.	Mumlikat D/o Mohammad Shah/Katlang	26	GPS, Pila Banda	Saira Term.
173.	Nargis D/o Nabi Gul /Katlang	27	" Batagram	Salma Term.
174.	Huriyat Naz D/o Ali Akbar/Katlang	28	"Batagram	Salma Naz Term
175.	Gul Naz P/o Lal Bad Shah(Dinable)	29	Babani	Firsbat Term.
	Jasba Haran D/o Mir Afzal T.Bhai	30		

P.F.22

176.	Sacha Haran D/o Mir Afzal T.Bhai	16	Jalala	Rifat Terminated
177.	Ghazala D/o Dilawar Khan of T.Bhai.	17	Yaqub Khan Kili	Shabnam Term
178.	Shamim Akhtar D/o Aursang Zeb/T.Bhai	18	Said Mir Kili	Kamashan Beg terminated.
180.	Shornai Bibi D/o Zubair Shah/T.Bhai	19	Hero Shah	Post already occupied by her
180.	Safin D/o Fazli Karim of T.Bhai.	20	Narai (R)	Nabeed Alam Terminated
181.	Nizakat D/o Zubair Shah T.Bhai	21	Ghaz Kili	Sabira Bibi Term.
182.	Asima Noor D/o Noor Badshah /T.Bhai	22	Sattar Aba	Sadiqa Khatoon terminated.
183.	Ismat D/o Salabud Din/T.Bhai	23.	Deputy Kili	Shabnam Begum terminated.
184.	Dilshad Begum D/o Adam Khan /Saro, shah	24	Saro Shah	Fatma Term

185.	Shakeela D/o Hozratullah /T.Bhai.	25	Daud Khan Kili	Hidayat terminated
186.	Taja D/o Khan Qadar /T.Bhai.	26	Khuja Rashaka	Ulrat Begum terminated
187.	Shazia D/o Haq Nawaz/T.Bhai.	27	Khanjar	Saeeda Term.
188.	Kameoshan D/o Gulzamin/T.Bhai	28	Gharang	Muzarat term.
189.	Muzarat D/o Gul Bilard /T.Bhai	29	Maho Narai	Savit Terminted
190.	Zakia D/o Hero Shah/T.Bhai.	30	Hero Shah	Nizakat Term.
191.	Mehnaz D/o Sultan Mohd/T.Bhai	31	Sherif Khan Kili	Samina terminated
192.	Saiqees D/o Samobar Khan/G/Ghari	32.	Shakar Mori	Post occupied by her.
193.	Nusrat D/o Fazli Kayim/T.Bhai	33	Khanjar	do
194.	Roshan Bibi D/o Ghulam Habib/T.Bhai	34.	Takkar	Shabina termi

P.F.23

195.	[Redacted]	36	[Redacted]	[Redacted]
196.	Sadiqa D/o Abdul Qayum /Takkar	37	Karam Khan Banda	Shabina terminated.
197.	[Redacted]	38	Sanga	Zakia Term.
198.	Farida D/o Aslam Khan/Takkar	39	Sharif Khan kil	Farida Term.
199.	Saiqa D/o Nadar Khan /L.Khwar.	41.	Palwand	Rukhsana termi.
200.	Nighat Seema D/o Said Qayum/F.Abad	42	Sufaid Abad	Saloon Termi.
201.	Cahira Bano D/o Khan Bhadar/Hatia	43	Shah Bhadar Kor.	Shabnam terminated.
202.	Taj Roshan D/o Mohbat Khan/Takkar	44	Khali Bokhan	Shamim Akhtar terminate
203.				

ATTESTED

DEPUTY SECRETARY (POLICY)
(MAJID AH LALY)

11/1/20



- 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. The Principal Commissioners in Khyber Pakhtunkhwa.
- 7. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
- 10. All Deputy Commissioners in Khyber Pakhtunkhwa.
- 11. The Registrar, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 12. The Secretary, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 13. The Deputy Director (T), E&A Department.
- 14. All Section Officers in Establishment & Administration Department with the request to the Section Officer (Admn), Administration Department.
- 15. The Caretaker, Administration Department.

Copy forwarded to:

DATE, NO & EVEN DATE

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

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

AMENDMENT

Following further amendment shall be made, namely:

(5) The Chief Minister of Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules, 1989, the Government of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) in exercise of the powers conferred by section 26 of the Government of Khyber Pakhtunkhwa Act, 1973 (Khyber Pakhtunkhwa Act No. XVII of 1973) dated Peshawar, the, 06/18/2020

NOTIFICATION

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION-WING)

Annexure-1 - B-

-9-

-10-

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-rule (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)



-11-

Annexure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Polcy)/E&AD/1-3/2020
Dated Peshawar the June 06, 2023

62

To: The 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/PA&SD/2-
2/Appointment/2023 dated 18.04.2023 on the subject noted above and to state that Sub-Rule
(S) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer)
Rules, 1989 stands deleted vide this department notification dated 06.08.2020; thus, no
provision exists to decline or forgo promotion.

2. The basic rationale behind the deletion of the said rule is aimed at preventing a
civil servant from temptation for illicit gain by sucking to a single lucrative post/position or to
prevent those who tend to forgo promotion to evade posting/transfer, or show lack of capacity
to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every
civil servant to accept promotion in every condition.

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

Yours faithfully,

(Asst. Secretary (Polcy))
Secretary (Polcy)

ASE
M-
766

Encl. Of even No & date

Copy forwarded to the:

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

SE/PA/1

26.06.23
21.6.23

Secretary (Polcy)

-12-

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

No. SO (Primary-M)/E&SED/2-6/2023
Dated Peshawar the June 28th, 2023

To

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

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

Subject: GUIDANCE REGARDING DELETION OF RULE 7(6) 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)
26/6/23

B/c

-13-

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)

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
①


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 APFA 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.

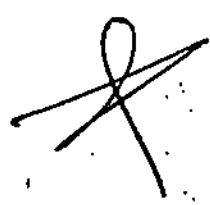

(Mr. Fazal Wahid)
Deputy Director,
E&SE Department


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


(Mr. Razaqat Ullah)
General Secretary APFA
Peshawar


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

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



-15-

-B/c-

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

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

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

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

3. After 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)





-16-

Khyber Pakhtunkhwa, Peshawar
 No. 8145 / F.No. 34/SST/M/General Cases Dated 21-7-2023
 Phone: 091-9221344 Email: establishment@kpk.gov.pk

To
 ✓ The Section Officer (Primary-Male),
 Elementary & Secondary Education Department,
 Khyber Pakhtunkhwa Peshawar.

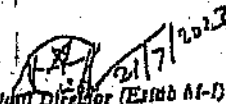
Subject: - MINUTES OF THE MEETING
 Dear Sir,

I am directed to refer to the letter No.SO(Primary-M)E&SED/3-11/G.Misc/Minutes of the Meeting/PST/2023 dated 10-07-2023 on the subject cited above and to present brief history about the background of the case as under:

- That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the Civil Servants (Appointment, promotion & Transfer Rules 1989) vide notification No. No. SOR-VI (E&AD)/1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No.6987 dated 06-02-2023:
 - (i) Now it is obligatory upon the civil servant to accept Promotion in every condition.
 - (ii) It is the prerogative of the civil servant to either accept or turn down the offer of promotion.
- That your good office forwarded the same to the quarter concerned vide letter No.SO (Primary-M) E&SED/2-2/Appointment/2023 for necessary guidance.
- That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) vide letter No.SO (Policy) E&AD/1-3/2020 dated 6-06-2023 categorically stated that there exists no provision in decline or forgo promotion. It is obligatory upon every civil servant to accept promotion under every condition.
- The same was received by this office from your good office vide letter No.SO (Primary-M) E&SED/2-2/Appointment/2023 dated 12-06-2023.
- That, in the light of the minutes of meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office, this office has been asked for submission of consolidated case.

In view of the above, this office is of considered opinion that the deletion of Rules 7(5) have affected negatively a huge numbers of Female Teachers. Thus it is proposed that Teachers below APS-16 may be exempted of implications of the amendment in the rules ibid provided they submit their written refusal prior to conduction of the meeting of Departmental Promotion Committee.

The case is submitted for perusal and necessary actions please.


 Assistant Director (Estab M-1)
 Elementary & Secondary Education
 Khyber Pakhtunkhwa

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

Assistant Director (Estab M-1)
 Elementary & Secondary Education
 Khyber Pakhtunkhwa

A

To: DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK
 Section Officer (Promotion Male)
 Elementary & Secondary Education Department
 KPK, Peshawar

Subject: Minutes of Meeting

Dear Sir, I am directed to refer to letter No. (SO. Promog-M) E&SD/5-1/G/14/10-7-2023 on subject cited above and to present brief history, also background of case as under:

* That government of KP Establishment department (Regulation Wing) decided rule 7(C) in Civil Servants (Appointment, Promotion, Transfer & etc 1997) vide notification No. SDR-VI (E&AD)-1-3/2020 dated 06-08-2020. That this office sought guidance from your good office in the following words vide letter No. 6987 dated 06-08-2023.

(i) Now it is obligatory upon civil servant to accept promotion. (ii) But a prerogative of civil servant to either accept/reject/turn down the offer of promotion.

* That your good office forwarded the case to a quorate concerned vide letter No. SO (Promog-M) E&SD/2-2/Appointment-2023 for necessary guidance.

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

* That in light of the minutes of the meeting dated 6-07-2023 held under the Chairmanship of Hon. Additional Secretary Establishment at his office. This office has been asked for submission of consolidated case. In view of the above, this office is of considered opinion that the deletion of Rules 7(C) have affected negatively a huge members of Female teachers.

The case is submitted for perusal and necessary action please.

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

Assistant Director
 Elementary & Secondary Education
 Peshawar



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

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)/ EB&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 ISMAIL)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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


SECTION OFFICER (PRIMARY MALE)
23/8/23

Scanned with CamScanner



[Handwritten mark]

2. PS to Secretary, E & SE
1. Director E & SE Khyber Pakhtunkhwa
Copy forwarded to:
(Muhammad Ishaq)
Section Officer (Primary)
Muz

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.

Dear Sir,
I am directed to refer to your letter No. Sd/primary (Policy)/E&AD/1-3/2023 dated 6th June 2023 and to state that after deletion of Rule 7(S) Khyber Pakhtunkhwa Civil servant (Appointment, Promotion and Transfer Rules 1989) it has been intimated that those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil servant (Efficiency and Discipline) Rule 2012.

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

The Secretary to Government of Khyber Pakhtunkhwa, Establishment and Administration Department, Peshawar.
No. Sd/primary-M/E&SE/1-3/2023
Appointments - Rule/2023
Peshawar Dated 23rd August 2023.

- b/c -
- 2 -
- 19 -

Annexure - F



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

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

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

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

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

WP442-2023 AZIZULLAH VS GOVT OF PK13

- 21 -

- B/C -

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

To

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

Subject -

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

Dear Sir,

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

Yours faithfully,

Section Officer (Policy)

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)

-22-

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

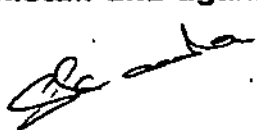
Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020, DATED 06/08/2020, COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER 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 16/03/2024


SHAKEELA BEGUM
W/O KHALID USMAN
SPST

07.05.2024



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

03. Alongwith the service appeal there is an application for suspension of Notification dated 06.06.2023 and letter dated 23.08.2023 till the final disposal of main service appeal. In the meanwhile, no adverse action shall be taken against the appellant till next date of hearing.

Certified to be true copy (Muhammad Akbar Khan)
Member (E)

(Handwritten signature)
 Director General
 Government of Punjab
 Pakistan
 13-6-24

Date of Presentation of Application 12-6-24
 Number of 1
 Copies 1
 Urgent 1
 Total 1
 Name of 13-6-24
 Date of 13-6-24
 Date of delivery of copy 12-6-24

(Large handwritten signature)

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

SHAIKEELA BEGUM

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC, MUHAMMAD ADEEL BUTT AHC

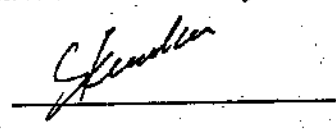
BASSAM AHMAD SIDDIQUI AHC

&

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.

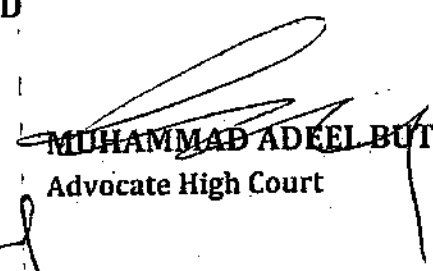


APPELLANT

ACCEPTED



MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court



MUHAMMAD ADEEL BUTT
Advocate High Court



BASSAM AHMAD SIDDIQUI
Advocate High Court