FORM OF ORDER SHEET

	Court o	f
	<u>App</u>	eal No. 2360 /2024
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/11/2024	The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 14/11.2024. Parcha Peshi given to counsel for the appellant.
		By order of the Chairman REGISTRAR

C.M No _____-P of 2024

In Ref to

At.

Service Appeal No <u>236</u>2024

Shamsud Din

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

S#	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Appeal and Verification	*	1-4
2.	Application for suspension	*	5
3.	Copy of Monthly Salary Account	A	6-6A
4.	Copy of notification No. SD (Policy) EV AD/1-3/2020 dated 06/08/2020	В	2-8
5.	Copy of Impugned Letter dated June 6 th , 2023	Ċ	9-11
6.	Copy of Minutes of meeting dated 06-07-2023	D	12-15
7.	Copy of Letter dated 23-08-2023	E	16-17
8.	Copy of Impugned letter dated 07.09-2023	F	18-19
9.	Copy of Representation against the saidsaidnotificationand representationmadebyAPTAPresident	G & H	20-21
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INDEX

ADVOČATE

M. Muazzam Butt

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

- Service Appeal No_2360___/2024

Shamsud Din Son of Shah Din, S. Qari

GPS Government High School Shahtar Khel Tehsil & District Lakki Marwat

.....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 AGAINST TRIBUNAL ACT <u>1974,</u> 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 Qarl. Copy of appointment letter is annexed as <u>Annexure A</u>

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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.

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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 iff 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".

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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 <u>Annexure B</u>

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 <u>Annexure D</u>
- 8. That the Respondent No.3 i-e. Directorate of Elementary & Secondary Education Knyber 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 Knyber

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 <u>Annexure E</u>

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 <u>Annexure F</u>.

- 10. That the petitioner feeling aggrieved, filed Representation to the respondents in person, i 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 <u>Annexure G & H</u>
- 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:-

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- 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.
- h. 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 will foregone their promotion were allowed not to avail the promotion for a period or 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.

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- 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 he 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.

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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.

E 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 hutter 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.

Appellant AFFIDAVIT: I, (the appellant) solemnly declare Through that the contents of foregoing application are true and correct to the Muhammid Muazzzam Butt hest of my knowledge and belief and Advocate/Supreme Court nothing has been concealed therein from this Honourable Court. Deponent Muhammad Adeel Bigh Advocate High Court Bassam Alfinad Sidliqui Advocate High Court LLM- Hueran Rights

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

C.M No _____-P of 2024

In Ref to

Service Appeal No _____2024

Shamsud Din

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:-

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

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

AFFIDAVIT I [the appellant] do hereby solemnly stated on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein this Honorable Court. Deponent

Through

have Do Appellant

Muhammad Muazzam Butt Advocate Supreme Court

Batt heel

Muhammad Adeel Butt Advocate High Court

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OFFICE OF THE DISTRICT CO-ORDINATION OFFICER LAKKI MARWAT

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APPOINTMENT ORDER:

Consequent upon the recommondations of District Selection Committee, the below named make candidate is hereby appointed on open merit as Qarl in BPS-12 (4355-310-13655), plus usual allowances as admissible to him under the rules on regular basis under the provision of Establishment & Administration Department circular bearing No. SOR - 6 (E&AD) 13-1/2005 dated 10-8-2005 on the terms & condition noted below in the interest of public service from the date of taking over charge.

SNO	Name	· Fat	her Name	Address		
3	Shans@dint.	ShahiDin)	26	bulkeev		
Qa hi condi	s'appointment he is p tions given below.	ostedini GHSS/GH	Slasmentlöned against his	name, subject to the torus a		
SAG	Name	Father name	To be posted at	Remarks		
310	1 A ANTINHI	A MINET HEATTL		1101100.00		

TERMS AND CONDITIONS:

- His appointment will be considered regular without pension or gratuity in terms of section 19 of NWFP Civil Servant Act 1973, as amended vide NWFP Civil Servant (Amendment) Act. 2005. They will however be entitled to contributory provident fund in such a manner and at such rate as prescribed by the Govt.
- 2. His services will be liable to termination on one-month prior notice from either side. In case of resignation with out notice two months pay/allowances shall be refunded so the Govt.
- 3. His services will be governed by such rules and regulations issued by the Govt of NWFP from time to time.
- 4. His: services can be terminated at any time in case their performance is found on satisfactory during probationary period, in case of misconduct they will be dealt with the NWFP removal from service (special power) ordinance, 2000 and the rules framed from time to time.
- 5. Clease report should be submitted to all concerned.
- 6. No TA/DA is allowed to any one.
- Executive District Officer (E & S) Education Lakki Marvat will check and verify the Certificates/ Degrees of the above candidates from the concerned Board/University before the drawl of their pay.
- The appointment is liable to termination, if the appointee fails to take over charge with in (15) days of the commencement date.
- 9. The undersigned reserves the rights of amendment in their appointment order in case of any mistake.
- 10. The appointee is required to produce their Health and Age Certificates from the Medical Supdf: DHQ Hospital (Tajazia) Lakki Marwat.

Attested **District Co-ordination Officer** Lakki Marwat Ender: No 857-62_ dated Lakki Marwat the 15 Copy of the above is forwarded to the: H.S. Jabu Khel 1. Director (E & S) Education Department N W F P Poshawar. Distt: Lakki Marwat 2. District Co-ordination Officer Lakki Marwat 3. District Officer male local office 4. Dispict Accounts Officer Lakk Marvet 5. Principal/Headmaster GHSS/OHS concerned 6. Candidate concerned Executive lonker istric (E & S) Education Deptt: Lakki Marwat

OJISJIH DEPUTY SECRETARY (POLIC ULLET HYPE WW עופ בשפעולכד, אכמיוחופורפווסת Departmentarians, e. 20, Bakelie, copics. All Societies (1990) - 200 - 2 إلي דור העקונית במתחמושות האיזאמה וייניואמי האיזאמה. יישטושות איזיג בראופי בסתחווז באא האיזיאמי. איזאטרי הפגווזאשי דור העקוניתה: אנואטרי הפאוומאיז לכטיר, הפגווזאשי דור העקוניתי: אנואטרי הפאוומאיז לכטיר, הפגווזאשי דור העקוניתי: אנואטרי הפאוומאיז הטווים ביראופי בסתחווז באא היי -24 11 :01 6 TWARDARY Semi Autonomous Bodies in Khyber Pakinulany 18 און אמפיום, סך אממכווכל ולפףשעהמה וה צווצטבר פולאועה און איני Ľ איז שואיניסעיםן כסעשונצוסטפוצ וע איא אבר היאקוותקאש The Principal Acetemy to Gavemon, Kiyber, Pakhiunkihwa. באון אותוקונונוואן אר צפטנהושנים ווי סיאר ייני אוא ארווא ווא רווע בעווסר איכושפני אסויאל סו עפאשאשני, אאטבר השארטתאאיט. าแอนปนที่ชื่อ (ม้อนปก)อง=() A. Idinional Chief Secretary, Covi. of Khyber Pokhrunkäwp. Pranning & -tot helmann) is the JIYU MIAI YON IYA GOVERNMENT OF THE ILEY PARTY VIEL SECRET ATY NIIN יו נחוֹה ג' זמקר נחובי (כ) אוווח אם קבוכהקי VALLADWEAL the transfer in the Kirker spontance of the Kirker is the second of the Kirker in the Kirker with the Kirker is th עון ווענט איני אין אראט גער אין אראט איניגע אין אראט אינין אין איניע אין אראט אינין אין איניע אין א אינין אין א ער איזאער איזער געראט איניען אין אינער געראט אינען געראט איניען אין איניען אין איניען אין איניען אין איניען אין ער געראט איניען געראט געראט איניען אין איניע ווי במוויכות ער ואם הטעיבום בחתוביובט אי גבבוומה של סו שכ . 02027-8/20. antimunuan baind NOILVOLINI.ON (RECILEVELOW-WINC) MUTAARD TNEWNERI UNSA SEIMALHIVA UTRANS COMPRIMIENTOS 1-gursonnH

GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT (REGULATION WING)

-8-

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.

CHIER SÉCRETARY GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

N 16

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)

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DR TO TUDO BY HMULLISISA ESOS-COMPAN J * \"" 9.10 -20 Sienap άΠοει (Polloy) נכ ום מוחוא בכברויוא (מפורא) ביויקוויוינינו מיליותיינים לעייויקינויף נגי ום עקעומוין בכברויא (מפורא) ביויקוויוינינו: מפוראיביר ٠¢ 귺 . Շորչ քո*ւ*տով*ւ*մ to that Radat. Of aven Vo & dals (אים ען אראשעשים אראשע (ניסווסא) אראשע אראשען א 1.10Ľ ' لاده، د รู แก่มีสมอา การ ריסבכבלבין סבפועון מעקבו אואמבו נעקומונותיע בזאון שבאיאור (תוונגובעכא ג. סוגבוולוווב) ונטובה. סל ערב בסמקבובתו מטואמלוץ פר עץ. ום כעשם ומעממווסה ואפטעולה גוווברבאו והכמוז גלמון אב דענאכוחוסובו לומזה מולכנוצומולוג זאנים עם מסו בממקוץ זאווא אומהסולמה מולבר כלאון זכראשון ום מכככטו לופשמומה וא מינהי כמתלולמה. To tackle lifeber responsibilities in case of premotion. Thatefolo, it is obligatory upon every אבענטן וויסזב גיקוס ורסק ום נפוצם מושווטון זם באפקב שמוועלוושטוובו. מו אוסוא וסבא כן בבשמבוןא סיום המווזבטקטונמה שנותו משנה משלטור אל געלגלים לא געלגלים אות או אוניוש וענידיו אינייד אוסה סו למ ה נהוחמים: היוחמים ז פונה וואל מפושומה מכונים אלו נהוא א מורגים ומחומים אשור שורים מיורי חמעוגונה בבובה ום לככוותכ מדומום המתכוומה. מעוויבי, 1989 איזאר אלובולע אוני וואני לגופאנימי ומשוורמוומה למוכל 20,08.2020; וויעג, מס Sulf-dug lati alais at has avada landet nates and un croc. 10.81 lates crocuraminiogants Å הונסאונצווא עמובווא עמובוועמאונוז וחוינאל זאוטי נכנוגרטאור העונבוועמאונואי בואוי פאוואענא עינגטואיבי צמון כזוי ע נוונטעמכוי וואניאבונאי נוגיאבונאי טה ווווזיא אוצו וע בונג MA דעם לנסיבוחתיבתו על דרון לבר לאלוונותלווייה. דנים לנסיבויטרץ לי הכנסתעמיץ (למבסיבמה למקיבווחבתו. ٥Ļ 1.7 AVUDINUTIDAAT JUMPYIDA OF TRADAMENYOO NON Ь-

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-Overniment of Knyber Pakhtunkhwa ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT CIMIL SECRETARIAT PESHAWAR (Fhono No.001-9223507) No.50 (Primary-M)/E&SED/2-6/2023 Loled Peshaviar the, June 26*,2023 Τa The Director Elementary & Secondary Education Department Khyber Pakhlunkhwa, Peshawar. うんにノン Ż Aziz Ullah Khan President-All Primary Teacher's Association, KP GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION Subject: AND TRANSFERI RULES, 1989. I am directed to refer to the subject noted above and to enclose have with a letter of Establishment Department letter No. SO (Policy)E&AD/1-3/2020 dated ųЬ 06 June, 2023 and to state that the subject meeting is to be held on 08 July, 2023 at 11:00 AM in this department under the Chalmanship of Additional Secretary (Estab) E&SE Department in his office. You are, liverefore, requested to depute a representative of your respective Department to attend the meeting on a date, time & venue as mentioned 1.1 ábove, please. Encl: AA (MUHAMMAD ISHAO) SECTION OFFICER (PRIMARY MALE) Copy forwarded to the: 1. PS to Secretary, E&SE Department Khyber Pakhlunkhwa. SECTION OFFIC WP4442-77C3 AZIZULLAH VS GOVT OF PG43

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No SO (Primary-M)/E&SED/2-6/2023 Dated Peshawar the june 264 2023

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I.

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The Director Elementary & Secondary Education Department Khyber Palchtunichwa, Peshawar

Aziz Uliah Khan President President Ali Primary Teacher's Association, KP

Subject:

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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 05 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&SS Department in his effice.

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

Encl: AA

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(MUHAMMAD ISHAQ) SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

WP4442-2023 AZIZULLAH VS GOVT CP PG43

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ USLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING OF DELETION OF RULE 7151 IN THE CIVIL SERVANT LAPPOINTMENT, PROMOTION & TRANSFER RULES 1989).

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A maeiling regarding the subject matter was held on 04-07-2023 of 11:00 AM under the Chairmonship of Additional Secretary Establishment in his office. The following attended the meeting.

5# ⁻	NAME	DESIGNATION
1	Mr. Fazal Wahld	Deputy Director Establishment of Ofrectorate Elementary & Secondary Education Department
2	j Mr. Azlz Ullah	Provincial President All Primary Teachars Association Khyber Pakhlunkhwa
3	Mr. Rologal Ullah	General Secretary APTA Perhawar
4	Muhammad Ishaq	Section Officer (Pilmary) E&SE Department Civil Sectedation Khyber Pakhlunkhwa Peshawar

2. The meeting started with racitation from the Kely Quran. The chair welcomed the participants. The Deputy Diractor (Establishment) of Directorate of Elementary 2 Secondary Education bilated the forum regarding agendo item in detail.

 Alter threadbare discussion it was decided that Directorate at Rementary Z
Secondary Education Department may examine the case property and submit a self-contained/consolidated case for anward submission to Establishment Department for further necessary action.

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

0 (Mi. Foral Wahid) Deputy Director-I E&SE Deportment

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(Mr. Rologal Ullah)

Géneral Socialay APIA Peshowar

(Arlz Ulloh) Provincial President Rimon Teachers Association Khyber Pathlunkhvia

(Muhammod Linpa) Section Officer (Primary-Male) EASE Department

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

WP4442-2023 AZIZULLAH VS GOVT GF PG43

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ UILAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA AEGARDING OF DELETION OF BULE 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

511	NAME I	DESIGNATION
1.	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2.	Mr. Aziz Ullah	Provincial Prosident All Primary Teachers Association: Khyber Pakhtunkhwa
3.	Mr. Rəfaqat Ullah	Genoral Secretary APTA Peshawar
4.	Muhammad Ishaq	Section Officer (Primery) E&SE Department Civil Secreteriei Khyber Pakhtunkhwa Poshawar

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 egende item in detail.

3. After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit & 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 Wahld) Deputy Director-1 E&SE Department

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Provincial President All Primary Teachers Association Khyber Pakhtunkhwa

(Mr. Rafaqat Ullah) General Secretary APTA Peshawar

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

> (Abdullah) Addillong Eastratata (Eastratilehangot)

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() CADA 70 TVOD EV HAJJUZTSA ESQS-SAA194W . . . 1 1 Ņ • 1 4 Statenting & Secondary Education . Kinter Pakluakinsa אנגעומען Director (Estabat-1) YUG JUNIT 7 ÷ רא ום Direcial ביוחדטוני. ٠, ny) fa ƙilo y -; t) I *1011 Towns New ELOB דונה לעובין בעממוווכם לפר הנרשמו מום מפכננפוץ מכוומתו מוכתור. וורסיולכון וויבע לעומוטו ווזנה שינוכה רכוננסן טרומר ום כמהמממכה וה והם החובר וטלי ליוור סל וויב מרפוותם סל נורטי עורי שרפוותם סל נורטי ווינט וויבע לינטי אונג נטוק וו דרומת איראן בבמבבה בירוקוקטומות העצטצו ממוכט וצ-טה-2013. לוצום שתפה וווכ דרומן, זה והכן ווקוו על וות הומעונג סל שכאווהך לסוכל 6-07-2021, לוצום שתפה וווכ הככה בגצבו לה גולמת גולונותהם! לכברכומיף בנזמה!נהמהמו בו הנו מווכר היונג הולוכב וינג הככה בגצבו לה גולמת גולמי מוונג מרשה לכבו על כמצלולרכו לסורומה וונו אים לסוכווסה טל אלוצג גון אימי סלוככלכל הרצמוינגלט מועצב העשלבו מל רכמולור לכמבלברב. דרחב וו גו הרסקסבבל וינג גון אימי סלוככלכל הרצמוינגלט מועצב העשלבו מל רכמולור לכמבלברב. דרחב וו גו הרסקסבבל וינג גון אימי סלוככלכל הרצמוינגלט מועצב העשלבו מל רכמולור של המסוג לכמבלברב. דרחב וו גו הרסקסבבל וינג גון אימי סלוככלכל הרצמוינגלט מועצב העשלבו מל רכמולו בינגל המסוג לכמבלברב. דרחב וו גו הרסקסבבל וינגי דרמכלוברה המנועו 10-16 משי של ביכמתה הבעהיוב מל המסוג הרמי היו מעונה וורגיעינים היו גו היו המינינים מיווסי מל המיני דרמלו גוינים לא אינגלים לוגמי מינגלים מינים מרמי מרכמי המסוג המסוג מרמי היו גו היוחוגי להומי לוגי הרמי ווינגיעים היו גוינגיעים היו גוינים אינגיעים היו גוינים אינים לוגיים איניים לאינים לוגיעים ליינים לוגיעינים ליווסים ליווסים ליווסים ליווסים ליווסים ליינים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים מיניים אינים לוגיעים ליומים לכמים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים ליווסים מיווסים ליווסים ליו ליווסים ליווסיווסים ליווסים ליווסי (נגעשניף.אל) בנגבנטובילא המשמומה מרכז ובינים ביוחר שוובר אמבה למונה ובינים אחמה מכנץ ובינים ביוחר אילו בניבוא ב בואון בבירמה ולמכיסה המשמומה המנגול בינים לרמה אחור בסט מוובר אמבה אמבה לרומה ולמר מיום ומובר אמבה לרוא בינים ב האור במשפ עיני הברבואים לא גועו מוובר בינים לרמה אחור בסט מוובר אמבה אמבה לרומה ולה המובר אמבה לא מהבה לרוא בינים ואושל) אוקט נמואג אסיכט (ניסוובא) בפייום/ו-ז/2020 קטובק פ-90-2023 במומלמרובמוא זומוטק Tiqi ilis Coreilimin of Kipber Polylandina Briabilitaneni Daparimeni (Regulation אםיצע (נגעשטון אין בעצבועי-גועלטסועושנעונגע פרובעורגע בטעבעעוע אין פרוונגע געש אסיגע נגעשטייט בעצבועי-גועלטסועושנעונגענע פרווגע בטעבעעוע און פרוונגע געשון אסוע געש פרווגע פרווגע פרוענער אין פרוונגע (וו) או דו ווים איבן משמואה מז ווים כואון דבוגמטו ום מככבטו אימשונט וע באמא בטוקוטור (ו) איסיא זו דו ווים איבן משמואה מז ווים כואון דבוגמטו ום מככבטו אימשונט וע באמא בטוקווטור וווון סטטנחוונין כן צועטבר ליסטונווווגאועים במסטונווומומה שבשרווומה (אפתוומוומה ולוחצו למומים אוום דרגן ליחונים ברויון העייסמוד לאתים הנמכת שרסמוומה לב דרסונקר אנולבי 1940) דאסו נוגני מווכר עם בסוריו (הבתאטין) ו-2012 מפופם 26-08-2020 דאסו נוגני מווכר עם בסוריו (הבתאטין) ו-2012 מפופם 26-08-2020 דאסו נוגני מוויר מוויר איז איזייבינים איז איזיים במסט מוויר איזיים איזיים איזיים איזיים איזיים איזיים איזיים איז מוויר איזיים איזיים איזיים בוויני היינים איזיים מווידים איזיים איזיי Peat Sir, אוואחבוא סב בווצ אונובנואט -r soldus דוים בממלומת בווכר (קרומנטר אלמור). בוכמיממו לא הבכר (קרומנטר אלמור). גוושרר אמלומונותאמים הבוומיימר. ¢Τ Plienc: 01-9235141 έŋ ราวดีหมู่ระจะ เอเมามามามาย าอง(เปมี)

A.,

:01 26110H2H DIRECTORATE OF ELEMENTORY & SECONDARY EDUCATION, KPK

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Geetion Officed (Primary- Male).

KPK, Perhausar. Elementary & Scondary Education Department.

Subject - Manutes of Meeting

present bill history background of and as under. Abritas of meeting (172/123) dated 20-F-02 as abject ated above and to Dear Ein I am diversed to use to letter No. (So himage - M)E & EED /S-1/6. Miler

(1992 and standing (Alphing the mand provided the stand for the stand the (Brill arbitrary (P Establishing depending (P go them mand Continued (Rogulation Wing)

Trus tris office sought guadoure form your god uffice in the fallowing vide notification No. No. 508-VI(EEAD)I-3/2020 dated 06-2020.

with crudemut / for some of the survey in switchers of the (ii) . retransed topologicate the constant and the deception is the weather .

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· That your good office forwarded the company to quarter concerned

continues to accept providing under energy condition. this throws made trade 20 as the monthroug graft will be observed on eters and tath betode your correspondences that they are even (trait the government of KP-ED (Regulation Why) vide letter No. So (Relicy)

حميره ليظملها دميد To missingue af build red was suffer inthe suffer suffer and the twentheld under the Chaimonship of them Additional Secretary Establish Cros-re-2 betab gribsen art to calunien art fo Wgil ni kort .

members of Ferrete teachers. annige housing to is astronge this aver all is of considered approximate the approximate and the approximate approximate and the approximate a

The case is enouthed for period and recessary action - nosta

Whyther Rehminicht Canadary & Scandary Education אמנואים אינכאיו

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May welson .2 1. PA to Director tocal Divectorate (of anothe sul- to fide)

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•	ELEVENTARY AND SECONDARY EDUCATION DEPARTMENT	
	CIVIL SECRETARIAT PEBHAWAR	
	(Phone No.091-9223587)	'
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143. SOIPrimary-M)ERSED/2-2/Appointment-Rule /2023 Peshav/ar Dated 23rd August, 2023

Annexine

The Georgiary to Govi, of Khyber Pakhlunkhwa, Estephenment & Administration Department, Peshovar

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

SPER SU,

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1 am directed to refer to your letter No. SO(Policy)/ E&AD/ 1-3/2020 dated Gor June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Serven: (Appionement, Promotion & Transfer Rules 1989) It has been intimated that those officers/ officials vitro do not comply with promotion order of the competent authority or ריז עם פיזאלפ promotion through different means shall be proceed under Khyber : z * Padmunicitiva Civil Servant (Effidency & Discipline) Rules, 2011.

In this connection it is submitted that in some cases lady teacher of primary level vino avail such promotions have to face serious inconvience while they have to certorm duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father of mother-in-law who reed care. In such cases, there are negative effects on service delivery.

In view of the above, the said amendment may be reconsidered to the З. enters of law; beacher in primary schools.

Copy (crylarded to the:

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

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HUHANBAU 16 BECTION OFFICER PRIMARY MALE

SECTION OFFICER

4442-2023 AZIZULLAH VS GOVT CF FG43

eterdise graning intrational pixelies with הי אדרה בן מסאר איר צסוק שעעשיישיי ועסיא אי ארפטויצקרארט איר באורכאי מי צרעונה קרקוותיא אנפואיביריות-אבעו שאים יועים משוב ווי בעברה כקובו אישיגר סוד היפלאיוי Mast of them are manied with Lici, and elder fother of , while required / listrabizer on ithin snottate tratomer and ni ratub motory of such with with monorni runks soft of every reterment the aver aver such promotion have to In this connection it is submitted that in some cores locky and servort (Efficiency and Discipline) Rule 2012. different means shall be proceed under Khyber fulching Apoint notternory shows at but no principlus mategines and to these officially who denot comply with promption order tooth between the read red -12 (P8PL celler efenor) in referred deletion of Rule 7(5) Khyber Rithmanthua Civil seriors (Apprintments, with with state of long scarsine CAB potab aros 18-21 transition of ustal may a use of between No. So ARAD (Proved) '⁴\S ~~~Q (6867 iserverit (Arenthront, Annetion & Transfer Rules SubJECT: - Caldonce reginding deletion of Rule 7(S) in the Pesherusa.

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Establishmant and Achamant of Khilba Parkhanohma.

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

KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,

The Secretary to Government of Khyber Pakhlunkhwa, Elementary & Secondary Education Department. GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE

PROMOTION AND TRANSFER) RULES, 1989.

Subject: -

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-Dear Sir, 2/Appointment-Rule/2023 dated 23:08:2023 on the subject noted above and to state that necessary guidance has already been lendered to your good office vide this department letter of even No. dated 06.06.2023 (copy enclosed).

Yours faithfully. er (Policy) Sectio

Entist. 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.
- PS to Deputy Secretary (Policy), Establishment Department.

GOVERNMENT OF KHY9ER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT No. SO(Policy)E&AD/1-3/2020 Dated Peshawar the September 07, 2023

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

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

Dear Sir.

Τc

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,

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Section Officer (Policy)

Endst. Of even No & date

Copy forwarded to the:-

цR

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 nicer (Policy)

AZIZULLAH VS GOVT OF PG

To.

Secretary to Government of Knyber Pakhtunkhwa, Establishment Department, 11 Civil Secretariat, Peshawar

Annexure - G

- Secretary to Government of Khyber Pakhtunkhwa, Elementary and Secondary 2) Education Department, Civil Secretariat, Peshawar
- Director Elementary and Secondary Education Department 31

Subject: REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING 06/08/2020. COMMUNICATED TQ NO.SO(POLICY)E&AD/1-312020. DATED 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 notilication 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 Pakintunkhwa 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 at 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 foresentation; the Notification bearing No. SO (POLICY) $_{\rm W}$ E&D/1-3 1-2020 DATED 06/08/2020, communicated to vide letter dated 06/06/2023, may please be declared and ordered to be struck down being Void, Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.

Dated 26 10,3/2024

SHAMISHAD DIN SIDSHAH DINS. OARI

21 1 MP4442-2023 AZIZULLAH VE GOVT CF PG43 الم يج مي الدمو الله الم المراد ما mar mar por ד הקווזיא בי בייוו או או זיינרי איזין ליקריי זייני זייני לי אי אי א מקנו אין אארי בין אייני בי יאין בי לעוזי לי גלא מיץ אד גדיע לא ליזי ועו זעילו צייוו אייניו אייזי אי א א מקנו אין אארי בי איין בי איין אייני בי איין בי ע いっゃょうかっがうろ ביית ית ייתה ביו האייינו יה ביית ק ק יות, ול יו ביית ייק בית ל ומעיר ת ק ק ק נו איינו איז ייו בי הי תומשיונים) איצרותאיל יני צליגילי מול לי ההיקו לפג א ז יעת די אתו ביו שיים ביין לבוא תוברי אי תומיה ייו ביו אית העים בקצ ייל קול לי היקוא ביו בי ייוע לי שיים אית לייו איין ביו איי לי התה איין איי הייוע ביו איין איי הייוע ביור ביור ביור אייות היי עוויא בי הייוע ביו ביור לבוצ ביב לי מאו שיים מי הייוע אייו אייוע בי איים איים איים איים ביור ביור ביור לי א והי יווים בית זירו לאייי יי פע ליתוי שו תיזי או וויוי ויי ויי וויי אי ווייי או ווייי אי ווייי אי ביור לא א najair a עלה ער היה היא גלאיר ל הוא שאים ער שלי אלי היא קר לאי עלי אל היא עלי אל הוא לא אל היא ער לה היא אלי לי היא אלי היה של ער ער הייליו ווא אלי לי ער ער ער שלי שי עו אין ער אלי על אל ער על איי שלי אלי איי עלי איי עלי איי עלי אל היש ער ער ג'ר שלי אלי ער ער שלי שי איי איי איי איי איי איי ער עלי על איי איי איי איי איי עלי אלי איי איי עלי אי ער איי ער ער ג'ר ער ער ער איי ער איי ער ער ער ער ער ער ער איי איי איי איי איי איי ער איי ער איי ער איי ער איי ער איי ער ער ג'ר ער איי ער איי ער איי ער איי ער ער ער ער ער איי איי איי איי ער איי איי איי איי ער איי ער איי ער איי ער איי ער איי איי ער איי איי ער איי איי ער איי ער איי איי איי ער איי ער איי ער איי ער איי איי ער ער איי ער איי ער איי ער איי ער איי ער איי ער אייע איי ער איי ער איי ער אייע איי ער איי ער איי ער איי ער אייע ¶ه ∸ر: א איני די שו נישויל ניצוליוריא المائية المراح المار المراجة الألمية الأكرة وشراط HORENWE ا تجربيجة منتج (المثَّا) شيمة الدَّمة الأمني في تركموًا من كماً רו מקומעלה סטטטיסיויגניון סטטטיסיויגניון רמיניווו רמיניוווי רמיניווויי רמיניווויי רמיניווויי APTA Meuses Gout, Primery Beheal Na.4. Guibeher Peshewar Elly. <u>. erd</u>e nnd N dinne start Minber Pakinnikhua -17-

NAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

SHAMSHAD DIN Versus

Appellant

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Government of KP & others

n I i

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC BASSAM AHMAD SIDDIQUI AHC

<u>&</u> 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.

Shamin D.

APPELLANT

ACCEPTED

AD MUAZZAM BUTT MUHAM Advocate Supreme Court

MUHAMMAD ADEEL BUTT

Advocate High Court

BASSAM AHMAD SIDDIQUI Advocate High Court