


FORM OF ORDER SHEET

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

Appeal No. 2523 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/11/2024	<p>The appeal presented today by Mr. Muhammad Muazzam Butt Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 21.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

## CHECK LIST

Case Title: \_\_\_\_\_ v/s \_\_\_\_\_

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

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

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

A No: 2523 / 2024

Abdul Waheed  
V/S

Government of KP & others

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ADVOCATE  
M. Muazzam Butt

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA**

In Ref to

Service Appeal No. 2523 /2024

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 18092

Dated 19/11/24

Abdul Waheed Son of Muhammad Aslam, PSHT  
GPS Kokal Barseen , Tehsil & District Abbotabad

.....Appellant

**VERSUS**

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

.....Respondents

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

**PRAYER:**

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

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

**RESPECTFULLY SHEWETH:**

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

Filed to-day  
Registered  
19/11/24

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

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

#### **GROUND:-**

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

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

It is, therefore, humbly prayed that on the acceptance of the instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3/2020 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.

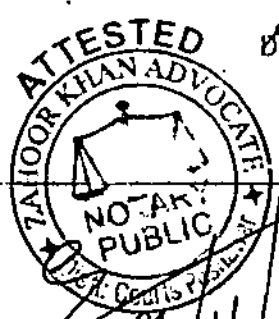
Any other relief, which this honorable Tribunal deems fit and proper in the circumstances of the case, may also be granted to the appellant.

*[Signature]*  
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.

Through

*[Signature]*  
Muhammad Muazzam Butt  
Advocate Supreme Court



*[Signature]*  
Deponent

*[Signature]*  
Muhammad Adeel Butt  
Advocate High Court

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

*[Handwritten signature]*  
2024

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

CM No. \_\_\_\_\_ -P of 2024

In Ref to

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

Abdul Wahed

VERSUS

Secretary to Government of Khyber Pakhtunkhwa & others

APPLICATION FOR SUSPENSION OF IMPUGNED NOTIFICATION BEARING NO. 50 (POLICY) E&D/1-3/2020 DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO.2 BY RESPONDENT NO.1, VIDE LETTER DATED 06/06/2023 TILL THE FINAL DISPOSAL OF CASE IN HAND.

Respectfully Submitted:-

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

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

3. That there is likelihood success of the appellant in the US. And if the notification bearing No. 50 (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.

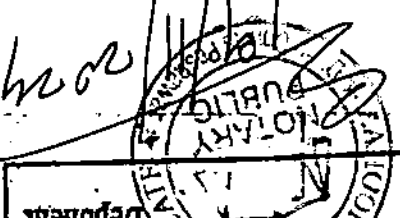
In view of the reasons, it is humbly requested that the notification bearing No. 50 (Policy) E&D/1-3/2020 dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, vide letter dated 06/06/2023, may kindly be suspended till the final disposal of the main appeal in hand.

Through

Appellant

Muhammad Nazam Butt  
Advocate Supreme Court  
Muhammad Azeem Butt  
Advocate High Court

**AFFIDAVIT**  
(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 therefrom. This Honorable Court



OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (M.A.) ABBOTTABAD.

OFFICE ORDER NO. 10/PTCs/1987.

DATED ABBOT THE 10/6/1987.

APPOINTMENT/ADJUSTMENTS.

The Appointments/Adjustments of the following trained PTCs/CTs returned from training are hereby ordered @ Rs 560/- PM in BPS-7 560-23-1020/- plus usual allowances admissible under the rules, with effect from 1.6.1987, in case of Ex-Teachers and any subsequent of their taking over charge in case of other candidates, in the interest of public service.

S.NO	Name of Candidate & Address	School where Appointed	remarks.
1.	Mohammad Arshed S/O Zain Mohammad R/O Bandi Phullan Abbottabad	Candidate GPS Lower Barian	Against vacant post.
2.	Gulab Khan S/O Mohammad Khan R/O Shaheed Abau Sherwan	Mosque Thoba	-do-
3.	Mohammad Niaz S/O Taj Mohammad R/O Dullah Bandi A.Abad	Kaseel	-do-
4.	Abdul Waheed S/O Mohammad Zaman R/O Lambi Dheri Abbottabad	GPS Taror	-do-
5.	Mohammad Khurshid S/O Mohammad Khan R/O Baldheri Abbottabad	Mosq: Kherala	-do-
6.	Mohammad Ayub S/O Sultan Mohammad R/O Bardi Barseen Abbottabad	GPS Lecran	-do-
7.	Haider Zaman S/O Gul Zaman R/O Mir pur Khurd A.Abad	Mosq: Julgran	-do-
8.	Saif ur Rehman S/O Nawaz R/O Mir pur, Khurd A.Abad	GPS Lungel	-do-
9.	Ihjaz Ahmed S/O Mohammad Younas R/O Nathia Gali Abbottabad	" Arwar	-do-
10.	Najab Khan S/O Faqir Mohammad R/O Thanda Choha A.Abad	" Malkote	-do-
11.	Mohammad Javed S/O Ghulam Mohammad R/O Khan Kalan A.Abad	Mosq: Lundi Mandry	-do-
12.	Masood ur Rehman S/O Maqbool ur Rehman R/O Narduba Abbottabad.	" Samloi(Gorini)	-do-
13.	Mohammad Arshed S/O Fida Mohammad R/O Jhangra A.Abad	GPS Maira Rehmal	-do-
14.	Hafiz ur Rehman S/O Qazi Abdur Rauf R/O Bardi Barseen A.Abad	Mosq: Eashkoli	-do-
15.	Zavar Dad S/O Wali Dad R/O Makol Payin A.Abad	GPS Anderkote	-do-
16.	Dildar Khan S/O Mohammad Younas R/O Namshera A.Abad	" Banwari	-do-
17.	Ashfaq Khen S/O Sultan Mohd: Khan R/O Buzarkal A.Abad	Mosq: Nallah (Kuthiala)	-do-
18.	Javea Akhter S/O Hafiz Akhter R/O Kunj Jadeed A.Abad	" Chha (-)	-do-
19.	Jehfar Khan S/O Saber Khan R/O Neelor Abbottabad.	GPS Goorni	-do-
20.	Mustafa Khan S/O Zaman Khan R/O Lanna Nural A.Abad	" Danna Nural	-do-
21.	Abdul Waheed S/O Mohammad Aslam R/O Terhana Abbottabad.	" Makol Barseen	-do- ✓
22.	Gul Nawaz S/O Rafi ud Din R/O Ghari phulgran A.Abad	" Surjal	-do-
23.	Mehmood ul Hussah S/O Mohd: Younas R/O Dheri Maira A.Abad	" Naker Qutbal	-do-
24.	Abdul Hamid S/O Abdul Jabbar R/O Banda Pir Khen A.Abad	" Tarkote	-do-
25.	Aurangzeb S/O Gul Zareen R/O Jarral A.Abad	" Lannah	-do-
26.	Mohammed Ashiq S/O Bostan R/O Banda Said Khen A.Abad	Mosq: Gelani Mohallah	-do-

Attested to be True  
(Signature)



(6-A)

27.	Sarfraz Khan S/O Khani Zaman Khan R/O Pangoora	Candidate	GPS Upper Beerangali	against vacant post
28.	Iftikhar Ahmed S/O Mohabbat Khan R/O Narduba A. Abad	"	Mosq Chham (Bardi Maira)	against N.C post
29.	Tariq Zaman S/O Haider Zaman R/O Abbottabad.	"	GPS Gulhal	against vacant post
30.	Abdul Karim S/O Mohammad Sulaman R/O Sambli (Bdi)	"	Mosq: Katwali Sydan	-do-
31.	Abdul Khaliq S/O Qalander Khan R/O Kekal Barseen A. Abad;	"	GPS Seer	-do-
32.	Ijaz Ahmed S/O Gulzar Ahmed R/O Sultanpur A. Abad	"	GPS Chamber	-do-
33.	Mohammad Imran S/O Sion Mohammad R/O Bardi Dhundan A. Abad	"	" Suma Karaga	-do-
34.	Khalid Javed S/O Mohammad Sultan R/O Salhad A. Abad	"	GPS Masah Gajri	-do-
35.	Nadeem Ahmed S/O Abdur Rashid R/O Termuthian A. Abad	"	" Hill (Birote)	-do-
36.	Riazat Khan S/O Sharif Khan R/O Sajawal A. Abad	"	" Sajawal	against N.C post
37.	Zaka ur Rehman S/O Mohammad Saeed R/O Kiala Abbottabad	"	" Ramkote	against vacant post
38.	Beber Ali S/O Muntaz Dheri R/O Dhera A. Abad	"	" Jatal	-do-
39.	Mansur Zaman S/O Sarwar Khan R/O Hajia Gali A. Abad	"	" Karachh	-do-
40.	Mohammad Sarfraz S/O Mohammad Anwar R/O Dubran A. Abad	"	" Dheri Rakhala	-do-
41.	Qazi Tahir Hussain S/O Mazhur Hussain R/O Hurnara	"	Mosq; Jandala (Nara)	-do-
42.	Mohammad Younas S/O Sher Zaman R/O Akhora Tarnawai A. Abad	"	GPS Beeran	-do-
43.	Abdul Khaliq S/O Abdul Ghani R/O Iqbal A. Abad	"	Mosq: Khokwala	-do-
44.	Mohammad Fyiaz S/O Mir Zaman R/O Bagan A. Abad.	"	GPS Surjal	against N.C post
45.	Mohammad Sharif S/O Juna Khan R/O Mohri A. Abad	"	" Turkote	against vacant post.
46.	Ayyaz Ahmed S/O Sardar Mohammad - Musa Khan Nagri Bala Abbottabad	"	Mosq: Danna K. Kalan	against N.C Post.
47.	Murshed Hussain Shah S/O S. Inam Shah R/O Mangal Abbottabad.	"	G. S Neelo	against vacant post.
48.	Abdul Waheed S/O _____ R/O Kahu Birote A. Abad	"	Mosq: Chhiki	against N.C post
49.	Imtiaz Ahmed PTC R/O Moolia	"	GPS Pichhpana	" vacant post
50.	Shehzada Khan R/O Khawaz Khan R/O loonpathian A. Abad	"	GPS Tarala Bagla	-do-
51.	Abdul Salam S/O Mohammad Sadiq R/O Nawansher A. Abad	"	" Marion	-do-

#### CONDITIONS.

1. Head master/Head teachers are directed to check the original certificates of all the newly appointed candidates & Charge should not be handed over to such candidates who are less than 18 years of age.
2. The candidates who failed in one subject will get pay @ Rs 560/- PM fixed till the passing of said subject.
3. Charge reports should be submitted to all concerned.
4. No joining time is allowed to them.
5. The appointment is purely temporary & subject to all services conditions laid down by the Govt.
6. They are directed to produce their age & health certificates from M/S D.H.Q Hospital A. Abad within 7 days of their taking over the charge.

(6-B)

7. NO TA/DA is allowed to any one.

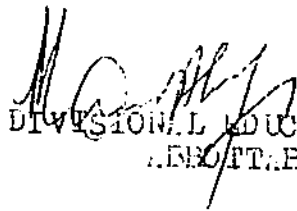
sd/-

(ALI GOHLER KHAN)  
DISTRICT EDUCATION OFFICER (MALE)  
ABBOTTABAD DISTRICT ABBOTTABAD.

Endstt: NO 7461-7572 Dated A.Abad the 12/6 /1987.

Copy of the above is forwarded for information & n/action to the:

- 1-51 All the Candidates concerned.
- 52.101 All the Concerned Headmaster/Head teachers.
102. The District Education Officer(Male) Abbottabad, for information and w/r to his approval dated 10.6.1987.
103. Local Account Branch.
- 104-110 All the ASDLCs concerned.
111. Office File.

  
SUB DIVISIONAL EDUCATION OFFICER (M)  
ABBOTTABAD.

M. Tariq.

Attested to be true  
Copy

Annexure - B

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar, the 06/8/2020

S.O. (Policies) E&A/D/1-3/2020: In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) the Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following further amendment shall be made, namely:

AMENDMENT

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

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

LIST: NO & EVEN DATE

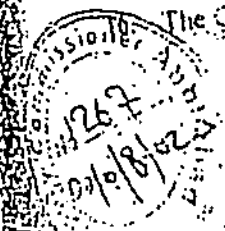
Copy is forwarded to:-

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

*(Signature)*  
DEPUTY SECRETARY (POLICY)

ATTESTED

Attested to be True  
Copy



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/08/2020

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

AMENDMENT

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

CHIEF SECRETARY  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

(ANDS): & EVEN DATE

Copy is forwarded to :-

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

(WARDAH LATIF)  
DEPUTY SECRETARY (POLICY)

~~Attested to be True  
Copy~~

Annexure - C



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
No. SO(Polcy)I&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(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)1245/11/2-  
2/Appointment/2023 dated 18.04.2023 on the subject noted above and to state that Sub-Rule  
(5) of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer)  
Rules, 1989 stands deleted 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 sticking 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,

(Signature)  
Section Officer (Policy)

ASE  
7/6

(Signature)  
7/6

Encl. 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.

(Signature)  
Section Officer (Policy)

SE/11/2

2023  
7/6/23

Attested to be True  
Cop.

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 26<sup>th</sup>, 2023

To

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

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

*[Handwritten Signature]*  
26/6/23

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 (E&SE) Department in his office.

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

Encl: AA

*[Handwritten Signature]*

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

Copy forwarded to the:

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

*[Handwritten Signature]*

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

Attest to be True

*[Handwritten Signature]*

B/c -11-

No SO (Primary-M)/E&SED/2-6/2023  
Dated Peshawar the June 25<sup>th</sup> 2023

To:  
The Director  
Elementary & Secondary Education Department  
Khyber Pakhtunkhwa, Peshawar

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

Subject: GUIDANCE REGARDING DELETION OF RULE 7(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.

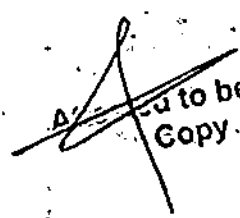
Encl: AA

(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)

 to be True.  
Copy.

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

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


Annexure  
①

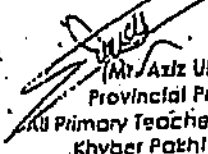
Sl#	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer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

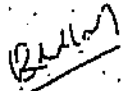
2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

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

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

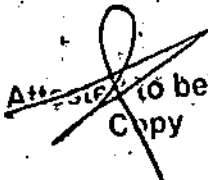
  
(Mr. Fazal Wahid)  
Deputy Director-1  
E&SE Department

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

  
(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

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

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

  
To be True  
Copy



-13-  
-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/1	NAME	DESIGNATION
1.	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2.	Mr. Aziz Ullah	Provincial President All Primary Teachers Association: Khyber Pakhtunkhwa
3.	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4.	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

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

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

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

(Mr. Fazal Wahid)

Deputy Director-1  
E&SE Department

Provincial President  
All Primary Teachers Association  
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)  
General Secretary APTA  
Peshawar

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

(Abdullah)

Additional Secretary (Establishment)

Attested to be True



No. 8145

Khyber Pakhtunkhwa, Peshawar

P.No. 3/ASST/UGharal-Cases

Dated 21-7-2023

Phone: 091-9223344

Email: establishmentmole@gmail.com

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/3-1/  
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) dated 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 DPS-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.

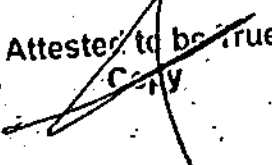
The case is submitted for perusal and necessary actions please.

  
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

Attester to be true  


DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

To:

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

PESHAWAR  
(21-7-2023)

Subject: Minutes of Meeting

Dear Sir, I am directed to refer to letter No. (SO Primary-M) E & SED/5-1/General/  
Minutes of meeting/PST/2023 dated 10-7-2023 on subject cited above and to  
present brief history, about background of case as under:

- That Government of KP Establishment department (Regulation Wing) deleted rule 7(5) in Civil Servants (Appointment, promotion, Transfer Rule 1999) vide notification No. 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 06-07-2023
  - (i) Now it is obligatory upon civil servant to accept promotion.
  - (ii) It is prerogative of civil servant to either accept/turndown the offer of promotion.
- That your good office forwarded the same to quarters concerned vide letter No. SO (Primary-M) E & SED/2-2/Appointment/2023 for necessary guidance.
- That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E & AD/1-3/2020 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(5) 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  
Khyber Pakhtunkhwa.



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

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

Annexure  
E

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

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

Sir,

I am directed to refer to your letter No. SO(Policy)/ E&AD/ 1-3/2020 dated 07 June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been intimated that those officers/ officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

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

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

(MUHAMMAD ISHAQ)  
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)  
23/8/23

Scanned with CamScanner

Attested to be True

- B/c -

17

No. So (Primary - M) E&SEED / 9-2 /  
Appointment - Rule / 2023

Peshawar Dated 23rd August, 2023.

To

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

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

Dear Sir,

I am directed to refer to your letter No. So (Primary) / E&AD  
/ 1-3 / 2020 dated 31<sup>st</sup> June 2023 and to state that after  
deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment,  
Promotion and Transfer Rules 1989) it has been intimated that  
those officers/officials who do not comply with promotion order  
of the competent authority or try to evade promotion through  
different means shall be proceed under Khyber Pakhtunkhwa  
Civil Servant (Efficiency and Discipline) Rule 2011.

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

Copy forwarded to;

1. Director E & SE Khyber Pakhtunkhwa.

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

(Muhammad Ishaq)  
Section Officer (Primary  
Male)

Attested to be True  
-py

Annexure - F



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

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

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

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

Yours faithfully,  
  
Section Officer (Policy)

Encls. 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.

Attest to be True  
Copy

WP442-2023 AZIZULLAH VS GOVT OF PK

-19-

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

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2-2/Appointment-  
Rule/2023 dated 23.08.2023 on the subject noted above and to state that necessary  
guidance has already been 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)

Attest to be True

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 10/05/2024

Abdul Waheed

PSHT  
GyPS  
Kokal Barseen  
Attest to be true  
Copy



Khyber Pakhtunkhwa

Aziz Ullah Khan  
President  
0333-0414648  
azizullah1072@gmail.com  
azizpkph



APTA House:  
Govt Primary School No.4,  
Gulbahar Peshawar City.

آل پرائمری ٹیچرز ایسوسی ایشن (اپٹا) خیبر پختونخوا  
Annexure - A

مہاب: سیکرٹری تعلیم و سیکولر ایجوکیشن خیبر پختونخوا  
مہاب: آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا  
مہاب: ماب

گزارش ہے کہ پروسٹر نوٹس سے عیاں ہوتے ہیں کہ سرکاری ملازم کی خواہش ہوتی ہے پروسٹر کا ایک تالون اور کرائڈر کا ایک تالون جو ملازم ایک آفیسر  
جوڑے وقت ایک دن پروسٹر نہ لیں تو وہ پروسٹر پانچ ماہ کی پروسٹر نہیں لے سکتے تھے مطلب پانچ ماہ تک ہر اس کی پروسٹر نہیں ہو سکتی تھی  
پھر اس تالون میں خود کو دیا گیا ہے وہی پانچ ماہ کی بات ہے کہ وہی کسی کو اگر ایک ملازم ایک ماہ پروسٹر نہ لیں تو دوسرے ماہ لے سکتا ہے۔  
لیکن اب ایک ہفتہ پہلے ایک اور نوٹیشن ہوا ہے  
جس کے مطابق اب ہر ملازم پروسٹر نہ لیں گے اگر نہیں لیں گے تو اس کے خلاف ای سی ڈی اور ڈی کے مطابق کارروائی کرنے کا کہا گیا ہے  
اس معاملے پر آئی نوٹیشن زیادتی انسانیت کی کھلی خلاف ورزی ہے جسے کہ دور دور اور پھادی ملازموں میں خاص کر خواتین اساتذہ کو انتہائی مشکلات کا  
سامنا کرنا پڑے گا  
بلکہ عام حالات میں بھی خیر و برکتی پروسٹر اور دوسرا بیٹا ہی زیادتی انسانیت کی خلاف ورزی ہے کیونکہ خیبر پختونخوا میں پروسٹر سے ملازمتی دشمنی  
مچی ہوئی ہے ایسے حالات میں یہ نیا نوٹیشن جو E&SB کی پالیسی لیزر کی ترقی میں کیا گیا ہے جو پوسٹنگ اور زیادتی انسانیت کی خلاف ورزی ہے  
اس میں کے خلاف کارروائی چاہی جوں جوں کا حق بھی سمجھا دیکھتے ہیں  
لہذا ہم آپ سے مددنا اپنی کرتے ہیں کہ نوٹیشن کو واپس لیا جائے یا اس میں ترمیم کر کے پرائمری اساتذہ کو (Relaxation) دیا جائے اور ان کو  
پروسٹر پروسٹر لینے کی ہلکتے ان کو مرضی سے لینے دیا جائے  
اور پروسٹر نہ لینے کی صورت میں پانچ ماہ دیا جائے لیکن یہ پروسٹر نہ کی جائے  
اس سلسلے میں آپ جلد از جلد کام (DEOS) لیا جائے اور کہ ایک قسمی سراسر جبری کیا جائے تاکہ اطلاع میں آپ کیل انجیل پرائمری اساتذہ کو ذہنی  
البت اور ہر جگہ سے ہلایا جائے  
کیونکہ نوٹیشن جبری ہوتے ہی پرائمری اساتذہ کو اپنی طور پر ہر جگہ کرنے کا سلسلہ شروع ہو چکا ہے  
لہذا ہم یہ جتن دیکھتے ہیں کہ آپ صاحبان کوئی دیکھیں جگہ سب سے پرائمری اساتذہ قسمی سراسر انجیل پرائمری اساتذہ کو اس ذہنی البت سے ہمت دلائیں گے

عکریہ

Handwritten signature and date 08/11/23

مذکورہ خانہ سہائی صدر  
آل پرائمری ٹیچرز ایسوسی ایشن خیبر پختونخوا

Attested to be True Copy

# VAKALAT NAMA

## BEFORE THE SERVICE TRIBUNAL PESHAWAR

Abdul Waheed

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC

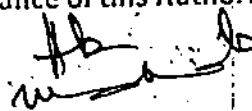
BASSAM AHMAD SIDDIQUI AHC

&

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