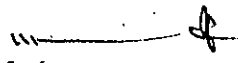


**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL****PESHAWAR**In service Appeal No. 1126 /2022**Muhammad Ayub**  
**(Appellant)****VERSUS**Govt. of KPK etc  
**(Respondents)****INDEX**

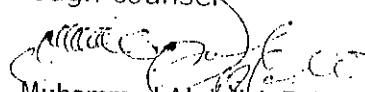
S.No.	Description of documents	Annexure	Pages
1.	Memorandum of Appeal and affidavit <i>and application condonation</i>	--	1-14
2.	Copy of the CNIC of appellant	A	15
3.	Copy of letter No. 619/65-E	A/1	16
4.	Copy of promotion order No. 6289 dated 08/12/2005, office order No. 1961 and office order No. 546-47	B & C	17-19
5.	Copy of application for promotion as Zilladar	D	20-21
6.	Copy of policy/notification/rules	E	22-28
7.	Copy of letter No. 1398/2-E dated 11/11/2020	F	29-30
8.	Copy of application under RTI and minutes of meeting of DPC along with other relevant documents	G & G/1	31-40
9.	Copy of letter No. 1253/DIC dated 04/06/2021	H	41
10.	Copy of writ petition and order	I	42-54
11.	Copy of departmental appeal	J	55-63
12.	Vakalatnama	--	

Dated: 18/07/2022

Your humble appellant

  
**Muhammad Ayub**

Through counsel

  
**Muhammad Abdullah Baloch**  
 Advocate High Court

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

**Muhammad Ayub** son of Khuda Bakhsh caste. Baloch r/o  
village Larh Tehsil Paharpur District Dera Ismail Khan.  
Cell#0345-9831289

**(Appellant)**

**VERSUS**

1. Govt. of Khyber Pakhtunkhwa through Secretary Irrigation Department Dera Ismail Khan.
2. Chief Engineer (South) Irrigation Department, Khyber Pakhtunkhwa Peshawar.
3. Superintending Engineer Headquarter (South) Irrigation Department Peshawar.
4. Superintending Engineer Headquarter (South) Irrigation Department Dera Ismail Khan.
5. Administrative Officer (Chief Engineer South Irrigation Department Peshawar)

..... **(RESPONDENTS)**

**SERVICE APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED DPC HELD ON 24/09/2020 TO THE EXTENT OF AGENDA ITEM NO. 2 (PROMOTION OF REVENUE INSPECTOR/HEAD VERNACULAR CLERK BPS-11 TO THE RANK OF ZILLADAR BPS-15) WHEREIN AGENDA ITEM#2 WAS WITHDRAWN MALAFIDLY BY THE RESPONDENTS TO DEPRIVE THE APPELLANT FROM HIS RIGHT OF PROMOTION AND APPEAL AGAINST THE INDECISION OF DEPARTMENTAL APPEAL. THE ACT OF RESPONDENT IS DISCRIMINATORY AND AGAINST THE SERVICE LAWS.**

*Adusate*

**Note:** The addresses of the parties are sufficient for the purpose of service.

**Respectfully Sheweth;**

1. That the appellant is a permanent resident of District Dera Ismail Khan. The appellant was appointed as Patwari (BPS-5) in the Irrigation Department on 18/02/1981. Copy of the CNIC of appellant is annexed as **Annexure-A**.
2. That the appellant was promoted to the Vernacular Clerk (hereinafter called VC) vide promotion order No. 5939/64/6/ECD/23/06/2005 dated 23/06/2005. The appellant has invested the youngest age of his life serving in the department and the appellant has left no stone unturned in obeying his legitimate duties. That as the post of Zilladar has been vacant, the appellant during his service serve the department as Acting Zilladar for very long period and his service as Acting Zilladar was also very appreciating. This fact is crystal clear from the letter No. 619/65-E which is annexed as **Annexure-A-1**.
3. That the appellant was promoted as Head Vernacular Clerk vide promotion order No. 546-47 dated 22/02/2018. Copies of the Misc. orders, letters of appellant working as Acting Zilladar and copy of promotion order No. 546-47 dated 22/02/2018 are annexed as **Annexure-B & C**.
4. That the appellant has submitted various applications regarding his promotion as Zilladar, as the appellant had served the Irrigation Department as Acting Zilladar more than 13 year and more than 2 year as HVC. Copies of the application are annexed as **Annexure-D**.
5. That according to the notification No. SO/IRRI/23-5/73/Vol-V, dated 12/03/2019 issued by the Government of KPK Irrigation and Power Department in method for the recruitment and

*Handwritten signature*

promotion for various posts in Irrigation Department for the post of work Zilladar (BPS-15) the criteria is as follows,

- i. 70% by initial recruitment.
- ii. 30% by promotion on the basis of seniority cum fitness from amongst the Head Vernacular Clerks with two year experience and Vernacular Clerk/Revenue Inspector with ten year service and having passed SSC Examination from recognized Board.

Copies of the policy/notification/rules and amendment are annexed as **Annexure-E**.

6. That the appellant had been submitting several applications along with requisite certificates for his promotion which was duly forwarded to the high-ups of the department, vide letter No. 791/2-3 and 154/2-E, appellant again submitted an application dated 15/10/2020 to the respondents department to consider the appellant for promotion as Zilladar (BPS-15) being entitled for promotion by dint of notification No. SO(E)/IRRI/23-5/73/Vol-V, dated 12/03/2019 after amendment issued by the Govt. of Khyber Pakhtunkhwa Irrigation and power department. Request of the appellant was again duly forwarded by the executive Engineer Gomal Zam Irrigation Division to the Chief Engineer (South) Irrigation Department KPK through letter No. 1398/2-E dated 11/11/2020. The request of the appellant for promotion as Zilladar (BPS-15) was considered genuine and was recommended by Executive Engineer Gomal Zam Irrigation Division Dera Ismail Khan. Copy of the application along with other letter and letter No. 1398/2-E dated 11/11/2020 are annexed as **Annexure-F**.
7. That the name of the appellant was also considered for the promotion to Zilladar (BPS-15). Working papers of the appellant were presented and with fulfilling all the codal formalities DPC was scheduled to be held on 24/09/2020.

8. That the meeting of the Departmental Promotion Committee of regional cadre Irrigation Department KPK was held on 24/04/2020. In the said meeting the impugned Agenda Item#2 (promotion of revenue Inspector/Head Vernacular Clerk BPS-11 to the rank of Zilladar BPS-15) was withdrawn by the committee stating any cogent reasons which is clear violation of fundamental rights of the appellant and totally against the service laws.
9. That minutes of meeting and decision of DPC was kept secret but the appellant moved on submitting application but no response was received from respondents side.
10. That appellant was retired from service vide letter No. 1253/DIC/4-E dated 04/06/2021 w.e.f 23/01/2021 on superannuation, being aggrieved moved several applications to the high-ups for his promotion to the post of the Zilladar from the date of his entitlement i.e. 22/02/2020.
11. That appellant, time and again, requested for issuance of the minutes of DPC meeting held on 24/09/2020 and seniority list of HVC but the respondents/department, has been discriminating the petitioner and was reluctant to provide any copies. In this regard appellant moved an application to Right to Information Act for the said copies. Said copies of the minutes of the meeting along with promoted employees and seniority list were issued to the appellant on 25/05/2021. Copy of the application to RTI and copies of the minutes of meeting of DPC along with other relevant documents are annexed as **Annexure-G & G-1**.
12. That request of the appellant was shuffling from desk to desk and unfortunately the petitioner stood retired from the service, w.e.f 23/01/2021 on superannuation vide letter No. 1253/DIC/4-E dated 04/06/2021. Copy of the letter dated 04/06/2021 is annexed as **Annexure-H**.

*Ch. P. S. S. S.*

13. That after hectic efforts for his promotion and after the reluctant behavior of the respondents/department, appellant is having no remedy except to knock at the door of Honourable Peshawar High Court Bench Dera Ismail Khan. The Honourable Peshawar High Court bench Dera Ismail Khan vide its order dated 18/01/2022 directed the appellant to approach the proper forum and the writ petition of the appellant was withdrawn. Copies of writ petition and order are annexed as **Annexure-I**.
14. That soon after the direction of the Peshawar High Court bench Dera Ismail Khan the appellant kept visiting and requesting the High-ups of the Irrigation Department to consider the request of the appellant but the high-ups paid no heed to the request of the appellant. Hence, the appellant preferred departmental appeal/representation dated 31/03/2022 to the respondent#1 but the same is not decided by the appellate authority. Copy of the departmental appeal is annexed as **Annexure-J**.
15. That now the appellant is having no other remedy but to invoke the jurisdiction of this Honourable Tribunal by way of instant service appeal, inter alia on the following grounds.

### GROUND S

- a. That act of the respondents by withdrawing the agenda item#2 without assigning any reason and deliberately depriving the petitioner from promotion is illegal, discriminatory based on mala-fide, against service laws and against the natural justice.
- b. That respondents were well aware of the fact that appellant would have been retired soon and to give benefit to some blue eyed, the respondents deliberately withdraw the agenda item#2 and this shows mala-fide on the part of the respondents.

*Chaudhry*

- c. That mala-fide of the respondents is evident from the fact that the respondents provided the copies of the seniority and minutes of the DPC (24/09/2020) after hectic efforts and after submitting application under RTI Act, 2013 which too were received after the retirement of the appellant.
- d. That illegalities and irregularities of the respondents is evident from the fact that final seniority list is also against service laws and the respondents/department issued consolidated seniority list of HVC and Revenue Inspectors which are not only too different cadre but also are of different grades.
- e. That act/omissions of the respondents, depriving the petitioner from promotion to the post of Zilladar (BPS-15) which was accrued to him from the date of entitlement i.e. 22/02/2020, is based on mala-fide and discriminatory. The petitioner is entitled for the promotion to the post of Zilladar (BPS-15) from the date of the entitlement. As the respondents had been taking the duties and functions of Zilladar from the appellant on acting charge since so many years.
- f. That the appellant had been working on the post of Zilladar on the basis of Acting charge since 2006 to 2014 in Paharpur Irrigation Division D.I.Khan, from 2015 to 2016 in CRBC Irrigation Division Dera Ismail Khan and from 2017 up-till retirement in Gomal Zam Division Dera Ismail Khan. During the said period efforts and performance as Acting Zilladar were appreciated. Due to the efforts of the appellant 97% progress was shown in preparation of revenue Chak-Bandi in newly commissioned Gomal Zam Canal System Covering Command Area, of 271000 acres in highly sensitive area. Similarly the high ups of the appellant during his services were continuously recommending the appellant for the post of Zilladar (BPS-

*File  
Reference*

- 15) being fit and dedicated employee. The appellant invest his youngest age serving department with whole heartedly but the respondents/department ignored his efforts and kept the appellant request for promotion pending till his retirement. Hence, withdrawal of agenda item#2 is against service laws and against norms of justice.
- g. That before the meeting of departmental promotion committee working papers of the appellant was submitted. Performance and character of the appellant as VC and HVC throughout his service is very appreciative.
- h. That departmental promotion committee withdraw the agenda item#2 without any legal justification and without mentioning any cogent reasons depriving the appellant from his legal and fundamental rights. The appellant was entitled for promotion to the post of Zilladar (BPS-15) from the date of his entitlement i.e. 22/02/2021 vide notification No. SO(E)IRRI/23-5/73/Vol.V dated 12/03/2019 issued by the Govt. of KPK Irrigation and Power Department.
- i. That appellant was appointed in department as Patwari in the year 1981 and the appellant had served the department as Acting Zilladar for approximately 15 years, appellant has been requested for his promotion to the post of Zilladar BPS-15 since is entitlement on the basis of promotion policy but respondents has been discriminated by the ways as mentioned above.
- j. That now as the appellant has been retired from the service but his case for promotion has been pending since long, thus, the appellant is entitled for proforma promotion along with back benefits.
- k. That this honourable Tribunal is competent and has ample powers to adjudge the matter under reference/appeal.

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- I. That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

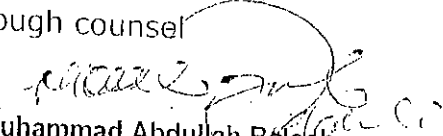
It is therefore, humbly prayed that on acceptance of the instant service appeal, the decision of DPC to the extent of Agenda item#2 and deliberately withdrawal of agenda item#2 to deprive the appellant, may kindly be declared as illegal, discriminatory and wrongfully depriving the appellant from promotion. The respondents may please be directed to promote the appellant (Head VC) to the post of Zilladar (BPS-15) under Khyber Pakhtunkhwa, Civil Servant appointment, promotion and transfer) Rules, 1989 Irrigation Department amendment till date, being entitled for the proforma promotion from the date of his entitlement with all back benefits.

Dated: 18/07/2022

Your humble appellant

  
Muhammad Ayub

Through counsel

  
Muhammad Abdullah Baloch  
Advocate High Court

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

In service Appeal No. \_\_\_\_\_/2022

**Muhammad Ayub**  
**(Appellant)**

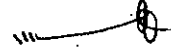
**VERSUS**

Govt. of KPK etc  
**(Respondents)**

**CERTIFICATE**

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

Dated 18/07/2022

  
Appellant

**NOTE:**

Appeal with annexure along-with required sets thereof are being presented in separate file covers.

Dated 18/07/2022

  
Appellant's counsel

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

In service Appeal No. \_\_\_\_\_/2022

**Muhammad Ayub**  
**(Appellant)**

**VERSUS**

Govt. of KPK etc  
**(Respondents)**

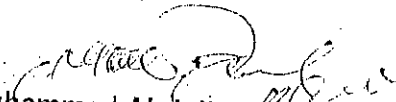
**AFFIDAVIT**

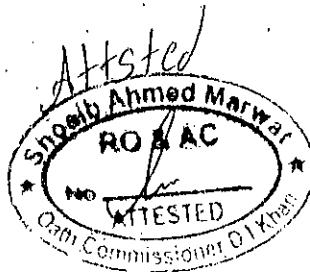
I, **Muhammad Ayub**, appellant herein, do hereby solemnly affirm on oath:-

1. That the accompanying appeal has been drafted by counsel following our instructions;
2. That all para-wise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion of facts.

Dated 28/07/2022

Identified By:-

  
**Muhammad Abdullah Baloch**  
 Advocate High Court,



  
**DEPONENT**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

In service Appeal No. \_\_\_\_\_/2022

**Muhammad Ayub**  
**(Appellant)**

**VERSUS**

Govt. of KPK etc  
**(Respondents)**

**APPLICATION FOR CONDONATION OF DELAY**

Respected Sir,

Appellant humbly submits as follows,

1. That the above titled appeal is being filed today, accompanying this application. The contents of which may please be considered as integral part of instant appeal.
2. That meeting of the Departmental Promotion committee of Regional Cadre Irrigation Department Khyber Pakhtunkhwa was held on 24/09/2020. In the said meeting the impugned agenda item#2 (Promotion of Revenue Inspector/HVC Clerks BPS-11 to the rank of Zilladar BPS-15) was withdrawn by the Committee, just to deprive the appellant as the appellant was at the verge of retirement. That minutes of the meeting and decision of DPC was kept secret but the appellant had been told that DPC had postponed due to certain official reasons. The appellant has been submitting applications and this fact can be traced from the application submitted by the appellant on 15/10/2020. (Page 28).
3. That appellant moved an application under KPK Right to Information Act, 2013 for provision of seniority list of HVC. (the application has already been annexed with the main appeal). This application also strengthen the fact that appellant was not in the knowledge of withdrawal of Agenda Item#2 rather remain under impression that DPC dated

*Muhammad Ayub*

24/09/2020 has postponed, otherwise the appellant would ask for the provision of minutes of the meeting.

4. That copies of seniority list, minutes of DPC dated 24/09/2020 and amended service rules were provided to the appellant vide letter No. 2173/A-4/216 dated 26/04/2021 which were received on 25/05/2021 to the appellant.
5. That appellant, feeling aggrieved, approached the worthy Peshawar High Court, Bench Dera Ismail Khan by filing writ petition No. 982/2021 on 17/06/2021. The worthy High Court held the matter related to the civil servants and writ petition as withdrawn vide order dated 18/01/2022, directing the appellant to approach the proper forum.
6. That certified copy of the order dated 18/01/2022 was received on 27/01/2022 and appellant preferred departmental appeal on 31/03/2022.
7. That department has not decided the appeal and after the laps of statutory period, the instant service appeal is being filed.
8. That delay in filing departmental appeal was not intentional but firstly it was due to "not having knowledge of the withdrawal of agenda item#2 of DPC dated 24/09/2020" and secondly due to approaching at wrong forum. After receiving certified copies of the order of Honourable Peshawar High Court on 27/01/2022, the appellant drafted departmental appeal but could not sent it to the department due to ailment as the appellant has been diabetic.
9. That the appellant has a very genuine cause and the case and this Honourable Tribunal has got vast and ample powers to condone the delay.

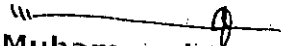
*ACI*  
*Chaudhary*

**It is therefore, humbly requested that on acceptance of instant application the delay in filing departmental**

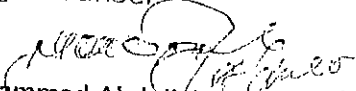
appeal may kindly be condone in the best interest of justice.

Dated: 17/07/2022

Your humble appellant

  
Muhammad Ayub

Through counsel

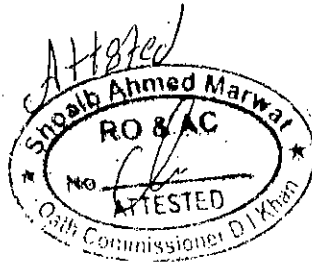
  
Muhammad Abdullah Baloch  
Advocate High Court

**AFFIDAVIT**

I, **Muhammad Ayub**, appellant herein, do hereby solemnly affirm on oath:-

1. That the accompanying application has been drafted by counsel following our instructions;
2. That all para-wise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion of facts.

Dated 18/07/2022



  
DEPONENT

15

Annex (A)

PAKISTAN National Identity Card  
ISLAMIC REPUBLIC OF PAKISTAN

Name: Muhammad Ayub Khan  
Father Name: Khuda Bakshi

Gender: M Country of Stay: Pakistan

Identity Number: 12103-7771044-3 Date of Birth: 01.01.1961

Date of Issue: 30.12.2020 Date of Expiry: Lifetime

Holder's Signature

12103-7771044-3

گمشدہ کارڈ ملنے پر قریبی ایئر بس میں ڈال دیں

101-51171256  
149-11-357582

Attachments to be true  
copy  
C. Bakshi

16

Annex A-1

No. 619/65-E  
To.

Dated

DIKhan

the

07/04/2015.

The Superintending Engineer,  
Bannu Irrigation Circle,  
Bannu.

Subject:- REQUEST FOR REVIEW TO TRANSFER OF REVENUE ESTT:  
Reference: Your No.802/6EC dated.19-03-2015

In pursuance of above subject matter, & request of Deputy Collector, Paharpur Irrigation Division D.I.Khan:Per se, I invite you kind attention and to say that Mr. Mohammad Ayub V/Clerk/Acting Zilladar is working on the said post since 2006.His performance in his duty as whole & particularly in recovery of abiana vis a vis important Court Cases are very appreciating. As your good self is well conversant to this fact that at present recovery of abiana, is the first priority of the department. But unluckily due to strike of Patwaries extended to six month period boundly affected recovery target. If hard working officials of this field be transferred on montlly basis, without going to detect the ground fact the goals of recovery would not achieve. Mr.Haq Naawaz V/Clerk (namely transferred) has no experience to run Zilladar section, as well as Court matter.

Moreover, task of completion of Chakbandi of Thathal Minor has specially been assigned to Mr. Ayub in context of compliance report of Provincial Ombudsman complaint No.0793/9/2014, dated 16/02/2015. Beside pending cases of Chakbandi of Bilof, Khanukhel and Chashma Minor has to be processed and completed within a month time and Mr. Ayub has worked on it and are just close to completion.

Therefore it is earnestly requested that above office order may please be reviewed and cancelled in the best interest of Govt. and public with further request that at least in such transfer little care/cushion for Executive Engineer's concerned be taken as they are ultimately answerable to revenue queries and political backed adjustment mars the spirit of whole mission.

EXECUTIVE ENIGNEER,  
PAHARPUR IRR:DIVN: DIKHAN.

Copy to the:-

1. Chief Engineer, (South) Irrigation Department Khyber Pakhtunkhwa Peshawar.
2. Superintending Engineer, D.I.Khan Irrigation Circle D.I.Khan.
3. Canal Collector, Irrigation Department Peshawar.
- ✓ 4. Deputy Collector Paharpur Irrigation D.I.Khan.
5. Mr. Ayub for necessary action as directed.

EXECUTIVE ENIGNEER,  
PAHARPUR IRR:DIVN: DIKHAN.

Attested to be (Gon (01)) - *[Signature]*



17

Annex 'B'

OFFICE OF THE EXECUTIVE ENGINEER, PAHARPUR IRRIGATION DIVISION DIKHAN.

OFFICE ORDER.

As Mr. Abdul Hanan Zilldar Lar Section of this Division is proceeding on Ex-Pakistan 50-days Haj leave. Therefore Mr. Muhammad Ayub Vernacular Clerk is directed to look after the work of Zilldar Lar in addition to his own duty as stop gap arrangement.

EXECUTIVE ENGINEER  
PAHARPUR IRR. DIVN. DIKHAN

No. 6289/165-E Dated D.I.Khan the 08 /12/2005.

Copy forwarded to the:-

1. SDO, Paharpur Irrigation Division, D.I.Khan.
2. Deputy Collector Paharpur Irrigation Division D.I.Khan
3. DAO/HC (local).

EXECUTIVE ENGINEER  
PAHARPUR IRR. DIVN. DIKHAN

*Noted Pl.*  
*Wad.*  
*8/12*

*Zilldars for*  
*noted.*  
REGIONAL OFFICE  
PAHARPUR IRR. DIVN. DIKHAN  
Sub Division  
Imam Khana

*Attention to be*  
*to you. Copy.*  
*(for)*  
*Adhikari*

(18)

OFFICE OF THE EXECUTIVE ENGINEER, PAHARPUR IRRIGATION DIVISION ON D. I. KHAN.

OFFICE ORDER.

As Mr. Abdul Hanan Zilladar of Lar section of this Division is retiring from service on 01/06/2006. Therefore as recommended by Sub Divisional Officer Paharpur Irrigation Sub Division DIKhan Mr. Muhammad Ayub Vernacular Clerk is directed to look after the work of Zilladar of Lar in addition to his own duty as stop gap arrangement till further order.

*e.d*

EXECUTIVE ENGINEER  
PAHARPUR IRR: DIV: DIKHAN.

No. 1961 165-e, Dated D. I. Khan the 03/06/2006.

Copy forwarded to the:-

- 1. ✓
- 2.
- 3.
- 4.

- 1. ✓ Superintending Engineer Southern Irr: Circle Bahau. *for Conf. Jinnah*
- 2. Sub Divisional Officer Paharpur Irr: Sub Div: DIKHAN.
- 3. Deputy Collector Paharpur Irr: Divn: DIKHAN.
- 4. D. A. O. (Local) for information.

*[Signature]*  
EXECUTIVE ENGINEER  
PAHARPUR IRR: DIV: DIKHAN.

*Attached to be true  
copy. (Signature)*

19

Annex C



OFFICE OF THE SUPERINTENDING ENGINEER,  
BANNU IRRIGATION CIRCLE BANNU

Phone & Fax No. 0928-9270061

OFFICE ORDER

Consequent upon the recommendation of Departmental Promotion/Selection Committee, the following promotion/adjustment amongst the Revenue Establishment of this Circle is hereby ordered in the interest of Government work with immediate effect.

S.#	Name & Designation	From	To	Remarks
1	Mr. Pasham Khan V.C Marwat Canal Division Bannu	Promoted as HVC BPS-11 and posted to Paharpur Irrigation Division D.I Khan against the vacant post.		
2	Mr. Atlas Khan V.C Marwat Canal Division Bannu	Promoted as HVC BPS-11 and posted to Marwat Canal Division Bannu against the vacant post.		
3	Mr. Muhammad Ayoub V.C Gomal Zam Division D.I Khan	Promoted as HVC BPS-11 and posted to Gomal Zam Irrigation Division D.I Khan against the vacant post.		
4	Mr. Shah Nawaz V.C CRBC Irrigation Division D.I Khan	Promoted as HVC BPS-11 and posted to CRBC Irrigation Division D.I Khan against the vacant post.		

SUPERINTENDING ENGINEER

No. 546-47 /G-EC Dated Bannu the 22 /02/2018

Copy forwarded to:

- The Superintending Engineer, D.I Khan Irrigation Circle D.I Khan for information please.
- The Executive Engineer, Marwat Canal Division Bannu for information and necessary action.
- The Executive Engineer, Gomal Zam Irrigation Division for information and necessary action.
- The Executive Engineer, CRBC Irrigation Division D.I Khan for information and necessary action.
- The Executive Engineer, Paharpur Irrigation Division D.I Khan for information and necessary action.
- The District Accounts Officer, Bannu/D.I Khan for information.

SUPERINTENDING ENGINEER

Attended to be true  
C.M. (see file)  
Bannu

7/10/2018

**خدمت جناب چیف انجینئر (سائوٹھ) ایریگیشن ڈیپارٹمنٹ**  
**خیبر پختونخواہ پشاور۔**

عنوان :- درخواست بوساطت افسران متعلقہ برائے پروموشن سائل بطور ضلعدار۔

جناب عالی :-

گزارش ہے کہ بندہ اس وقت بطور H.V.C گول زام ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں ڈیوٹی سرانجام دے رہا ہوں۔ بندہ کی پروموشن پٹواری سے بطور V.C بحوالہ نمبر سپرنٹینڈنگ انجینئر بنوں ایریگیشن سرکل بنوں نمبر 5939/46/6-ECD/23/6/2005 ہوئی۔ 2005ء تا 2014ء تک بندہ مسلسل اپنی اعلیٰ کارکردگی کی بنیاد پر پہاڑ پورا ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں بطور ایکٹنگ ضلعدار سیکشن لاٹر، چشمہ اور گرسر ڈیوٹی سرانجام دیتا۔

بعد ازاں بندہ کی ٹرانسفر CRBC ایریگیشن ڈویژن ڈیرہ اسماعیل خان کردی گئی۔ CRBC ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں بھی بندہ بطور ایکٹنگ ضلعدار ریم سیکشن اپنی ڈیوٹی صحیح طریقہ پر سرانجام دیتا رہا۔ بندہ بطور ایکٹنگ ضلعدار آبیانہ ریکوری میں خصوصی دلچسپی لے کر کافی رقم داخلی خزانہ کرائی۔

بعد ازاں بحوالہ ایس ای صاحب ایریگیشن ڈی آئی خان نمبری 3208/DIC/4-E, dated, 31/02/2015 بندہ کی ٹرانسفر بطور H.V.C برائے نگرانی و کام چکبندی گول زام ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں کی گئی اور بتاریخ 22/02/2018 بحوالہ ایس ای صاحب سرکل بنوں بندہ کو مستقل H.V.C پروموٹ کر دیا گیا۔ بندہ کی V.C سے بطور H.V.C پروموشن ترقی 12 سال 8 ماہ بعد ہوئی ہے حالانکہ بندہ کی بطور ضلعدار V.C سروس کے دوران دس سال ملازمت کے بعد رولز No.SO(E)IRR:/23-5/73, dated, 20/12/2006 ترقی دی جانی چاہیے تھی۔ جبکہ میں انہی رولز کے سیریل نمبر 18 کو کو الیفانی کرتا ہوں۔

لہذا استدعا ہے کہ بندہ کی کارکردگی اور سروس کی بنیاد پر بندہ کو حق اور قانون کے مطابق بطور ضلعدار پروموٹ فرمایا جائے۔

نوازش ہوگی۔

محمد ایوب (H.V.C)

گول زام ایریگیشن ڈویژن ڈی آئی خان

03459831289

فیس  
سہ ماہی  
نقل و حرکت  
میں

(78) (21)

No. 1156 1 DIC/4-E Dated DIKhan the 18/06/2019.  
To:

The Chief Engineer (South),  
Irrigation Department Khyber Pakhtunkhwa,  
Peshawar

Subject: REQUEST FOR PROMOTION FOR THE POST OF ZILLADAR BY MR. AYUB H. / C. GOMAL ZAM (IRRIGATION DIVISION DIKHAN).

Enclose please find herewith Executive Engineer Gomal Zam Irrigation Division DIKhan letter No.791/2-E, dated,03/06/2019, which is recommended for favourable consideration please.

*SUPERINTENDING ENGINEER*  
DIKhan Irrigation Circle DIKhan.

- Copy to the:-*
- 1. Executive Engineer Gomal Zam Irrigation Division DIKhan, with reference to above for information please.

*SUPERINTENDING ENGINEER*  
DIKhan Irrigation Circle DIKhan.

*Attention to K. Farid  
copy - Chaudhary*

GOVERNMENT OF KHYBER PAKH  
IRRIGATION DEPARTMENT

Annex E

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**NOTIFICATION**

Peshawar, dated the 12<sup>th</sup> March, 2019.

No. SO(E)/IRRI/23-5/73/Vol-V: In pursuance of the provisions contained in sub rule (2) of rule-3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Irrigation Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. SO(E)IRRI/23-5/73 dated 17.02.2011, the following further amendments shall be made namely:

**AMENDMENTS**

In the Appendix,

- (i) against serial No. 8, in column No. 5, the comma and words "Head Clerks wherever occurring, shall be deleted;
- (ii) against serial No. 10.
  - a) in Column No. 2, the oblique and words "/Head Clerk" shall be deleted; and
  - b) for Column No.5, for the words "Accounts Clerks and" wherever occurring, shall be deleted.
- (iii) against serial No. 12, in column No. 2, the words and oblique "Accounts Clerk/" shall be deleted; and
- (iv) Against Serial No. 18, in Column No.5, in clause (b) for the word "six" the word "two" shall be substituted.

Secretary to Govt. of Khyber Pakhtunkhwa  
Irrigation Department

Endst: No and date even

Copy of the above is forwarded:-

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. The Additional Accountant General (PR, Sub Office), Peshawar.
7. The All Commissioner in Khyber Pakhtunkhwa.
8. All Heads of Irrigation Department, Khyber Pakhtunkhwa. (C.E (South))
9. The Registrar, Peshawar High Court, Peshawar.
10. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. All Superintending Engineers in Irrigation Department.
14. All Executive Engineers of Irrigation Department.
15. PS to Secretary Irrigation Department, Peshawar.
16. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar with the request to supply 200 copies of the printed gazette, for further distribution.
- PA to Additional Secretary, Irrigation Department, Peshawar
- Master File.

OFFICE OF C.E (SOUTH) IRRIDEPNT

Man Duty No. 335 Date 15/3/19

Section	Section
SRC	SR
SVO	SR
SC	SR

(Abdul Rauf)  
Section Officer (Estt)

12/3  
Master to be  
CPJ - (Abdullah)



**KHYBER PAKHTUNKHWA**

Published by Authority

PESHAWAR, SATURDAY, 2ND APRIL, 2011

GOVERNMENT KHYBER PAKHTUNKHWA  
IRRIGATION DEPARTMENT

**NOTIFICATION**  
~~NO. SO(E)IRR/123-5/73~~

NO. SO(E)IRR/123-5/73: In pursuance of the provisions contained in sub rule (2) of Rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules and notifications, issued in this behalf, except Notification No. SO(E)IRR/123-5/73 dated 20-12-2006, the Irrigation Department, in consultation with the Establishment Department and the Finance Department hereby lays down, the method of recruitment, qualification and other conditions specified in columns No. 3 to 5 of the Appendix (pages 1 to 5) to this Notification which shall be applicable to the posts in column No. 2 of the Appendix.

Secretary to Government of the Khyber Pakhtunkhwa Province  
Irrigation Department.

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Printed and published by the Manager,  
Govt. & Eng. Deptt., Khyber Pakhtunkhwa, Pesh.

*Attested*  
*W. M. Khan*  
ADMINISTRATIVE OFFICER (S) IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR

*Attested to True Copy*  
*Per [Signature]*  
*5 sheets*

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APPENDIX

S#	Nomenclature of Post	Qualification for appointment	Age Limit	Method of recruitment
1	2	3	4	5
<b>PART-I-ENGINEERING STAFF</b>				
1.	Chief Engineer/ Director General (BPS-20)			By selection, on merit from amongst the Senior Superintending Engineers and Directors with at least seventeen years service in BPS-17 and above, possessing Degree in B.E/BSc Engineering (Civil) from a recognized University.
2.	Superintending Engineer/Director (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above.
3.	Executive Engineer/ Deputy Director (BPS-18)			By promotion, on the basis of seniority cum fitness, from amongst the Sub-Divisional Officers, Assistant Engineers and Assistant Directors possessing Degree in B.E/BSc Engineering (Civil or Mechanical) from a recognized University, with at least five years service as such, and have passed the Professional or Revenue Examination under the prescribed rules.
4.	Assistant Engineer/Sub-Divisional Officer/ Assistant Director (BPS-17)	BE/BSc Degree in Civil/Mechanical Engineering from a recognized University	21 to 32 years	<ul style="list-style-type: none"> <li>a. Sixty five percent by initial recruitment.</li> <li>b. Ten percent by promotion, on the basis of seniority cum fitness, from amongst the Sub-Engineers who has acquired during service degree in Civil or Mechanical Engineering from a recognize university.</li> <li>c. Five percent by promotion, on the basis of seniority cum fitness, from amongst the Sub-Engineers who joined service as degree holders in Civil/Mechanical Engineering and.</li> <li>d. Twenty percent by promotion, on the basis of seniority-cum-fitness from amongst the Sub-Engineers, who hold a diploma of Civil, Mechanical, Electrical or Auto Technology and have passed Departmental Grade A examination with ten years service as such.</li> </ul>
5.	Sub-Engineer (BPS-11)	Diploma of Associate Engineering in Civil/Mechanical/Auto/Electrical Technology from a recognized Institute	18 to 30 years	<p>Note: - Provided that where candidate under Clause (b) &amp; (c) above is not available for promotion, the vacancy shall be filled in by initial recruitment.</p> <ul style="list-style-type: none"> <li>a. Eighty percent by initial recruitment, and</li> <li>b. Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Canal Inspectors, Work-Takers, Gauge Readers, Surveyors and other establishments having Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology from a recognized Institute or Board of Technical Education of Government with at least ten years service, and have passed the departmental Grade B and Grade A examination.</li> </ul>

*A. H. S. Khan*  
*W. M. Khan*  
 ADMINISTRATIVE OFFICER  
 IRRIGATION DEPARTMENT  
 KHYBER PAKHTUNKHWA  
 PESHAWAR



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Geologists (S-17)	MSc: Geology from a recognized University with 03 years experience in the relevant field.	18 to 32 years.	By initial recruitment.
PART-II-MINISTERIAL ESTABLISHMENT.			
Administrative Officer/ Budget and Accounts Officer (BPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents of the Department having at least three years service.
Superintendent (BPS-16)			<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants, Head Clerks and Senior Scale Stenographers with at least five years service as such.</p> <p>Note 1 - For the purpose of promotion, a joint seniority list of Assistants and Senior Scale Stenographers shall be maintained. If the date of appointment of both the officials is the same, then Assistant shall rank senior.</p> <p>Note 2: Promotion to the post of Superintendents in Regional Office cadre shall be considered from amongst the Assistants, Head Clerks and Senior Scale Stenographers of Regional Office cadre and that of Circle Office Cadre from the Assistants, Head Clerks and Senior Scale Stenographers of Circle Office Cadre.</p>
Senior Scale Stenographer (BPS-15)	<p>a. Bachelor's Degree/ B.Com from a recognized University; and</p> <p>b. A speed of 100 words per minute in short hand in English and 40 words per minute in English typing.</p>	18 to 30 years.	<p>a. Forty percent by initial recruitment; and</p> <p>b. sixty percent, by promotion, on the basis of seniority cum-fitness, from amongst the Junior Scale Stenographers with at least three years service as such.</p>
Assistants/Head Clerk (BPS-14)	Second Class Bachelor's Degree with Economics/ Statistics as one of the subject of B.Com, from a recognized University.	18 to 30 years.	<p>In Regional Office Cadre</p> <p>a. Twenty five percent by initial recruitment; and</p> <p>b. seventy five percent by promotion, on the basis of the seniority cum fitness, from amongst Accounts Clerks and Senior Clerks in Regional Office Cadre with at least 5 years service as such.</p> <p>In Circle Office Cadre</p> <p>By promotion, on the basis of seniority cum fitness, from among the Accounts Clerks and Senior Clerks with at least 5 years service as such, in the Circle where the vacancies occurs.</p>

*Attested*  
*Administrative Officer*  
 ADMINISTRATIVE OFFICER  
 INFORMATION DEPARTMENT  
 KHYBER PAKHTUNKHWA  
 PESHAWAR

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 2ND APRIL, 2011.

11	Junior Scale Stenographer (BPS-12)	(a) Intermediate or D. Com From a recognized Board; and  (b) A speed of 50 words per minute in Short hand in English and 35 words per minute in English typing with computer knowledge of Microsoft Words and Excel.	18 to 30 years	By initial Recruitment.
12	Accounts Clerk/ Senior Clerk (BPS-9)			By promotion, on the basis of seniority cum fitness, from among the Junior Clerks with atleast 5 yrs service in the respective regional or Circle cadre as such;  Note. Promotion to the post of Accounts Clerk or Senior clerk in Regional Office cadre shall be considered from amongst the Junior Clerks of Regional Office Cadre and that of Circle Office Cadre from amongst the Junior Clerks of Circle Office Cadre.
13	Junior Clerk (BPS-7)	(a) Secondary School Certificate from a recognized Board; and (b) A speed of 30 words per minute in English typing.	18 to 30 years	(a) Sixty Seven percent by initial recruitment; and  (b) Thirty three percent by promotion, from amongst the Jaitaris, Record Lifters, Naib Qasids, Chowkidars and other equivalent posts who have Secondary School Certificate and are under 45 years of age and have at least two years service as such in the respective Regional and Circle Office Cadre.  Note For the purpose of promotion, there shall be maintained a joint seniority list of Jaitaris, Record Lifters, Naib Qasids, Chowkidars with reference to the date of regular appointment to the post or that of acquiring the Secondary School Certificate whichever ever is later, provided that if two dates are the same, the person older in age or having longer service, whichever is more beneficial to him, shall rank senior.
PART-III COMPUTER ESTABLISHMENT				
14	Data Processing Supervisor (BPS-14)	Bachelor's Degree from a recognized University with 03 years Diploma in Computer Science, from recognize Institute.	18 to 30 years	(a) Twenty five percent by initial recruitment; and (b) Seventy five percent by promotion, on the basis of seniority cum fitness, from amongst the Data Entry Operators and Key Punch Operators with five years service as such.

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16	Date Entry Operator/Key Punch Operator (BPS-12).	Intermediate with one year Diploma in computer science from a recognize institute with speed of 10000 key depression per hour.	18 to 30 years	By initial recruitment.
<b>PART-IV REVENUE ESTABLISHMENT</b>				
15	Canal Collector (BPS-18)			
17	Deputy Collector / Assistant Land Reclamation officer (BPS-17)			By promotion, on the basis of seniority cum-fitness, from amongst the Deputy Collectors and Assistant Land Reclamation Officers with five years service as such.
18	Zilladar (BPS-14)	Bachelor's degree or equivalent qualification from a recognized University.	21 to 30 years	By promotion, on the basis of seniority-cum-fitness, from amongst Zilladars with atleast five years service as such. (a) Seventy percent by initial recruitment; and (b) Thirty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Head Vernacular Clerks with six years experience and Vernacular Clerks/Revenue Inspector with ten years service and having passed Secondary School Certificate Examination from recognized Board
19	Revenue Inspector (BPS-10)	Intermediate or equivalent qualification from a recognized Board.	18 to 30 years	Note: Promotion of Head Vernacular Clerks (BPS-7) to the post of Zilladar (BPS-14) shall be considered only in the circle where no post of Head Vernacular Clerk (BPS-10) exist. By initial recruitment
20	Head Vernacular Clerk (BPS-10)			
21	Vernacular Clerk (BPS-7)	Secondary School Certificate, from a recognized Board.		By promotion, on the basis of seniority-cum-fitness, from amongst the Vernacular clerks in the circle where the vacancies occur.
22	Patwar (BPS-5)	Secondary School Certificate from a recognized Board with one year Patwar training in Irrigation Department and have passed Irrigation Patwar Examination.	16 to 35 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Patwaris having five years service as such in the Circle where the vacancies occur. By initial recruitment.
<b>PART-V DRAWING ESTABLISHMENT</b>				
23	Chief Draftsman (BPS-17)			By promotion, on the basis of seniority-cum-fitness, from amongst the Circle Head Draftsman with three years service as such.

*Attested*  
*Kenneth*  
 ADMINISTRATIVE OFFICER (S.O.)  
 IRRIGATION DEPARTMENT  
 KHYBER PAKHTUNKHWA  
 PESHAWAR

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24	Circle Head Draftsman (EPS-16)			By promotion, on the basis of seniority-cum-fitness, from amongst the Divisional Head Draftsman with three years service as such.
25	Divisional Head Draftsman (BPS-13)			By promotion, on the basis of seniority-cum-fitness, from amongst the Draftsman, who have passed the prescribed departmental examination for appointment as Head Draftsman with three years service as such.
25	Draftsman (BPS-10)	(a) Secondary School Certificate from a recognized Board; and (b) Two years Certificate course in Civil Draftsmanship from a recognized Institute/Board of Technical Education.	18 to 30 years.	a. Fifty percent by initial recruitment; b. Twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers having Certificate of Civil Draftsman course of two years duration from a recognized Board of Technical Education with three years service as such; and c. Twenty five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers who have qualified the prescribed Departmental Examination of Draftsman and having three years service as such.
Tracer (BPS-5)		(a) Secondary School Certificate from recognized Board; and course of at least six months duration from a recognized Institute or Board of Technical Education.	18 to 30 years	Note: If no suitable candidate is available for promotion against the posts at (b) then the vacancies shall be filled in by the way as prescribed at (a) and vice versa. By Initial Recruitment.

خدمت جناب چیف انجینئر (ساوتھ) ایریگیشن ڈیپارٹمنٹ

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خیبر پختونخواہ پشاور

بوساطت افسران متعلقہ۔

درخواست برائے ترقی سائل بطور ضلعدار

عنوان:-

جناب عالی!

سائل حسب ذیل عرض رساں ہے۔

1. یہ کہ سائل بتاریخ 18/02/1981 بطور پٹواری نہر تعینات ہوا جبکہ بتاریخ 26/06/2005 سائل کی بطور V.C ترقی ہوئی۔ بتاریخ 22/02/2018 بطور H.V.C پروموٹ ہوا۔

2. یہ کہ سائل بطور (O.P.S) ضلعدار 2006 میں پہاڑ پورا ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں تعینات ہوا۔ اور 2014 تک بطور ضلعدار ڈیپوٹی سرانجام دیتا رہا بعد ازاں 16-2015 میں CBRC ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں بطور ضلعدار (OPS) ڈیپوٹی سرانجام دیتا رہا۔ بعد ازاں 2017 سے شمال بطور ضلعدار O.P.S گول زام ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں ڈیپوٹی سرانجام دیتا رہا۔ 2006 سے شمال بطور ضلعدار O.P.S ڈیپوٹی سرانجام دینے کی وجہ سے سائل کا بطور ضلعدار کافی تجربہ ہو چکا ہے۔ اور اس دوران بندہ کی کارکردگی بہترین رہی۔

3. یہ کہ ریونیو انسپکٹرز نے نہ تو کوئی حکمانہ پٹوار وغیرہ امتحان پاس کیا ہے اور نہ ریونیو کام کا کوئی تجربہ ہے۔ جسکی وجہ سے بطور ضلعدار ان کی تعیناتی و ترقی کا کوئی جواز نہیں بنتا۔

4. یہ کہ 2011 کے رزلٹ کو اگر مد نظر رکھا جائے تو کسی بھی ریونیو انسپکٹر کی سرورس 10 سال مکمل نہیں ہوئی۔

5. یہ کہ نومبر 2019 میں سپرینٹنڈنگ انجینئر (ہیڈ کوارٹر) کی جانب سے صرف H.V.C کی سینارٹی لسٹ جاری ہوئی مگر اس کو ظاہر نہیں کیا گیا۔ بعد ازاں، S.E (H.Q) No.109/IB/A-4/251-E, dated, 07/01/2020، S.E (H.Q) No.3138/IB/A-4/251-E, dated, 06/08/2020، کو مخلوط سینارٹی لسٹ H.V.C اور ریونیو انسپکٹرز تیار کی گئی حالانکہ 07/01/2020 اور 06/08/2020 کی تیار شدہ سینارٹی لسٹ میں کوئی فرق نہیں ہے۔ ہمیں صرف نقصان پہنچانے کے لیے بار بار سینارٹی لسٹ بنائی جا رہی ہے۔

6. یہ کہ سائل کی عمر 59 سال 10 ماہ ہو چکی ہے اور سائل کی ریٹائرمنٹ مورخہ 24/01/2021 ہے یعنی 2 ماہ بعد سائل ریٹائر ہو جائے گا۔ قبل ازیں سائل کی طرف سے متعدد درخواستیں ہائے برائے ترقی بطور ضلعدار دائر کی گئیں مگر نظر انداز ہوتی رہیں۔ حالانکہ ساڈتھر بیجن میں ضلعدار کی کافی خالی آسامیاں موجود ہیں، خصوصاً 2012 سے گول ایریگیشن ڈویژن ڈیرہ اسماعیل خان میں 4 پوسٹیں خالی پڑی ہیں۔

سائل کے لیے  
کنٹرولنگ  
افسر

7. یہ کہ باوثوق ذرائع سے معلوم ہوا کہ بتاریخ 24/09/2020 کو D.P.C برائے ترقی ضلع داران ہونی تھی جس میں مسائل کا

نام بھی شامل تھا مگر نامعلوم وجوہات کی بنا پر بتاریخ مذکورہ D.P.C نہ ہوئی۔

8. یہ کہ بار بار سینارٹی لسٹ کی تیاری سے ہمارے نقصان ہو رہا ہے۔ H.V.C کو کم نہ کیا جائے لہذا استدعا ہے کہ مسائل کو فوری

طور پر بطور ضلع دار ترقی دی جائے تاکہ مسائل کے ساتھ نا انصافی نہ ہونے پائے۔ اگر مسائل بطور ضلع دار ترقی سے محروم ہوا تو مسائل اپنا قانونی حق محفوظ رکھتا ہے۔

نوٹ:- سینارٹی لسٹ ہائے کی نقول لف ہیں۔

ارض

نوازش ہوگی

محمد ایوب (ایچ ڈی سی)

مورخہ 15/10/2020

گول زام ایریگیشن ڈویژن ڈی آئی خان

کاپی بروائے اطلاع:-

1. سپرنٹنڈنٹ انجینئر (ہیڈ کوارٹر) آفس آف ڈی چیف انجینئر (سائڈ تھ) ایریگیشن ڈیپارٹمنٹ خیبر پختونخواہ پشاور۔
2. سپرنٹنڈنٹ انجینئر ڈی آئی خان ایریگیشن سرکل ڈی آئی خان۔
3. ریونیو کلکٹر آفس آف ڈی چیف انجینئر (سائڈ تھ) ایریگیشن ڈیپارٹمنٹ خیبر پختونخواہ پشاور۔
4. ریونیو کلکٹر آفس آف ڈی چیف انجینئر (نار تھ) ایریگیشن ڈیپارٹمنٹ خیبر پختونخواہ پشاور۔
5. پرائیویٹ سیکریٹری ٹوبسکریٹری محکمہ آبپاشی صوبہ خیبر پختونخواہ پشاور۔

محمد ایوب (ایچ ڈی سی)

گول زام ایریگیشن ڈویژن ڈی آئی خان

Attention to be paid  
to the  
Admin

V.D.P.C. 24/09/2020

Amx-F 8

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**OFFICE OF THE EXECUTIVE ENGINEER**  
**GOMAL ZAM IRRIGATION DIVISION D.I.KHAN**  
Phone & Fax: 0966-9280336. E-Mail: xengomalzamdik@gmail.com

No. 1398 /2-E Dated DIKhan the //11/2020.

To,  
The Chief Engineer (South)  
Irrigation Department Khyber Pakhtunkhwa  
Peshawar.

Subject:- REQUEST FOR PROCESSING OF PROMOTION CASE OF MR. AYUB HVC TO POST OF ZILLADAR GOMAL ZAM IRRIGATION DIVISION DIKHAN.

Reference:-  
1. This Office letter No.791/2-E, dated 03/06/2019.  
2. This Office letter No.154/2-E, dated 23/01/2020.

It is humbly submitted that, with reference to above & meeting held on 08/07/2020, under your kind chairmanship, where in your good office has directed your sub-ordinate Officer of the Administrative Officer to do the need full regarding subject request but so far no feedback has been received. Sir.

Your good office is therefore requested to please re-consider the genuine request of Mr. Ayub (H.V.C) alongwith recommendation of the undersigned that it is the serious & dedicated efforts of Mr. Ayub for the last 4 Year as VC & HVC that enabled Irrigation Department Gomal Zam Irrigation Division DIKhan, to get a progress of 97% in Preparation of Revenue Chakbandi in newly commissioned Gomal Zam Canal System covering Command Area, of 271000 Acres beside resolving hundreds of day today Revenue issue of General public. It is also mentioned that area under jurisdiction is highly sensitive, insecure & involves militancy activities. Serving in field of Revenue in this situation is a gigantic task that has been performed well by Mr. Ayub H.V.C as well as one Mr. Muhammad Yasin V.C (Acting Zilladar) & thus needs special consideration.

Re-consideration of the case is re-iterated. Sir.

EXECUTIVE ENGINEER,  
Gomal Zam Irrigation Division DIKhan.

Copy of the above for information is forwarded to the:-  
1. Superintending Engineer DIKhan Irrigation Circle DIKhan with reference to above.  
2. Mr. Ayub H.V.C for record.

MR PU

07/01/2021

EXECUTIVE ENGINEER,  
Gomal Zam Irrigation Division DIKhan

OFFICE OF C.E (SOUTH) IRR:DEPT.	
Misc No.	Date
164	07/01/2021
Section	Section
SWC	S.B
SWD	S.A
SG	SN

Attention to be given

بخدمت جناب سپرنٹنڈنگ انجینئر (ہید کوارٹر) آفس آف چیف انجینئر (ساؤتھ) ایریکیشن ڈیپارٹمنٹ خیبر پختونخواہ پشاور

اپیل:- بوساطت ایکس ایریکیشن گولڈ زام ڈویژن ڈیرہ اسماعیل خان۔

عنوان:- 1. درخواست برائے اعتراض سینارٹی لسٹ بحوالہ چٹھی نمبر E-109/IB/A-4/251-1 مورخہ 07/01/2020۔

2. درخواست برائے علیحدہ علیحدہ مرتب کرنے سینارٹی لسٹ ایچ وی سی اور ریونیو انسپکٹر بحال رکھنے سابقہ کوٹ ایچ وی سی۔

اعتراضات:-

ایچ وی سی کا ذکر پٹوار ولز ریونیو مینول اور IMO میں موجود ہے جبکہ ریونیو انسپکٹر کی پوسٹ کا ذکر کہیں بھی موجود نہ ہے۔ V.C  
H.V.C / پٹوار کا امتحان پاس کرنے کے بعد بطور پٹواری سروس اور بطور V.C سروس کرنے کی وجہ سے ریونیو کام میں مہارت حاصل کر چکے  
ہوتے ہیں۔ جبکہ ریونیو انسپکٹر نہ تو پٹوار کا امتحان پاس کرتے ہیں۔ اور نہ ہی پٹواری نہر سروس کی ہوتی ہے۔ اور ریونیو انسپکٹر کو ریونیو کے کام کوئی تجربہ  
نہیں ہوتا۔

جناب عالی مسائل حسب ذیل عرض رساں ہے۔

1. یہ کہ مسائل مورخہ 18/02/1981 سے پٹواری بھرتی ہوا۔ 24 سال کے بعد مورخہ 26/06/2005 V.C پر موٹ ہوا۔ بعد ازاں  
مورخہ 22/02/2018 کو بطور H.V.C پر موٹ ہوا۔ مسائل اس وقت گولڈ زام ایریکیشن میں بطور H.V.C ڈیوٹی سرانجام دے رہا ہے۔  
2. یہ کہ جو سینارٹی لسٹ H.V.C اور ریونیو انسپکٹر (دونوں کیڈر) کی سینارٹی لسٹ یکجا مرتب کی گئی ہے۔ اس سینارٹی لسٹ کے یکجا مرتب  
ہونے پر مسائل کو اعتراض ہے۔ مہربانی فرما کر H.V.C کی سینارٹی لسٹ علیحدہ سے جاری کی جائے اور H.V.C کا 25% فیصد کوٹ بحال رکھا  
جائے۔ ریونیو انسپکٹر بغیر کسی ٹریننگ امتحان انٹرویو سے بھرتی کئے گئے ہیں۔ اور یہ صرف ریکوری کیلئے تعینات کئے گئے انکا اور کوئی ڈیوٹی رول نہیں  
ہے۔ اور نہ ہی یہ ضلعدار تعینات کے حقدار ہیں۔

3. کوٹ H.V.C کم نہ کیا جائے۔ سابقہ کوٹ بحال رکھا جائے۔

4. یہ کہ V.C رولز 2011 پیرا نمبر 18 کے تحت دس 10 سال سروس کے بعد ضلعدار پر موٹ ہونا تھا۔ مگر میرے ساتھ زیادتی ہوئی اور  
ضلعدار پر موٹ نہیں کیا گیا اس سلسلے میں پہلے بھی درخواست عرض گزاری ہے (لف ہے)۔

5. مگر 13 سال کے بعد H.V.C پر موٹ کیا گیا۔ اس طرح تین 03 سال آضانی V.C کی سروس کو مد نظر رکھا جائے اور  
H.V.C سروس میں شامل کی جائے۔ مسائل کی سروس کا آخری سال جاری ہے۔

لہذا استدعا ہے کہ H.V.C اور ریونیو انسپکٹر کی علیحدہ علیحدہ لسٹ مرتب کرائی جائے اور مسائل کو بطور ضلعدار اپنے کوٹ میں ترجیحی بنیاد پر  
فوری طور پر ترقی دی جائے بصورت دیگر عدالت جانے کا حق محفوظ رہے گا۔

نوازش ہوگی

محمد ایوب H.V.C

مورخہ 10/01/2020

گولڈ زام ایریکیشن ڈویژن ڈیرہ اسماعیل خان

کاپی برائے اطلاع:-

1. چیف انجینئر (ساؤتھ) ایریکیشن ڈیپارٹمنٹ خیبر پختونخواہ پشاور۔

2. سپرنٹنڈنگ انجینئر ڈی آئی خان ایریکیشن سرکل ڈی آئی خان۔

Attestation  
محمد ایوب  
H.V.C



بخدمت جناب سپرنٹنڈنگ انجینئر ہیڈ کوارٹر ایریکیشن ساؤتھ خیبر پختونخواہ پشاور

درخواست برائے فراہم کئے جانے والی Seniority List نسبت ہیڈورینکلرک (HVC) تیار

شدہ ماہ نومبر 2019ء۔ جس میں 23 ہیڈورینکلرک (HVC)

زیر Right to Information Act Khyber Pakhtunkhwa

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

- ۱۔ یہ کہ سائل ضلع ڈیرہ اسماعیل خان کارہائشی و سکوتی ہے اور محکمہ ایریکیشن گولڈ زام ڈیرہ اسماعیل خان میں بطور ہیڈورینکلرک اپنے فرائض سرانجام دے کر مورخہ 23/01/2021 کو ریٹائر ہوا۔
- ۲۔ یہ کہ آنجناب کے آفس سے ایک Seniority List نسبت ہیڈورینکلرک (HVC) تیار شدہ ماہ نومبر 2019 جاری کی گئی جس میں 23 ہیڈورینکلرک (HVC) کے نام شامل ہیں۔
- ۳۔ یہ کہ سائل کو Seniority List مذکورہ بالا کی اشد ضرورت ہے اس لئے Seniority List سائل کو فراہم کی جانی عین ترین انصاف ہے۔
- ۴۔ یہ کہ اس نسبت آنجناب کو وسیع تر اختیارات حاصل ہیں۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائل کو Seniority List مذکورہ بالا کی نقل فراہم کی جائے تاکہ سائل کی دادرسی ہو سکے۔

مورخہ 18/03/2021

محمد ایوب ولد خدا بخش سکنہ گاؤں لار تحصیل پہاڑ پور ضلع ڈیرہ اسماعیل خان  
ریٹائرڈ ہیڈورینکلرک (HVC) ایریکیشن ڈویژن گولڈ زام ڈیرہ اسماعیل خان

موبائل نمبر 0345-9831289

محمد ایوب  
ایوب  
محمد ایوب  
محمد ایوب

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MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE HELD ON 24-09-2020

A meeting of the Departmental Promotion Committee of Regional Office Irrigation Department Khyber Pakhtunkhwa was held on 24-09-2020 at 11:00 AM under the Chairmanship of Chief Engineer (South) Irrigation Department Peshawar in his office.

The following attended the meeting.

- 1) Engr. Sahibzada Muhammad Shabir  
Chief Engineer (South)  
Irrigation Department Peshawar Chairman
- 2) Engr. Zahoor Muhammad  
Superintending Engineer (Head Quarter South)  
Irrigation Department Peshawar Member
- 3) Mr. Irfan Ullah Khan Wazir  
Deputy Secretary (Admin)  
Irrigation Department Peshawar Member
- 4) Mr. Khitab Gul  
Administrative Officer (South)  
Irrigation Department Peshawar Secretary

The agenda items were discussed in detail. Record of the officials included in the penal were perused and the following decisions were unanimously made.

Agenda Item: 1 Promotion of Divisional Head Draftsman BS-14 to the rank of Circle Head Draftsman BS-16 on regular basis.

Sl. No.	Name of Official	Decision/Remarks
1	Mr. Ijaz Ahmad Divisional Head Draftsman BS-14	Cleared for Promotion as Circle Head Draftsman BS-16 on regular basis.
2	Mr. Barkat Ali Divisional Head Draftsman BS-14	-do-

Agenda Item: 2 Promotion of Revenue Inspector/Head Vernacular Clerk BS-11 to the rank of Zilladar BS-15

The agenda item was withdraw

*[Signature]*  
24/09/2020

*[Signature]*  
24/09/20  
P-1/2

Agenda Item: 3

Promotion of Senior Clerk BS-14 to the rank of Assistant BS-16 on Regular Basis

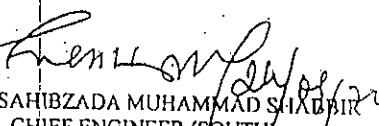
Sl. No	Name of Official	Decision/Remarks
1	Mr. Sana-Ullah Senior Clerk BS-14	Cleared for Promotion as Assistant BS-16 on regular basis.
2	Amir Mohammad Senior Clerk BS-14	Deferred due to posting on Ex-Cadre Post Of Divisional Accounts Officer under Accountant General Khyber Pakhtunkhwa
3	Mr. Fasih ur Rehman Acting charge Assistant BS- 6	Cleared for Promotion as Assistant BS-16 on regular basis.
4	Mr. Jehanzeb Khan Senior Clerk BS-14	-do-
5	Mr. Asad Ullah Senior Clerk BS-14	-do-

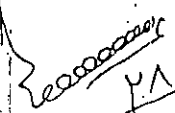
Agenda Item: 4


Promotion of Junior Clerks BS-11 to the rank of Senior Clerk BS-14 on regular basis.

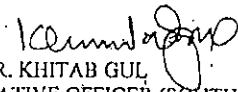
Sl. No	Name of Official	Decision/Remarks
1	Syed Hashim Ali Shah Junior Clerk BS-11	Cleared for Promotion as Senior Clerk BS-14 on regular basis.
2	Mr. Musafar Khan Junior Clerk BS-11	-do-
3	Mohammad Imran Junior Clerk BS-11	-do-
4	Mr. Abdul Hafeez Junior Clerk BS-11	-do-

The meeting ended with a vote of thanks front and to the chair.

  
 ENGR: SAHIBZADA MUHAMMAD SHABBIR  
 CHIEF ENGINEER (SOUTH)  
 IRRIGATION DEPARTMENT  
 PESHAWAR  
 (CHAIRMAN)

  
 MR. IRFAN ULLAH KHAN WAZIR  
 DEPUTY SECRETARY (ADMIN)  
 IRRIGATION DEPARTMENT  
 PESHAWAR  
 (MEMBER)

  
 ENGR. ZAHOOR MUHAMMAD  
 SUPERINTENDING ENGINEER  
 (HEAD QUARTER SOUTH)  
 IRRIGATION DEPARTMENT  
 PESHAWAR  
 (MEMBER)

  
 MR. KHITAB GUL  
 ADMINISTRATIVE OFFICER (SOUTH)  
 IRRIGATION DEPARTMENT  
 PESHAWAR  
 (SECRETARY)



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**OFFICE OF THE CHIEF ENGINEER (SOUTH)**  
IRRIGATION DEPARTMENT, KHYBER PAKHTUNKHWA, PESHAWAR.  
Phone No. 091-9212116 Fax No. 091-9212652

No. 2178 /A-4/216-E(i),

Dated Peshawar the 26 /04/2021

To:  Muhammad Ayub retired HVC *foxen*  
GomalZam Irrigation Division DIKhan.

Subject:- SENIORITY LIST OF H.V.C/REVENUE INSPECTOR  
Ref:- Your application dated 06/04/2021.

I am directed to forward the following information as desired in the application under reference:-

1. Final Seniority list of Head Vernacular Clerk/ Revenue Inspector as stood on 31-12-2019. Circulated vide this office No.3138/IB/A-4/251-E dated 06-08-2020.
2. Minutes of Departmental Promotion Committee for promotion to the rank of Zilladar dated 24/09/2020.
3. Amendment in Service Rules for promotion to rank of Zilladar Notified vide Secretary to Govt: of Khyber Pakhtunkhwa Irrigation Department Peshawar Notification No. SO(E)/IRR/23-5/73/Vol-V dated 12-03-2019.

Encls: as above.

*705/2-E*  
*dt 30-4-2021*

*RM + HC*

*Munir Ahmad*  
ADMINISTRATIVE OFFICER  
*26/4*

*For n/acknow*  
*2. Given to Ayub with receipt*

*PA. Khan*  
*29/04/2021.*

*Received*  
*H.V.C. / Revenue*  
*25/05*  
*2021*

*intended to be done*  
*copy*  
*Chaudhary*

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Final Seniority List of HVCs/Revenue Inspector In Irrigation Department

S.No	Name & Designation	Academic Qualification	Home Dist	Date of Birth	Date of Appointment	Present Posting Division	Remarks
1	Shaukat Ullah HVC	Middle	Lakki Marwat	09-04-1960	15-05-2010	Marswat Circle Division	
2	Muhammad Tahir Revenue Inspector	F.A	Tank	07-06-1989	02-07-2011	PHP	Seniority in respect of officials at S.No.2 to 15 has been fixed on the basis of merit order received from Superintending Engineer, Bannu Irrigation Circle, Bannu vide letter No.1520/6-EC dated 15-07-2020.
3	Nageeb Rehman Revenue Inspector	B.A/D.A.E	DIKhan	01-03-1981	05-07-2011	CRBC	
4	Muhammad Tayyeb Nawaz Revenue Inspector	F.A/D.A.E	DIKhan	31-08-1987	05-07-2011	CRBC	
5	Syed Ilyas Raza Shah Revenue Inspector	B.A	DIKhan	02-02-1981	02-07-2011	PHP	
6	Kashif Ibrahim Revenue Inspector	M.A	Tank	01-02-1990	05-07-2011	PHP	
7	Hassan Saleem Revenue Inspector	B.B.A/D.A.E	DIKhan	01-10-1982	02-07-2011	CRBC	
8	Syed Muhammad Irfan Haider Shah Revenue Inspector	F.A	DIKhan	12-03-1983	02-07-2011	PHP	
9	Abdur Rehman Revenue Inspector	B.A	DIKhan	01-03-1986	05-07-2011	CRBC	
10	Chulian Abbas Yousaf Revenue Inspector	B.A	DIKhan	28-03-1989	05-07-2011	PHP	
11	Hidayat Ullah Revenue Inspector	F.A	DIKhan	16-03-1990	05-07-2011	CRBC	
12	Malik Irfan Sandani Revenue Inspector	F.A/D.A.E	DIKhan	10-02-1986	06-07-2011	PHP	
13	Rizwan Ali Khan Revenue Inspector	F.A	DIKhan	11-05-1989	05-07-2011	CRBC	
14	Kaleem Ullah Revenue Inspector	F.A	DIKhan	25-05-1989	04-07-2011	CRBC	

Attestation of the list of HVCs/Revenue Inspector

*S.S. Khan*

*Attestation of the list of HVCs/Revenue Inspector*

S.No	Name & Designation	Academic Qualification	Home Dist	Date of Birth	Date of Appointment / Promotion	Present Posting	Remarks
15	Muhammad Atif Amin Qasim Revenue Inspector	B.A	Dikhan	04-01-1991	02-07-2012	PHP	
16	Jawad Ahmad Revenue Inspector	F.S.C	Nowshera	15-02-1983	28-03-2012	PIC Peshawar	Seniority at Serial No 16, 17 & 38 has been fixed in light of Seniority List received from S E PIC Peshawar vide letter No.428/33-E dated 09-07-2019.
17	Syed Munazzir Hussain Shah Revenue Inspector	B.A	Peshawar	12-04-1983	28-05-2012	PIC Peshawar	
18	Saeed Ullah Shah Revenue Inspector	M.B.A	Mardan	12-04-1985	26-07-2012	MIC Mardan	Seniority in respect of officials at S.No.18 to 37 has been fixed on the basis of final Seniority list of Mardan Irrigation Circle Mardan issue vide No.865/23-E dated 31-03-2017 received from SE Mardan letter No: 1970/23-E dated 23-09-2019.
19	Muhammad Asad Anwar Revenue Inspector	B.A	Mardan	08-06-1986	26-07-2012	MIC Mardan	
20	Sajid Iqbal Revenue Inspector	M.A	Mardan	01-01-1985	26-07-2012	MIC Mardan	
21	Taqyeb Jan Revenue Inspector	F.A	Charsadda	15-01-1980	26-07-2012	MIC Mardan	
22	Ahmad Ali Revenue Inspector	Metric	Charsadda	15-08-1982	26-07-2012	MIC Mardan	
23	Amir Zeb Revenue Inspector	F.A	Charsadda	06-04-1983	26-07-2012	MIC Mardan	
24	Syed Faisal Jamal Bacha Revenue Inspector	M.A	Mardan	09-11-1985	26-07-2012	MIC Mardan	
25	Aynal Khan Revenue Inspector	F.A	Mardan	02-03-1987	26-07-2012	MIC Mardan	
26	Muhammad Ismail Revenue Inspector	B.A	Mardan	01-03-1987	26-07-2012	MIC Mardan	
27	Irfan Ullah Revenue Inspector	B.A	Mardan	16-04-1986	26-07-2012	MIC Mardan	
28	Muhammad Naveen Revenue Inspector	F.A	Mardan	05-04-1982	26-07-2012	MIC Mardan	

Official Use: Statement of Final Seniority List of In-cs Revenue Inspector.docx

*[Signature]*  
Asst.

*[Handwritten notes]*  
Final Seniority List of In-cs Revenue Inspector.docx

S.No	Name & Designation	Academic Qualification	Home Dist	Date of Birth	Date of Appointment / Promotion	Present Posting	Remarks
29.	Seema Gul Revenue Inspector	F.A	Mardan	31-05-1982	31-07-2012	MIC Mardan	
30.	Shabir Ahmad Revenue Inspector	F.A	Malakand	24-02-1986	26-07-2012	MIC Mardan	
31.	Neejam Begum Revenue Inspector	F.A	Mardan	20-05-1979	26-07-2012	MIC Mardan	
32.	Muhammad Suleman Revenue Inspector	B.A	Mardan	16-04-1988	26-07-2012	MIC Mardan	
33.	Hoodaid Jiliah Revenue Inspector	Metric	Charsadda	03-03-1978	26-07-2012	MIC Mardan	
34.	Kamran Khan Revenue Inspector	B.A	Charsadda	02-05-1979	26-07-2012	MIC Mardan	
35.	Abdul Karim Revenue Inspector	D.A.E	Mardan	20-04-1992	26-07-2012	MIC Mardan	
36.	Amjad Ali Revenue Inspector	F.A	Mardan	01-04-1988	26-07-2012	MIC Mardan	
37.	Tahir Adnan Revenue Inspector	Metric	Charsadda	03-08-1988	02-08-2012	MIC Mardan	
38.	Muhammad Faraz Revenue Inspector	F.A	Peshawar	14-07-1993	26-04-2013	Peshawar Irrigation Circle	
39.	Anwar Saadat Revenue Inspector	F.A	Swabi	01-04-1991	15-09-2014	Swabi-I	Seniority in respect of officials at S.No.39 to 48 has been fixed on the basis of final Seniority list of Swabi Irrigation Circle Swabi issue vide No.5118-22/7-E dated 6-11-2019 & merit order given in the seniority list received SE Swabi letter No.6133-31/7-E dated 19-12-2019.
40.	Muhammad Arsalan Revenue Inspector		Swabi	01-07-1993	15-09-2014	Swabi-I	
41.	Sikandar Zaman Revenue Inspector	B.A	Swabi	10-04-1988	15-09-2014	Swabi-II	
42.	Muhammad Younas Revenue Inspector	B.A	Nowshera	18-01-1988	17-09-2014	Swabi-II	
43.	Shehid Ahmed Revenue Inspector	F.A	Nowshera	05-05-1989	17-09-2014	Swabi-II	

Final Seniority list of Invs Revenue Inspector dec

S. H. Khan

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S.No	Name & Designation	Academic Qualification	Home Dist	Date of Birth	Date of Appointment /Promotion	Present Posting	Remarks
44.	Aqif Ahmad Revenue Inspector	F.A	Swabi	01-09-1989	15-09-2014	Swabi-II	Seniority in respect of officials at S.No.42,43 & 44 re-fixed /re-ordered as per merit order / date of birth given in the seniority list of Swabi Circle referred above
45.	Abid Ali Khan Revenue Inspector	F.A	Kowsheera	08-10-1978	17-09-2014	Swabi-II	
46.	Syed Khadim Hussain Revenue Inspector	B.A	Swabi	08-02-1977	15-09-2014	Swabi-I	
47.	Naveed Ahmad Revenue Inspector	M.A	Mardan	20-09-1990	18-09-2014	Hazara	
48.	Shahid Iqbal Revenue Inspector		Swabi	01-04-1980	15-12-2016	Swabi-I	
49.	Khair uz Zaman HVC	M.A	Charsadda	01-01-1965	25-05-2017	Peshawar Irr: Circle Peshawar	Seniority at S.No. 49 to 52 and 59 and 66 has been fixed in light of Seniority List received from S E PIC Peshawar vide letter No.428/33-E dated 09-07-2019.
50.	Aslam Jan HVC	F.A	Charsadda	27-08-1966	25-05-2017	-do-	
51.	Roshul Amin HVC	B.A	Nowshera	01-02-1962	25-05-2017	Peshawar Irr: Circle Peshawar	
52.	Muhammad Saleem HVC	Metric	Peshawar	06-10-1963	25-05-2017	-do-	
53.	Sami Ullah Revenue Inspector		Swat	20-03-1990	30-05-2017	Swat Irr: Circle	Seniority at S.No. 53 to 55 has been fixed in light of Seniority List received from S E Swat Irrigation Circle Swat vide letter No.2104/14-E dated 16-09-2019.
54.	Zohrab Revenue Inspector	B.S (Honour) Physics	District Lower	05-06-1991	01-06-2017	Chitral Irr: Division	
55.	Sher Shah Revenue Inspector		Swat	02-01-1990	16-08-2017	Swat Irr: Circle	
56.	Aznai Ali Khan Revenue Inspector	F.A	Bannu	01-08-1988	31-08-2017	Gomal Zam Divn	Seniority has been fixed in light of Executive Engineer Gomal Zam letter No.1651/2-E dated 18-11-2019.

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S.No	Name & Designation	Academic Qualification	Home Distt	Date of Birth	Date of Appointment /Promotion	Present Posting	Remarks
57.	Muhammad Ayub HVC	F.A	D.I. Khan	24-01-1961	22-02-2018	Gomal Zam Divn	Seniority at S No. 57 & 58 has been fixed in light of SE BIC Bannu letter No.2980/6-EC dated 03-12-2018.
58.	Shah Nawaz HVC	Metric	D.I. Khan	03-04-1962	22-02-2018	CRBC	
59.	Muhammad Jehan Zeb HVC	B.A	Peshawar	20-08-1961	01-10-2018	Peshawar Irrigation Circle Peshawar	
60.	Iqam Ullah HVC	Metric	Lakki Marwat	01-02-1963	29-03-2019	Marwat Canal Peshawar	Seniority at S No. 1 & 60 has been fixed in light of Executive Engineer Marwat Canal letter No.1460/20-F dated 01-08-2019.
61.	Hamid Ullah HVC	Metric	Lakki Marwat	20-06-1961	29-03-2019	Bannu Canal	Seniority at S No. 61 & 65 has been fixed in light of Executive Engineer Bannu Canal letter No.9238/6-E dated 30-10-2019.
62.	Saad Ullah HVC	Metric	D.I. Khan	12-03-1961	29-03-2019	CRBC	Seniority has been fixed in light of Executive Engineer CRBC letter No.1506/12-E dated 31-07-2019.
63.	Qayum Nawaz HVC	Metric	D.I. Khan	08-01-1960	01-04-2019	PHP	Seniority at S No. 63 & 64 has been fixed in light of Executive Engineer PHP letter No.1765/110-E dated 26-07-2019.
64.	Ahmad Hussain HVC	Metric	D.I. Khan	17-09-1959	01-04-2019	PHP	
65.	Niamat Ullah HVC	Metric	Lakki Marwat	28-04-1963	01-04-2019	Bannu Canal	
66.	Asmat Ullah HVC	Metric	Lakki Marwat	12-10-1962	03-05-2019	Peshawar Irrigation Circle Peshawar	
67.	Noor Rehman HVC	Metric	Charsadda	11-04-1961	02-07-2019	Mardan Irrigation Circle Mardan	Seniority at S No. 67 & 70 has been fixed in light of SE MIC Mardan letter No.1970/23-E dated 23-09-2019.
68.	Awaj Khan HVC	Metric	Charsadda	30-04-1964	02-07-2019	Mardan Irrigation Circle Mardan	

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*Signature*

*Seniority to be  
taken into  
consideration*

S.No	Name & Designation	Academic Qualification	Home Distt	Date of Birth	Date of Appointment /Promotion	Present Posting	Remarks
69.	Rahim Dad HVC	Metric	Mardan	10-01-1965	02-07-2019	Mardan Irrigation Circle Mardan	
70.	Fazal Wahab HVC	Metric	Malakand	15-08-1963	02-07-2019	MIC	
71.	Muhammad Jamil HVC	Metric	Swabi	03-04-1963	23-10-2019	Swabi-I	Seniority at S No 71 to 74 has been fixed in light of SE SIC Swabi letter No: 7214-187-E dated 04-02-2020
72.	Sher Rehman HVC	Metric	Mardan	02-04-1961	23-10-2019	Hazara	
73.	Wisal Muhammad HVC	Metric	Swabi	15-09-1964	23-10-2019	Swabi-II	
74.	Lal Zada HVC	Metric	Mohmand	01-08-1964	23-10-2019	Hazara	

No. 3138 /B/A-4/251-E  
 copy of the above is forwarded to the:  
 1. Secretary to Govt. of Khyber Pakhtunkhwa Irrigation Department Peshawar.  
 2. Chief Engineer (North) Irrigation Department Peshawar.  
 3. All Superintending Engineers in Irrigation Department Khyber Pakhtunkhwa.  
 4. Canal Collector in Irrigation Department Khyber Pakhtunkhwa.  
 5. All Executive Engineers in Irrigation Department Khyber Pakhtunkhwa.

Dated Peshawar the 6 /08/2020

SUPERINTENDING ENGINEER  
(HEAD QUARTER)

SUPERINTENDING ENGINEER  
(HEAD QUARTER)

*[Handwritten signatures and initials]*



(4)

OFFICE OF THE SUPERINTENDING ENGINEER  
DIKHAN IRRIGATION CIRCLE DIKHAN  
Phone/Fax No. 0966-9280238 Email: sedikirrigation@gmail.com

cc (H)

No. 1253/DIC/4-E

Dated DIKhan the, 04/08/2021

(41)

OFFICE ORDER.

In pursuance of sub – section (2) of section 13 (A) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act, No. XVIII of 1973) read with sub – section (3) thereof, Mr. Muhammad Ayub Head Vernacular Clerk BS-11 attached to Gomal Zam Irrigation Division DIKhan stands retired from Government Service with effect from 23-01-2021 (A.N) on attaining sixtieth (60<sup>th</sup>) year of age, as his date of birth according to his service Book is 24-01-1961.

Any salary, allowances and other ancillary benefits received or drawn by him on or after 11-03-2021(A.N) till the issuance of Notification shall be deemed to have been validly received and drawn.

Sanction is also hereby accorded to the grant of 365-days encashment in Lieu of L.P.R as admissible under the revised leave rule 1981. It is also certified that sufficient leave is available on his credit.

SUPERINTENDING ENGINEER

Copy to the:-

2/2am

1. Executive Engineer ~~DIKhan~~ Irrigation Division DIKhan.
  2. District Accounts Officer DIKhan.
  3. Office superintendent.
  4. Official concerned.
- For information and necessary action.

SUPERINTENDING ENGINEER

Attested to be true  
cop. 4  
District

42

Annex 1

**PESHAWAR HIGH COURT**  
بہارہ ہائی کورٹ  
RT. DERA ISMAIL KHAN

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT**  
**COURT DERA ISMAIL KHAN BENCH**

Writ Petition No. \_\_\_\_\_/2021

**Muhammad Ayoub** son of Khuda Baksh Caste Baloch caste  
Larh Tehsil Pakarhpur District Dera Ismail Khan.

Mob # 0345-9831289

.....(PETITIONER)

**VERSUS**

1. Governmet Of KPK Through Secretary Irrigation Department KPK, Peshawar.
2. Chief Engineer South Irrigation Department KPK, Peshawar.
3. Superintending Engineer Headquarter (South) Irrigation Department Peshawar.
4. Superintending Engineer (South) Irrigation Department Dera Ismail Khan.
5. Administrative Officer (Chief Engineer South Irrigation Department Peshawar)

..... (RESPONDENTS)

AG Advocate

**WRIT PETITION UNDER ARTICLE, 199 OF THE**  
**CONSTITUTION OF ISLAMIC REPUBLIC OF**  
**PAKISATN 1973, AGAINST THE IMPUGNED**  
**DPC held on 24/09/2020 to the extent of**  
**AGENDA ITEM NO. 2 (PROMOTION OF REVENUE**  
**INSPECTOR/HEAD VERNACULAR CLERK BPS-11 TO THE RANK OF**  
**ZILLADAR BPS-15), wherein agenda item No. 2 was**

WP No.382-D of 2021 (Grounds)

ATTEST

EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

15/7/2021

(A)

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withdrawn mala fide by the respondents to deprive the petitioner from his right of promotion, discriminatory and against the service laws.

**Prayer:**

On acceptance of the instant writ petition, the decision of DPC to the extent of agenda item No. 2 and withdrawal of agenda item No.2, for no reason, may kindly be declared as illegal, discriminatory and wrongfully depriving the petitioner from promotion. The respondents may please be directed to promote the the petitioner (Head vernacular clerk) to the post of Zilladar (BPS-15) under Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion And Transfer) Rule, 1989 Irrigation Department amended till date, being entitled for the proforma promotion from the date of his entitlement with back benefits.

Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of Petitioners as against respondents with costs.

Respectfully Sheweth,

1. That Petitioner is a permanent resident of District Dera Ismail Khan. Petitioner was appointed as Patwari (BPS-5) in the Irrigation Department on 18/02/1981. Copy of CNIC and educational testimonials of the petitioner is annexed as **Annexure-A**.
2. That the petitioner was promoted to Vernacular Clerk (herein after called VC) vide promotion order No. 5939/64/6-ECD/23/06/2005 dated 23/06/2005. The

ATTEST.

WP No.382-D of 2021 (Grounds)

EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

15/02/2021

Filed today 27/02/21  
At: Registrar

Chaudhary

petitioner has invested the youngest age of his life serving the department and the petitioner has not left any stone unturned in obeying his legitimate duties. That as the post of Zilladar has been vacant, the petitioner during his service served the department as acting zilladar for a very long period and his services as acting zilladar was also very appreciating. This fact crystal clear from the letter NO 619/65-E which is annexed as **Annexure- A-1.**

3. That the petitioner was promoted as Head Vernacular Clerk vide promotion order No 546-47 dated 22/02/2018. Copies of miscellanies order/letters of petitioner working as acting zilladar and copy of promotion order 546-47 dated 22/02/2018 are annexed as **Annexure-B & C.**

4. That the petitioner had submitted various application regarding his promotion as Zilladar, as the petitioner had served irrigation department as acting Zilladar more then 13 years and more then two years as HVC. Copies of the application are annexed as **Annexure-D**

5. That according to the notification No, SO(E)IRRI/23-5/73/Vol-V, dated 12/03/2019 issued by the Government of KPK Irrigation And Power Department method for the recruitment and promotion for various posts in irrigation department for the post of work Zilladar (BPS-15) the criteria is as follows;

- i. 70% by initial recruitment.
- ii. 30% by promotion on the basis of seniority cum fitness from amongst the Head Vernacular Clerks with two years experience and Vernacular Clerk/Revenue Inspector with ten years service and having passed SSC Examination from recognized Board.

Filed today 22/02/2019  
 Abdul Registrar

Advocate

45

Copies of the policy/notification/rules and amendments is annexed as **Annexure-E**.

6. That the Petitioner had been submitting several application along with requisite certificates for his promotion which was duly forwarded to the high ups of the department, vide letter number 791/2-3 and 154/2-E. Petitioner again submitted an application dated 15/10/2020 to the respondents department to consider the petitioner for promotion as Zilladar( BPS-15) being entitled for promotion by dint of notification No, SOE/IRRI/23-5/73/Vol-V, dated 12/03/2019 after amendments issued by the Government of KPK irrigation and power department. Request of the petitioner was again duly forwarded by the Executive Engineer Gomal Zam Irrigation Division DIKhan to the Chief Engineer (South) Irrigation Department Khyber Pakhtunkhwa Peshawar through letter No. 1398/2-E dated 11/11/2020. The request of the petitioner for promotion as Zilladar (BPS-15) was considered genuine and was recommended by Executive Engineer Gomal Zam Irrigation Division DIKhan for promotion. Copy of applications along with other letters and letter No. 1398/2-E dated 11/11/2020 are annexed as **Annexure-F**.

Filed to  
Addl. Registrar  
Peshawar

7. That the name of the petitioner was also considered for the promotion to Zilladar (BPS-15). Working papers of the petitioner were presented and with fulfilling all the

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EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

WP No.382-D of 2021 (Grounds)

15/7/2022

codal formalities DPC was scheduled to be held on 24/09/2020.

8. That the meeting of the departmental promotion committee of regional Cadre Irrigation Department Khbyer Pakhtunkhwa was held on 24/09/2020. In the said meeting the impugned agenda item No. 2 (Promotion Of Revenue Inspector/Head Vernacular Clerk BPS-11 To The Rank Of Zilladar BPS-15) was withdrawn by the committee without stating any cogent reason. Which is clear violation of fundamental rights of the petitioner and totally against the service laws.

9. That minutes of meeting and decision of the DPC was kept secret but the Petitioner moved on submitting applications but no response was received from the respondents side.

10. That petitioner was retired from the service vide letter No. 1253/DIC/4-E dated 04/06/2021 w.e.f 23/01/2021 on superannuation, being aggrieved moved several applications to the high-ups for his promotion to the post of the Zilladar from the date of his entitlement i.e 22/02/2020.

11. That time and again petitioner was requesting for issuance of the minutes of DPC meeting held on 24/09/2020 and seniority list of HVC but the respondent department, has been discriminating the Petitioner and was reluctant to provide any copies. In this regard petitioner moved an application to Right to information

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Addl. Registrar  
Advocate

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EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan



Act for the said copies. Said copies of the minutes of the meeting along with promoted employees and seniority list were issued to the appellant on 25/05/2021. Copy of application to RTI and copies of the minutes of meeting of Departmental promotion committed along with other relevant documents is annexed as **Annexure- G & G-1**

12. That Request of the petitioner was shuffling from desk to desk and unfortunately the petitioner stand retired from the service, w.e.f from 23/01/2021 on superannuation, vide letter No. 1253/DIC/4-E dated 04/06/2021. Copy of the letter is annexed as **Annexure-H**.

13. The after hectic efforts for his promotion and after the reluctant behavior of the respondent department, petitioner is now having no remedy except to knock at the door of this Honorable Court on the following grounds.

**GROUND:**

i. That act of the respondents by withdrawing of agenda item No.2 without assigning any reason and deliberately depriving the petitioner from promotion is illegal, discriminatory based on malafide, against service laws, and against the natural justice.

ii. That respondents were well aware of the fact that petitioner would have been retired soon and to give benefits to some blue eyed, the respondents deliberately withdrew the agenda item No. 2 and this shows the malafide on the part of the respondents.

iii. That malafid of the respondents is evident from the fact that the respondents provided the copies of seniority and

Filed today  
Adl. Registrar

Chhokla

ATTEST

EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

15/7/2022

(48)

minutes of the DPC (24/09/2020) after hectic efforts and after submitting applications under RTI act, 2013. Which too were recived after the retirement of the petitioner .

iv. That illegalities and irregularities of the respondents is evident from the fact that final seniority list, is also against service laws as the respondent/department issued a consolidated seniority list of HVC and Revenue Inspectors which are not only too different caders but also are of different grades.

v. That act/omission of the respondents, depriving the petitioner from promotion to the post of Zilladar (BPS-15) which was accrued to him from the date of entitlement i.e 22/02/2020, is based on malafide and discriminatory. The Petitioner is entitle for the promotion to the post of Zilladar (BPS-15) from the date of his entitlement. As the respondents had been taking the duties and functions of Zilladar from the petitioner on acting charge since so many years.

vi. That the petitioner had been working on the post of Zilldar on basis of acting charge basis since 2006 to 2014 in Paharpur Irrigation Division DIKhan, from 2015 to 2016 in CRBC Irrigation Division DIKhan and from 2017 uptill retirement in Gomal Zam Division DIKhan. During the said period efforts and performance as acting zilladar were appreciative. Due to the efforts of petitioner 97% progress was shown in preparation of Revenue Chakbandi In Newly Commissioned Gomal Zam Canal System Covering Command Area, of 271000 acres in highly sensitive area. Similarly the high ups of petitioner during his services were continuously recommending the petitioner for the post of Zilladar (BPS-15) being a fit and dedicated employee. Documents annexed. The petitioner invested his youngest age serving the department whole heartedly but the respondent department ignored his efforts and kept the petitioner's request for promotion

Filed today  
27/2/22  
At: Registrar  
17/02/22

Chakbandi

ATTEST  
EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

15/2/22

pending till his retirement. Hence, withdrawal of agenda item No. 2 is against service law and against norms of justice.

vii. That the before the meeting of departmental promotion committee, working papers of the petitioner was submitted. Performance and character of the petitioner as VC and HVC though out his service is very appreciative. The same is evident from the miscellaneous letters of the high ups annexed.

viii. That Departmental Promotion Committee withdraw the agenda item No. 2 without any legal justification and without mentioning any cogent reason, depriving the petitioner from his legal and fundamental right. The petitioner was entitled for promotion to the post of Zilladar (BPS-15) from the date of his entitlement i.e 22/02/2021, vide notification No, SO(E)IRRI/23-5/73/Vol-V, dated 12/03/2019 issued by the Government of KPK Irrigation And Power Department.

ix. That Petitioner was appointed in department as Patwari in the year 1981, and the petitioner had served the department as acting zilladar for approximately 15 years. Petitioner has been requesting for his promotion to the post of Zilladar (BPS-15) since his entitlement on the basis of promotion policy, but respondents has been discriminating by the ways as mentioned above.

x. That now as the petitioner has been retired from the service but his case for promotion has been pending since long thus , the petitioner is entitled for proforma promotion along with back benefits.

xi. That notices are being duly served under the dictates of procedural law of Honourable Peshawar High Court. Copies of the notices along with postal receipts are enclosed as Annexure-I.

Filed today 27/07/22  
Add. Registrar

Abbas

ATTEST.

EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

15/7/2022

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xii. That counsel for the petitioner may please be allowed to raise additional grounds at the time of arguments.

It is therefore humbly request that On acceptance of the instant writ petition, the decision of DPC to the extent of agenda item No. 2 and withdrawal of agenda item No.2, for no reason, may kindly be declared as illegal, discriminatory and wrongfully depriving the petitioner from promotion. The respondents may please be directed to promote the the petitioner (Head vernacular clerk) to the post of Zilladar (BPS-15) under Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion And Transfer) Rule, 1989 Irrigation Department amended till date, being entitled for the proforma promotion from the date of his entitiement with back benefits. Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of Petitioners as against respondents with costs.

Dated: 17/06/2021

Your Humble Petitioner

Filed today 27/9/21  
Addl. Registrar  
17/6/21

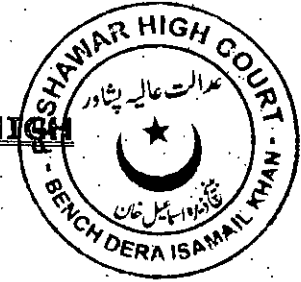
Muhammad Ayoub  
Through Counsel

Muhammad Abdullah Baloch  
Advocate High Court

TESTE  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan  
15/7/22

(51)

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT**  
**COURT DERA ISMAIL KHAN BENCH**



Writ Petition No. \_\_\_\_\_/2021

Muhammad Ayoub  
(**Petitioner**)

Versus

Govt of KPK, etc  
(**Respondents**)

**CERTIFICATE**

Certified that Petitioner have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

Filed today

Advt. Registrar

Date: 17/06/2021

\_\_\_\_\_  
Petitioner

**AFFIDAVIT**

I, **Muhammad Ayoub** son of Khuda Baksh Caste Baloch caste Larh Tehsil Paharhpur District Dera Ismail Khan, Petitioner herein, do hereby solemnly affirm on oath that all parawise contents of the accompanying appeal are true and correct to the best of my knowledge, belief and information; that nothing has been concealed or kept secret from this worthy Tribunal, nor anything contained therein is based on exaggeration or distortion of facts.

Dated: 17/06/2021

\_\_\_\_\_  
Deponent

CNIC # 12103-7771044-3 ✓

ATTEST.

EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan

15/7/022-

WP No. 332-D of 2021 (Grounds)

52

Name: Asad  
S/O: Muhammad Aslam  
R/O: Muhammad Aslam  
On the identification of Muhammad Aslam

On this 17 day of Jun 2021  
Verified the contents  
Affirmation before me on oath  
No. 2532 Dated: 17/06/21

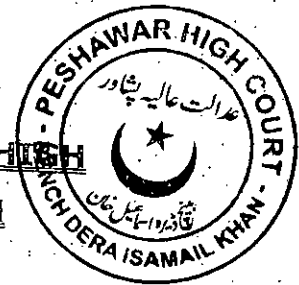
[Signature]  
Additional Registrar  
Oath Commissioner  
Peshawar High Court  
D.I. Khan Bench.

ATTEST  
EXAMINOR  
Peshawar High Court Bench.  
Dera Ismail Khan

15/7/022

53

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT  
COURT DERA ISMAIL KHAN BENCH**



Writ Petition No. \_\_\_\_\_/2021

Muhammad Ayoub  
(Petitioner)

Versus

Govt of KPK, etc  
(Respondents)

**ADDRESSES OF PARTIES**

**Muhammad Ayoub** son of Khuda Baksh Caste Baloch caste  
Larh Tehsil Paharhpur District Dera Ismail Khan. Mob #: 0345-  
9831289

.....(PETITIONER)

- Filed today 23/7/2021  
Addl. Registrar
1. Governmet Of KPK Through Secretary Irrigation  
Department KPK, Peshawar.
  2. Chief Engineer South Irrigation Department KPK,  
Peshawar.
  3. Superintending Engineer Headquarter (South) Irrigation  
Department Peshawar.
  4. Superintending Engineer (South) Irrigation Department  
Dera Ismail Khan.
  5. Administrative Officer (Chief Engineer South Irrigation  
Department Peshawar)

..... (RESPONDENTS)

Your Humble Petitioner

Muhammad Ayoub

ATTEST

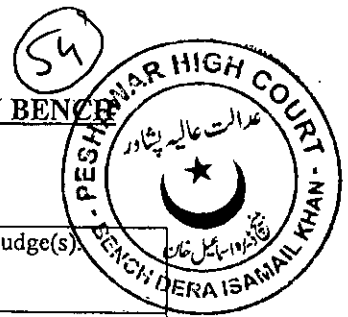
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan



15/7/2022

WP No.382-D of 2021 (Grounds)

PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET



Date of Order or proceedings	Order or other proceedings with signature of Judge(s)
(1)	(2)
18.01.2022	<p><u>W.P No. 382-D/2021</u></p> <p><b>Present:</b> Muhammad Abdullah Baloch, Advocate for the petitioner. ***</p> <p><u>Abdul Shakoor, J.-</u> After arguing the case at some length, learned counsel for the petitioner requested for withdrawal of the present petition and wants to approach the competent forum for the redressal of the grievances of the petitioner. Learned counsel for the petitioner does not want to press this petition and stated that he would agitate and argue all these points before appropriate forum.</p> <p>2. In such view of the matter, the instant petition is disposed of accordingly, however, the petitioner is at liberty to approach proper forum, if he is so advised.</p> <p>Announced Dt:18.01.2022</p> <p style="text-align: right;">   <b>JUDGE</b>    <b>JUDGE</b> </p> <p>(D.B)                      Hon'ble Mr. Justice. Abdul Shahaor                      Hon'ble Mr. Justice Sahibzada Asadullah                 </p>

File  
AS  
21/01

Hasnain/\*

WITNESSED  
 EXAMINOR  
 Peshawar High Court Bench,  
 Dera Ismail Khan

15/7/2022



Annex - J

(55)

To,  
The Secretary Irrigation Department KPK,  
Peshawar.

APPEAL/REPRESENTATION AGAINST THE ILLEGAL AND DISCRIMINATORY DECISION OF DPC TO THE EXTENT OF AGENDA ITEM NO. 2 AND WITHDRAWAL OF AGENDA ITEM NO.2, FOR NO REASON, AND WRONGFULLY DEPRIVING THE APPELLANT FROM PROMOTION. THE APPELLANT MAY KINDLY BE PROMOTED FROM THE <sup>POST</sup> OF (HEAD VERNACULAR CLERK) TO THE POST OF ZILLADAR (BPS-15) UNDER KHYBER PAKHTUNKHWA, CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULE, 1989 IRRIGATION DEPARTMENT AMENDED TILL DATE, BEING ENTITLED FOR THE PROFORMA PROMOTION FROM THE DATE OF HIS ENTITLEMENT WITH BACK BENEFITS.

Respected Sir ,

1. That Appellant is a permanent resident of District Dera Ismail Khan. Appellant was appointed as Patwari (BPS-5) in the Irrigation Department on 18/02/1981. Copy of CNIC Appellant is annexed.
2. That the Appellant was promoted to Vernacular Clerk (herein after called VC) vide promotion order No. 5939/64/6-ECD/23/06/2005 dated 23/06/2005. The Appellant has invested the youngest age of his life serving the department and the Appellant has not left any stone unturned in obeying his legitimate duties. That as the post of Zilladar has been vacant, the Appellant

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during his service served the department as acting zilladar for a very long period and his services as acting zilladar was also very appreciating. This fact crystal clear from the letter NO 619/65-E which is annexed.

3. That the Appellant was promoted as Head Vernacular Clerk vide promotion order No 546-47 dated 22/02/2018. Copies of miscellanies order/letters of Appellant working as acting zilladar and copy of promotion order 546-47 dated 22/02/2018 are annexed.
  4. That the Appellant had submitted various application regarding his promotion as Zilladar, as the Appellant had served irrigation department as acting Zilladar more then 13 years and more then two years as HVC. Copies of the application are annexed.
  5. That according to the notification No, SO(E)IRRI/23-5/73/Vol-V, dated 12/03/2019 issued by the Government of KPK Irrigation And Power Department method for the recruitment and promotion for various posts in irrigation department for the post of work Zilladar (BPS-15) the criteria is as follows;
    - i. 70% by initial recruitment.
    - ii. 30% by promotion on the basis of seniority cum fitness from amongst the Head Vernacular Clerks with two years experience and Vernacular Clerk/Revenue Inspector with ten years service and having passed SSC Examination from recognized Board.
- Copies of the policy and amendments is annexed.
6. That the Appellant had been submitting several application along with requisite certificates for his

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promotion which was duly forwarded to the high ups of the department, vide letter number 791/2-3 and 154/2-E. Appellant again submitted an application dated 15/10/2020 to the respondents department to consider the Appellant for promotion as Zilladar (BPS-15) being entitled for promotion by dint of notification No, SO(E)IRRI/23-5/73/Vol-V, dated 12/03/2019 after amendments issued by the Government of KPK irrigation and power department. Request of the Appellant was again duly forwarded by the Executive Engineer Gomal Zam Irrigation Division DIKhan to the Chief Engineer (South) Irrigation Department Khyber Pakhtunkhwa Peshawar through letter No. 1398/2-E dated 11/11/2020. The request of the Appellant for promotion as Zilladar (BPS-15) was considered genuine and was recommended by Executive Engineer Gomal Zam Irrigation Division DIKhan for promotion. Copy of applications along with other letters and letter No. 1398/2-E dated 11/11/2020 are annexed.

7. That the name of the Appellant was also considered for the promotion to Zilladar (BPS-15). Working papers of the Appellant were presented and with fulfilling all the codal formalities DPC was scheduled to be held on 24/09/2020..
8. That the meeting of the departmental promotion committee of regional Cadre Irrigation Department Khyber Pakhtunkhwa was held on 24/09/2020. In the

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said meeting the impugned agenda item No. 2 (Promotion Of Revenue Inspector/Head Vernacular Clerk BPS-11 To The Rank Of Zilladar BPS-15) was withdrawn by the committee without stating any cogent reason. Which is clear violation of fundamental rights of the Appellant and totally against the service laws. Copies of the minutes of the meeting are annexed.

9. That minutes of meeting and decision of the DPC was kept secret but the Appellant moved on submitting applications but no response was received from the respondents side.
10. That Appellant was retired from the service vide letter No. 1253/DIC/4-E dated 04/06/2021 w.e.f 23/01/2021 on superannuation, being aggrieved moved several applications to the high-ups for his promotion to the post of the Zilladar from the date of his entitlement i.e **22/02/2020**.
11. That time and again Appellant was requesting for issuance of the minutes of DPC meeting held on 24/09/2020 and seniority list of HVC but the respondent department, has been discriminating the Appellant and was reluctant to provide any copies. In this regard Appellant moved an application to Right to information Act for the said copies.
12. That Request of the Appellant was shuffling from desk to desk and unfortunately the Appellant stand retired from the service, w.e.f from 23/01/2021 on superannuation,

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vide letter No. 1253/DIC/4-E dated 04/06/2021. Copy of the letter is annexed.

13. The after hectic efforts for his promotion and after the reluctant behavior of the respondent department, Appellant having no remedy except to knock at the door of Honorable Peshawar High Court Bench Dera Ismail Khan. Honorable Peshawar High Court Bench Dera Ismail Khan vide its order dated 18/01/2022 directed the appellant to approach the proper forum and the writ petition of the appellant was withdrawn. Copies annexed.
14. That soon after the directions of the Honorable Peshawar High Court Bench Dera Ismail Khan the appellant kept visiting and requesting the high ups of the irrigation department to consider the request of the appellant but the high ups paid no heed to the request of the appellant. Hence, this appeal/representation is being moved before your good self on following grounds.

**GROUND:**

- i. That withdrawal of impugned agenda No.2 by the Departmental promotion committee is against service laws, discriminatory, infringing the right of the Appellant, and depriving the Appellant from promotion to the post of Zilladar (BPS-15) which was accrued to him from the date of entitlement i.e 22/02/2020, for the promotion. The Appellant is entitle for the promotion to the post of Zilladar (BPS-15) from the date of his entitlement for the promotion.

*M. A. Khan*  
*Ad. Charge*

- ii. That the Appellant had been working on the post of Zilladar on basis of OPS since 2006 to 2014 in Paharpur Irrigation Division DIKhan, from 2015 to 2016 in CRBC Irrigation Division DIKhan and from 2017 uptill retirement in Gomal Zam Division DIKhan. During the said period efforts and performance as acting zilladar were appreciative. Due to the efforts of Appellant 97% progress was shown in preparation of Revenue Chakbandi In Newly Commissioned Gomal Zam Canal System Covering Command Area, of 271000 acres in highly sensitive area. Similarly the high ups of Appellant during his services were continuously recommending the Appellant for the post of Zilladar (BPS-15) being a fit and dedicated employee. Documents annexed. The Appellant invested his youngest age serving the department whole heartedly but the respondent department ignored his efforts and kept the Appellant's request for promotion pending till his retirement. Hence, withdrawal of impugned agenda item No. 2 is against service law and against norms of justice.
- iii. That the before the meeting of departmental promotion committee, working papers of the Appellant was submitted. Performance and character of the Appellant as VC and HVC though out his service is very appreciative. The same is evident from the miscellaneous letters of the high ups annexed.
- iv. That Departmental Promotion Committee withdraw the impugned agenda item No. 2 without any legal justification and without mentioning any cogent reason, depriving the Appellant from his legal and fundamental right. The Appellant was entitled for promotion to the post of Zilladar (BPS-15) from the date of his entitlement i.e 22/-2/2021, vide notification No, SO(E)IRRI/23-5/73/Vol-V, dated 12/03/2019 issued by the Government of KPK Irrigation And Power Department.

AKH  
CH

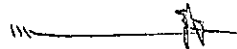
(61)

- v. That final seniority list issued to the Appellant is also against service laws as the respondent department issued a consolidated final seniority list of HVC and Revenue Inspector as
- vi. That Appellant was appointed in department as Patwari in the year 1981, and the Appellant had served the department as acting zilladar for approximately 15 years. Appellant has been requesting for his promotion to the post of Zilladar (BPS-15) since his entitlement on the basis of promotion policy, but respondents has been discriminating by the ways as mentioned above.

It is therefore humbly request that the appellant may kindly be promoted from (Head vernacular clerk) to the post of Zilladar (BPS-15) under Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion And Transfer) Rule, 1989 Irrigation Department amended till date, being a eligible and fit candidate from the date of his entitlement with back benefit

Dated: 31/03/2022

Your Humble Appellant

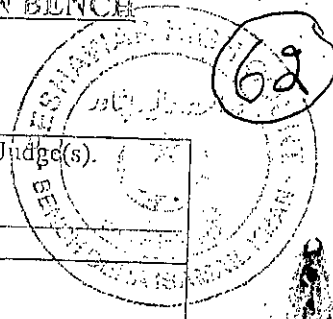



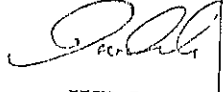
Muhammad Ayoub  
Son of Khuda Bakhsh caste  
Baloch caste Larh Tehsil  
Paharpur Dera Ismail Khan

Applicant to be  
from copy  
Case

PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET



Date of Order or proceedings (1)	Order or other proceedings with signature of Judge(s). (2)
18.01.2022	<p><u>W.P No. 382-D/2021</u></p> <p><u>Present:</u> Muhammad Abdullah Baloch, Advocate for the petitioner. ***</p> <p><u>Abdul Shakoore, J.-</u> After arguing the case at some length, learned counsel for the petitioner requested for withdrawal of the present petition and wants to approach the competent forum for the redressal of the grievances of the petitioner. Learned counsel for the petitioner does not want to press this petition and stated that he would agitate and argue all these points before appropriate forum.</p> <p>2. In such view of the matter, the instant petition is disposed of accordingly, however, the petitioner is at liberty to approach proper forum, if he is so advised.</p> <p>Announced Dt:18.01.2022</p> <p style="text-align: right;">   <u>JUDGE</u> </p> <p style="text-align: right;">   <u>JUDGE</u> </p> <p>(D.B)                      Hon'ble Mr. Justice Abdul Shakoore                      Hon'ble Mr. Justice Sahibzada Asadullah</p>

*File*  
*21/01*

Hasnain/

ATTEST  
 EXAMINER  
 Peshawar High Court Bench,  
 D.I. Khan

27/01/2022



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**M Cargo & Logistics** Topan Wala Chowk DERA ISMAIL KHAN (KPK)  
Ph: 0966-717906/07 Web: www.tmcargo.net

INSTRUMENT REGD. NO.	ORIGIN DIK	DESTINATION	WEIGHT	PIECES
702245				
FROM: (SHIPPER)	TO: (CONSIGNEE)		DOC	PARCEL
DERA ISMAIL KHAN	To: Pakistan			
SECTION INFORMATION			CHARGES	
Code	Date	SIG.	Wt. Charges	TOTAL
				30.00
DELIVERY INFORMATION			NO VALUE DECLARED	
Receiver Name	Date	Time	Shipper Signature	


**CONDITIONS:** 1. T.M has right to inspect any shipment 2. Liability of T.M for any loss or damage of shipment shall in no way exceed a maximum amount of \$1000 per shipment 3. T.M shall not be liable in any way for any consequential or special damage or other loss direct or indirect, resultant or not T.M acknowledge that such goods are insured, but not liable to, loss of the cargo, theft, pilferage, robbery or loss of market 4. When T.M will endeavor to exercise its best efforts to provide expeditious delivery however T.M will not, under any circumstances, be liable for delay in transit, transshipment or delivery of any shipment 5. Further, T.M shall not be liable for any loss, damage, misrouting, deviation or any of them, from moment to any act or happening caused by beyond the control of T.M 6. T.M has policy of progressive destruction of its records pertaining to shipment of goods. Any claim regarding a shipment must therefore be filed by the shipper with T.M in writing, within a maximum period of 7 days from the date of the shipment, otherwise no liability shall be payable on receipt within 10 days from the date of shipment, after 10 days T.M will not be responsible for providing the proof of delivery. 7. T.M does not insure cargo for theft, pilferage, robbery, or loss of market, fire, breakage, leakage, or any other, the carriage of which is prohibited by any law of any country or by any law of any country or by any law of any country or by any law of any country or by any law of any country.

Form- A

## FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ **1126/2022** \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/07/2022	<p>The appeal of Mr. Muhammad Ayub presented today by Mr. Muhammad Abdullah Baloch Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on . Notices be issued to appellatant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>



KHYBER PAKHTUNKHWA  
BAR COUNCIL

ADVOCATE HIGH COURT

MUHAMMAD ABDULLAH

Advocate

bc-09-0944

Date of issue: June 2021

Valid upto: June 2024

Secretary  
KP Bar Council



وکالت نامہ

کورٹ  
فیس

KPK

Before the Honourable Service Tribunal  
Appellant - Muhammad Atub vs Govt. of KPK etc  
Camp D.I. Khan

Service Appeal

باعث تحریر آنکہ

D. I. Khan  
Muhammad Abdullah Baloch AHC

مقدمہ مندرجہ بالا عنوان میں اپنی طرف، واسطے بیرونی وجوہ دہی برائے پیشی یا تفسیر مقدمہ بنام  
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب  
موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب  
موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل  
بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے  
پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا نعت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ  
کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعوی یا جواب دعوی یا درخواست اجراء اسمائے ذگری  
نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تاشی یا راضی نامہ و فیصلہ برحلف کرنے اقبال دعوی کا بھی اختیار ہو گا اور بصورت مقرر ہونے  
تاریخ پیشی مقدمہ مذکور بیرون از پکھری صدر بیرونی مقدمہ مذکور نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا منسوفی ذگری یک طرفہ یا درخواست حکم اتنا ہی یا قرتی  
یا گرفتاری قبل از فیصلہ اجراء ذگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ حق بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ  
از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی  
اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا ہیر من کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیے  
اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر  
صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت  
میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے  
مورخہ 18 مارچ 2022

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

*Muhammad Abdullah Baloch*

APPellant - *Muhammad Atub*  
0348-9831089

Muhammad Abdullah Baloch  
Advocate High Court  
D.I. Khan  
0314-6932557