



S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	16.06.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO.698/2014</p> <p>(Imtiaz Ali-vs- The Secretary, Agriculture, Livestock & Dairy Development Department, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AAMIR NAZIR, MEMBER:</u></p> <p>Counsel for the appellant and Mr. Muhammad Imran, Agriculture Officer alongwith Mr. Kabirullah Khan Khattak, Assistant AG for respondents present.</p> <p>2. In the instant appeal issue of up-gradation is involved and according to the judgment of august Supreme Court of Pakistan dated 17.02.2016 delivered in Civil Appeal No. 101 & 102-P of 2011 the service Tribunals have no jurisdiction to entertain any appeal involving the issue of up-gradation as it does not part of terms and conditions of service of the Civil servants.</p> <p>3. In view of the above the appeal was not found maintainable by this Tribunal for want of jurisdiction. The same is therefore dismissed. The appellant may seek his remedy before any other appropriate forum if so advised. File be consigned to the record room.</p> <div style="text-align: right; margin-right: 100px;">  (MUHAMMAD AAMIR NAZIR) MEMBER </div> <div style="text-align: center; margin-top: 20px;">  (AHMAD HASSAN) MEMBER </div> <p style="text-align: center;"><u>ANNOUNCED</u> 16.06.2016</p>


27.05.2015

Counsel for the appellant and Mr. Muhammad Khan, AO
alongwith Addl: A.G for respondents present. Comments submitted.
The appeal is assigned to D.B for rejoinder and final hearing for
10.11.2015.


Chairman

10.11.2015


Clerk of counsel for the appellant and Mr. Ziaullah, GP for
respondents present. Rejoinder on behalf of the appellant
submitted, copy of which placed on file. To come up for
arguments on 8-3-2016.


Member


Member

08.03.2016

Clerk of counsel for the appellant and Mr. Muhammad
Khan, AO alongwith Asst: AG for respondents present. Due to
general strike of the bar counsel for the appellant is not available.
Therefore, the case is adjourned to 16.06.2016 for arguments.


Member


Member

11.4.2014 is concerned that is the final order wherein the appellant was informed that his appeal was considered and rejected.

Points raised by the learned counsel for the appellant and learned AAG need consideration. The appeal is admitted for regular hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. Case to come up for written reply on 7.4.2015.


MEMBER

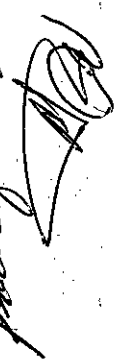
07.04.2015 Appellant in person and Asstt: AG present. No one is present on behalf of the respondents. Notices be issued to the respondents for submission of written reply/comments. To come up for written reply/comments on 15.04.2015.


Member

15.04.2015 Counsel for the appellant and Mr. Muhammad Khan, AAO alongwith Addl: A.G for respondents present. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 27.5.2015 before S.B.


Chairman

*Appellant's appeal is
proceeding & security
fee*



Appeal No. 698/2014
Mr. Muhammad Ali

8

23.2.2015

Counsel for the appellant and Mr. Kabeerullah Khattak, AAG present. Counsel for the appellant submitted that the appellant has been working as Video Camera Operator in BPS-10 since 5.5.2004 in the Agriculture Extension Department. The Government of Khyber Pakhtunkhwa vide notification dated 11.10.2010 introduced upgradation policy. The appellant filed an appeal on 14.5.2012 by referring pay scale of Video Cameraman BPS-13 working in the Provincial Assembly. The department made a quarry that the Provincial Assembly is an autonomous body and the appellant was directed to provide reference of the department under the control of Administration Department. The appellant on 27.6.2012 provided the reference of the Khyber Pakhtunkhwa Information Department, wherein the post of Camera Operator has been upgraded from BPS-10 to 13. The respondent department prepared the working paper and placed before the upgradation committee for consideration. However, vide order dated 11.4.2014, the appellant was informed that his appeal for upgradation was considered and filed. The impugned order was communicated to appellant on 29.4.2014, hence the present appeal.

The learned AAG conversely contended that the Tribunal has no power to issue directions as contemplated in Section 7 of the KPK Service Tribunal Act, 1974; that the appeal is not maintainable under Section 4(b)(i) of the KPK Service Tribunal Act, 1974 and that the appellant has preferred two departmental appeals one on 14.5.2012 and the other on 27.6.2012, however, there is no provision of second departmental appeal under the law. He requested that the appeal may be dismissed in limine.

In rebuttal, the learned counsel for the appellant contended that there is one departmental appeal dated 14.5.2012 whereas the other one dated 27.6.2012 is the information given by the appellant with reference to the quarry of the department dated 21.5.2012. He further contended that Section 4 (b)(i) of the Service Tribunal Act, 1974 is not application in the instant case because yet it is to be decided by the Tribunal as to whether the appellant has a case or otherwise as per upgradation policy. So far as the order dated

6.

Reader Note:

21.01.2015

Since 20th January has been declared as public holiday by the provincial government, therefore, case is adjourned to 03.02.2015 for the same.


Reader

7.

03.02.2015

Junior to counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 23.02.2015.



Member



3.

15.07.2014

Counsel for the appellant present. Preliminary arguments partly heard. Pre-admission notice be issued to the learned GP to assist the Tribunal on the point that whether order dated 11.04.2014 is the final order or original. To come up for preliminary hearing on 10.09.2014.


Member

4.

Reader Note:

10.09.2014

Assistant to counsel for the appellant and Mr. Kabirullah Khattak, Assistant Advocate General for the respondents present. Preliminary arguments could not be heard due to Learned Member is on leave. To come up for preliminary hearing on 13.11.2014.

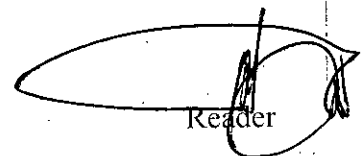

Reader

5.

Reader Note:

13.11.2014


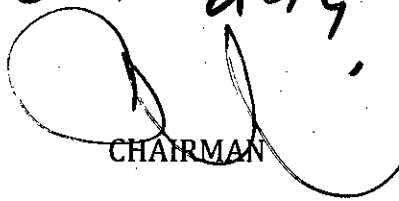
Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Asst: AG for the respondents present. Since the Tribunal is incomplete, therefore, case is adjourned to 20.01.2015 for the same.


Reader

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 698/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	15/05/2014	<p style="text-align: center;">The appeal of Mr. Imtiaz Ali presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	19-5-2014.	<p style="text-align: center;">This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>15-7-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Appeal No. 698 /2014

Mr. Imtiaz Ali


V/S Secretary Agriculture & others.

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1.	Memo of Appeal	-----	01-04
2.	Copy of Order (5.5.2011)	- A -	05
3.	Copy of B.A. DMC	- B -	06
4.	Copy of Policy (11.10.2010)	- C -	07-11
5.	Copy of Application	- D -	12
6.	Copy of letter (21.5.2012)	- E -	13
7.	Copy of Application	- F -	14
8.	Copy of Letter (4.7.2012)	-G-	15
9.	Copy of Working Paper	-H-	16-18
10.	Copy of Rules of Information Department.	-I-	19-20
11.	Copy of Rules of Wildlife Department.	-J-	21-23
12.	Copy of Rules of Agriculture Department.	-K-	24-26
13.	Copy of Letter (29.4.2014)	-L-	27
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APPELLANT

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AND


(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

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

Appeal No. 698 /2014

Mr. Imtiaz Ali, Video Camera Operator,
Bureau of Agricultural Information,
Agriculture Extension Department,
Jamrud Road, Peshawar.

P.W.P. Peshawar
713
15-5-2014

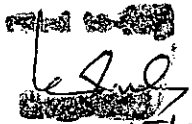
APPELLANT

VERSUS

1. The Secretary, Agriculture, Livestock & Dairy Development Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director General, Agriculture (Extension Wing), of Khyber Pakhtunkhwa, Jamrud Road, Peshawar.
3. The Deputy Director, Bureau of Agriculture Information, Jamrud Road, Peshawar.
4. The Secretary, Finance Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
5. The Up-Gradation Committee through its Chairman, the Secretary Finance Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.

RESPONDENTS

.....
APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 11.4.2014 (COMMUNICATED) TO THE APPELLANT ON 29.4.2014 WHEREBY THE UP-GRADATION OF THE APPELLANT TO BPS-13 ON PARITY BASIS AS PER UP-GRADATION POLICY OF THE GOVERNMENT DATED 11.10.2010 HAS BEEN REFUSED FOR NO GOOD GROUNDS.



15/5/14

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 11.04.2014 COMMUNICATED ON 29.4.2014 MAY BE SET ASIDE BY DECLARING THE SAME AS VIOLATION OF GOVERNMENT UP-GRADATION POLICY, DISCRIMINATORY AND AGAINST THE NORMS OF JUSTICE. THE RESPONDENTS MAY FURTHER PLEASE BE DIRECTED TO UP-GRADE THE APPELLANT TO BPS-13 WITH ALL BACK AND CONSEQUENTIAL BENEFITS ON THE BASIS OF PARITY AND BY TREATING THE APPELLANT AT PAR WITH THE OTHER GOVERNMENT DEPARTMENTS CAMERAMEN. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

1. That the appellant joined the Bureau of Agriculture Information, Agriculture Extension, Khyber Pakhtunkhwa, Peshawar as Video Camera Operator (BPS-10) against the vacant post.
2. That the appellant has also Bachelor in Arts in Mass Communication subject. Copy of Order and DMC are attached as Annexure-A and B.
3. That the Government of Khyber Pakhtunkhwa has promulgated Policy and Criteria of Up-gradation of Posts on 11.10.2010 wherein up-gradation has been allowed in the cases of re-organization / restructuring of the department, hardship case having no promotion, on the principle of parity etc. The said policy fully covered the case of the appellant of up-gradation. Copy of Policy is attached as Annexure-C.
4. That as the Cameraman in other departments are working in BPS-13 like Information Department, Wildlife Department, therefore, the appellant submitted his appeal for up-gradation through proper channel on 14.5.2012 on which the appellant was informed that he should submit Rules of the KPK

Department. The appellant in pursuance to the said letter submitted his case again by quoting the references of other departments on 27.6.2012 which was forwarded to the Director General, Agricultural Extension, KPK on 4.7.2012. Copy of Application and letter are attached as Annexure-D, E, F and G respectively.

5. That on basis of that correspondence, the appellant case was submitted to Finance Department on 10.2.2014 along-with 8 sets of the working paper in which the appellant's up-gradation was fully justified. Copies of Working Paper of Information Department, Rules of Wildlife Department and Rules of Agriculture Department are attached as Annexure-H, I, J and K respectively.
6. That then the matter was discussed by the Up-gradation Committee but the same was refused to the appellant for no good grounds on 11.4.2014. The said refusal communicated to the appellant on 29.4.2014. Copies of Letters are attached as Annexure-L and M respectively.
7. That the now the appellant comes to this Honorable Tribunal on the following grounds amongst the others.

GROUND:

- A) That the refusal order dated 11.4.2014 communicated to the appellant on 29.4.2014 is against the norms of justice, material on record, discriminatory and hence not tenable.
- B) That the rejection order is not a speaking order which is the violation of Section-24-A of the General Clauses Act as well as the Supreme Court Judgment reported as 1991 SCMR, Page-2330.
- C) That it is surprising to note that there is no chance of promotion to the appellant to the next higher scale in the Rules which means that the appellant


will work in BPS-10 till his retirement; therefore, the appellant case is also covered under hardship cases.


- D) That even the treatment of the respondents in refusal the up-gradation, the appellant has also discriminated because Cameraman in other Departments are in BPS-13 while the appellant is in BPS-10 despite having graduation in Mass Communication. This proves discrimination on the part of the respondents against the appellant.
- E) That the appellant's case is also covered on the basis of parity and therefore, the parent department of the appellant completely favours the case of the appellant before the up-gradation committee.
- F) That the appellant has not been treated as per Up-gradation Policy of the Government and has been discriminated which caused serious disadvantageous to the terms of conditions of the appellant.
- G) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.

APPELLANT
Imtiaz Ali

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AND

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

A (5) 223

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

On recommendation of Departmental Selection Committee Mr. Imtiaz Ali S/O Rahimud Din is hereby appointed as Video Camera Operator (BS- 10) (Rs.3955-250-11755) against the vacant post in the office ^{of the} Deputy Director of Agriculture (Information) Peshawar with immediate effect on the following terms and conditions: -

- 1) He will get pay at the minimum of BPS-10 including usual allowances as admissible under the rules. He will also be entitled to annual increment.
- 3) His services will be liable to termination with or without any reason on two months notice from either side. In case of termination without notice by the employer or two months notice from the employee for resignation two months pay and allowances shall be paid by the Government or refunded by the employee as the case may be.
- 4) His services under the present post shall not qualify for pension / gratuity.
- 5) He will not contribute towards G.P.Fund. However, he will contribute C.P.Fund @ 5% of minimum of pay scale and an equal amount of 5% contribution will be made by the Government as per rules.
- 6) He will be allowed conveyance, Medical, House Rent Allowances, Leave and TA / DA as per Government rules.
- 7) He will be considered for appointment against higher post of availability of vacancy, if found eligible and due for promotion.
- 8) He has to join duty at his own expenses.
- 9) He shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar before reporting himself for duty in the DDA (Information), Peshawar as required under the rules.
- 10) He will be on probation for a period one year with effect from the date of joining his duty.
- 10) His service can be terminated at any time in case his performance is found unsatisfactory during one year.

2) If he accepts the post on the above terms and conditions, he should report for duty in the office of the Dy. Director of Agriculture (Information) Peshawar within 30 days of the receipt of this offer and produce original certificates in connection with his qualification, domicile and age.

Sd/- (MUHAMMAD TASLEEM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

No.18/177-A/Estt/ 8027-30 /DG

Dated Peshawar: the 5/5 /2011

Copy forwarded to: -

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Dy. Director of Agriculture (Information) Peshawar.
3. Mr. Imtiaz Ali S/O Rahimud Din Mohallah Hussain Abad House No.251 P.O. Karimpura Near Jamiya Masjid Hamza Tehsil and District Peshawar.

For information and necessary action.

4. File No.18/1/Estt/ for record.

ATTESTED


DIRECTOR GENERAL

B
C

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
PROVISIONAL RESULT CARD

Serial No. 256622

Name **IMTIAZ ALI**
 Father's Name **RAHIM UD DIN**
 Address **MOH HUSSAIN ABAD NO. 2 H NO. 251**
OUTSIDE LAHORI GATE P/O. KARIM
 Tehsil **PESHAWAR**
 District **PESHAWAR**

Roll No. **AB434177**
 Registration No. **OBNPRO1495**
 Final Semester **AUT- 2010**



has successfully completed **BACHELOR OF ARTS** ✓
GROUP-MASS COMMUNICATION ✓

The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 08	0454	TELEVISION BROADCASTING	100	54
SPR- 09	0453	RADIO BROADCASTING	100	56
SPR- 09	0417	PAKISTAN STUDIES(C)	100	66
SPR- 09	0416	ISLAMIAT (C)	100	65
AUT- 09	1423	COMPULSORY ENGLISH-I	100	59
AUT- 09	0452	MASS COMMUNICATION	100	59
AUT- 09	0451	PUBLIC RELATIONS	100	54
AUT- 09	0430	PRINCIPLES OF JOURNALISM	100	59
SPR- 10	1424	COMPULSORY ENGLISH-II	100	47
SPR- 10	0461	ADVERTISING	100	53
SPR- 10	0455	BOOK EDITING	100	51
SPR- 10	0431	REPORTING	100	55
SPR- 10	0449	MAGAZINE/JOURNALISM	100	59
AUT- 10	0423	LIBRARY SERVICES	100	58

CREDITS: **8**
 Result Declared on **AUGUST 15, 2011**

Total Marks / Obtained **1400 / 795**

Date of issue **AUGUST 20, 2011**

Percentage / Grade **57 C**

Disclaimer:

This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

Controller of Examinations

ATTEST

507

**GOVT: OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

(REGULATION WING)

NO. SO(FR)/FD/7-2/2008
Dated Peshawar, the 11th October, 2010

To

1. All the Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Registrar, Peshawar High Court, Peshawar.
7. The Registrar, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
8. The Registrar, Service Tribunal Khyber Pakhtunkhwa.
9. All the Divisional Commissioners, Khyber Pakhtunkhwa.

Subject: **POLICY AND CRITERIA FOR UPGRADATION OF POSTS.**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of revised Policy/ Criteria for Up-gradation of Posts duly approved by the Provincial Cabinet in its meeting held on 23rd August, 2010 in supersession of the policy and criteria for up-gradation circulated vide Finance Department letter No. SO(ER)FD/7-2/2008 dated 19-01-2009.

2. I am accordingly directed to request that the enclosed policy/ criteria for up-gradation of posts may please be brought into the notice of all concerned and in future proposals for up-gradation may be scrutinized strictly in accordance with the approved policy before submission to the up-gradation committee for consideration.

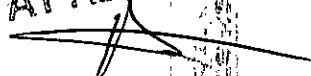
Yours faithfully,

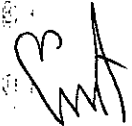

(SHAUKAT ULLAH)
SECTION OFFICER (FR)

END. NO & DATE EVEN

Copy is forwarded for information to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Section/ Budget Officers, in Finance Department.

ATTESTED



SECTION OFFICER (FR)

C

REVISED POLICY AND CRITERIA FOR UPGRADATION OF POSTS.

1. All proposals regarding upgradation of any post in any Provincial Department or office shall be placed before the following committee for scrutinization and recommendations: -

- | | | |
|------|--|----------------------|
| i. | Secretary to Govt: of Khyber Pakhtunkhwa,
Finance Department. | Chairman |
| ii. | Secretary to Govt: of Khyber Pakhtunkhwa,
Establishment Department. | Member |
| iii. | Additional Finance Secretary (Regulation)
Finance Department. | Member-cum-Secretary |
| iv. | Additional Secretary of the concerned
Department. | Member |

Note: - In case the post of Additional Secretary is not sanctioned in concerned department, the Deputy Secretary of the concerned department will represent as member of the up-gradation committee for scrutiny and recommendations of the upgraded posts.

2. No proposal/ request for up-gradation of post(s) to higher pay scale shall be entertained except in following cases: -

(I). UPGRADATION OF POSTS PROPOSED AS PART OF RE-ORGANIZATION/
RE-STRUCTURING OF DEPARTMENTS:-

Proposals for upgradation of certain posts as a sequel to the re-organization/ re-structuring of the department/ organization will be considered/ scrutinized by the committee on following parameters: -

- i. *Objectives set forth for Re-organization.*
- ii. *Reasons, factors and impediments in the existing structure which led to Re-organization process.*
- iii. *Why upgradation of some posts are essential for organization.*
- iv. *Proposed changes in method of recruitment, as part of re-organization proposed; Provided that before submitting proposals of upgradation of posts to the Finance Department in such cases, the Administrative Department will do proper consultation with Establishment Department for developing a practical and modest Re-organization proposal.*

(II). UPGRADATION OF POSTS PROPOSED DUE TO INDIVIDUAL HARDSHIP CASES:

(a) Proposals for upgradation of certain posts due to the reasons that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for consideration only if the proponent departments provides following information:-

- (i) *Reasons due to which concerned Government servant is unable to be promoted in normal procedure.*
- (ii) *All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the service rules cannot give career progression to the holders of these posts.*
- (iii) *Whether organizational structure as well as service rules need revision to avoid recurring of the hardship to the future entrants.*
- (iv) *The steps taken by the department concerned to resolve such hardships on permanent basis.*

(b) The committee after proper scrutiny of case in terms of above parameter and if satisfied that the upgradation of certain post(s) is the only solution, may make its recommendations to the competent authority for upgradation on personal basis provided that: -

- (i) *There shall be no upgradation of post beyond BPS-19 in such cases.*
- (ii) *Such recommendations will only be made in case where there are absolutely no promotion prospects in the service structure for incumbent of said post(s).*
- (iii) *No such recommendations will be made in a case where the incumbent has less than 10 years of stay on one and the same position;*
- (iv) *The incumbent has not been earlier elevated in the existing pay scale by personal upgradation.*
- (v) *The proposed upgradation will be personal to the incumbent and the post shall stand downgraded as and when vacated by such incumbent.*

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(III). UPGRADATION OF POSTS PROPOSED ON GROUNDS OF PRINCIPLE OF PARITY.

While processing the cases where the proponent department seeks upgradation of certain posts to a higher pay scale on the analogy of similar posts in some other department in this province created with same nomenclature, the committee shall take into account following parameters:

- (i). *Ascertainment of full details about all such posts created with same nomenclature by any other department in addition to those departments whose analogy has been quoted by proponent department.*
- (ii). *Nomenclature shall not be the sole criterion for determining parity/ comparability of post(s). Other details i.e. the job description and prescribed qualification would necessarily be examined.*
- (iii). *In case of difference of prescribed qualification or the job description (or both) as the case may be, the committee may direct change of nomenclature of post(s) in any department to avoid confusion on this ground.*
- (iv). *The committee may associate with all such departments having same nomenclature of certain post(s) with same responsibilities and same qualifications to ascertain as to what were reasons for creation of same posts in different departments with different pay scales, and thus make recommendations in respect of all such posts in all concerned departments, whether they took up the case or otherwise, to bring uniformity in pay scales in all departments to avoid future references.*

Provided that the committee shall not recommend such proposals for uniformity where prescribed qualifications as well as the qualifications possessed by existing incumbents is not at par with the post(s)/ incumbents cited as precedence.

Provided further that in such cases the committee may recommend change of nomenclature of either those post(s) having higher prescribed qualifications or those having lesser prescribed qualifications as may be deemed appropriate by the committee.

(IV). UPGRADATION PROPOSED FOR RETENTION OF AN OFFICER ON SAME POST AFTER HIS PROMOTION TO HIGHER PAY SCALE.

Retention of an officer on the same post after he has been promoted to next higher position by the competent authority, is against the spirit of the promotion policy, hence shall not be ordinarily allowed. However, in case due to peculiar exigencies of services if it becomes unavoidable to retain a promoted officer on the same position than the concerned department shall move a summary for the Chief Minister, mentioning therein the detailed reasons and justifications in support of their such proposal and route it through the Establishment Department and the Finance Department for obtaining orders of the Chief Minister, Khyber Pakhtunkhwa.

(u)

Provided that in such cases the post will be up-graded personally for the incumbent till his stay as such and shall automatically stand downgraded to its original position thereof.

(V). UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposals totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendations independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

4. The recommendations of the above committee shall be submitted for approval of the competent authority as per table given below: -

Sr. No.	Scale	Competent authority	
1.	BPS-1 to BPS-15	Competent Authority (Finance Department) (In case of Finance Department employees the competent authority shall be Admn: & Establishment Department)	In consultation with the above inter departmental committee.
2.	BPS-16 to BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee
3.	BPS-18 & above	Chief Minister, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee

ATTESTED



بخدمت جناب ڈائریکٹر جنرل زراعت توسیع صوبہ خیبر پختونخوا پشاور

بوساطت: ڈپٹی ڈائریکٹر بیورو آف ایگریکلچر انفارمیشن پشاور

مضمون: اپیل در خواست برائے پوسٹ آپ گریڈیشن

جناب عالی۔

مودبانہ گزارش ہے کہ سائل بحیثیت ویڈیو کیمرہ آپریٹر ایگریکلچر انفارمیشن میں ڈیوٹی سر انجام دے رہا ہے۔ سائل ویڈیو ریکارڈنگ کے علاوہ سٹوڈنٹ گرانٹ، ویڈیو ڈاکومنٹری اور کمرشل کی ایڈیٹنگ بھی کرتا ہے۔

محکمہ زراعت میں اس پوسٹ کا سکیل BPS-10 ہے لیکن خیبر پختونخوا کی صوبائی اسمبلی اور ڈائریکٹوریٹ آف پریس انفارمیشن ڈیپارٹمنٹ میں اسی پوسٹ کا یعنی ویڈیو کیمرہ آپریٹر کا سکیل 13 ہے۔ آپ صاحبان سے التماس ہے کہ سائل کی درخواست پر غور فرماتے ہوئے اس پوسٹ کو آپ گریڈ کرنے کے احکامات جاری فرمائے جائیں۔

درخواست کے ساتھ صوبائی اسمبلی کے ویڈیو کیمرہ آپریٹر کا پے رول اور انفارمیشن ڈیپارٹمنٹ کا سروس رول منسلک ہے۔

العارض

14/05/2012

امتیاز علی ویڈیو کیمرہ آپریٹر

بیورو آف ایگریکلچر انفارمیشن محکمہ زراعت شعبہ توسیع
خیبر پختونخوا پشاور

Pl: Dixon
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GOVT. OF KHYBER PAKHTUNKHWA
Bureau of Agriculture Information
AGRICULTURE (EXTENSION) DEPARTMENT
Jamrud Road Opp: Islamia College Peshawar.
Ph & Fax: 091-9216378 E-mail: bai.info378@gmail.com

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No. 588 /DDA (I),
Dated Peshawar, the 21/5 /2012.

To

Mr. Imtiaz Ali,
Video Camera Operator
BAI, Peshawar.

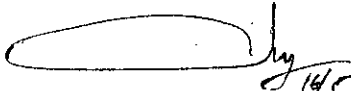
Subject: - UPGRADATION OF THE POST OF VIDEO CAMERA OPERATOR

Memo:

Reference your application No. nil dated 14.5.2012

It is submitted for information that this office is working under control of Administrative Department Khyber Pakhtunkhwa not under Provincial Assembly or Information Department to follow their rules.

You are, therefore, advised to submit the requisite rules of A&E Department KPk for proceeding in the mater.


DEPUTY DIRECTOR
AGRICULTURE INFORMATION
KHYBER PAKHTUNKHWA PESHAWAR
17/5/2012

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To,

The deputy Director ,
Agriculture Information,
Khyber Pakhtunkhwa,

Subject: - Upgradation of the post of video Camera Operator
BPS 10 to BPS 13 .

Memo:

With reference your letter no 588/DDAI dated 21-05-2012 on the subjected mentioned above.

It is very humbly submitted that I have requested in my application dated 14-05-2012 addressed to the concerned authorities that on analogy of the provincial Assembly KPK as well as KPK information department my post be upgraded for BPS 10 to BPS 13.

A copy of the relevant rules of KPK information department has already been attached for ready reference.

It is therefore requested that my above mentioned application alongwith its enclosures may please be forwarded to the quarter concerned for favor of information, direction on humbly grounds please.

I shall be very thankful to your goodslef for this act of kindness justice.

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27/6/12
Yours faithfully
Imfiaz ali
Video Camera Operator

ATTESTED
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GOVT. OF KHYBER PAKHTUNKHWA
Bureau of Agriculture Information

AGRICULTURE (EXTENSION) DEPARTMENT

Jamrud Road Opp: Islamia College Peshawar.
Ph & Fax: 091-9216378 E-mail: bai.info378@gmail.com



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No. 54/1/67
Dated Peshawar, the

/DDAI,
/2012.

To,

The Director General,
Agriculture (Extension),
Khyber Pakhtunkhwa,
Peshawar.

Subject: - UP GRADATION OF THE POST OF VIDEO CAMERA OPERATOR.

Memo:

Enclosed herewith an application alongwith its enclosure in respect of Mr. Imtiaz Ali, Video Camera Operator office of the undersigned for consideration and further necessary.

Encl: As above:-

//
DY. DIRECTOR AGRICULTURE
INFORMATION, KPK, PESHAWAR

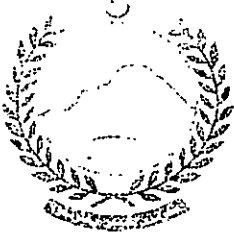
Endst. No. 898 /DDA(I) Dated Peshawar the 4/7 /2012

Copy forwarded to Mr. Imtiaz Ali, Video Camera Operator HQ office for information w/r to his application dated 14-05-2012.


DY. DIRECTOR AGRICULTURE
INFORMATION, KPK, PESHAWAR

ATTESTED





GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

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NO.SOE(AD)3(2)201/2012(Ext)
Dated Peshawar, the February 10, 2014

To

The Section Officer (FR),
Government of Khyber Pakhtunkhwa,
Finance Department

SUBJECT:- CHANGE OF DESIGNATION/UPGRADATION

Kindly refer to your letter No.FD/SO(FR)/7-13/2010/Vol-II dated 29.10.2013 on the subject noted above and to enclose herewith the requisite 08 sets of working paper, for further necessary action.

Encl: As above


(Dr. Mir Ahmad Khan)
SECTION OFFICER-ESTT:

Endst. of even No. & Date.

Copy to:

1. DG Agriculture Extension, Khyber Pakhtunkhwa for information.
2. P.S to Secretary Agriculture department.
3. P.S to Special Secretary, Agriculture.
4. P.A to Addl: Secretary, Agriculture.
5. P.A to DS (Admn:) Agriculture.


SECTION OFFICER-ESTT:

ATTESTED


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WORKING PAPER

Subject: UP-GRADATION OF THE POST OF VIDEO CAMERA OPERATOR BS-10 TO BS-13 AND RE-DESIGNATION AS CAMERAMAN

S. No.	Information required	Reply
1.	Reason due to which concerned Government Servant is unable to be promoted in normal procedure.	Mr. Imtiaz Ahmad was appointed as Video Camera Operator in the office of DDA (Information) Peshawar vide order No.8027-30/DG dated 5.5.2011 (Annexure-A). The official has applied for up-gradation / re-designation with the plea that the post of Cameraman lying in other department is in BS-13 and the official is in BS-10 with the same qualification also same job description as per detail given below:-

S.No.	Name of post	Department / office	Qualification / job description	Method of recruitment						
18..	Cameraman BS-13	Information Department Khyber Pakhtunkhwa	<table border="0"> <tr> <td>i.</td> <td>Intermediate</td> </tr> <tr> <td>ii.</td> <td>3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.</td> </tr> </table>	i.	Intermediate	ii.	3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.	By initial recruitment		
i.	Intermediate									
ii.	3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.									
Part-II S.No.4.	Cameraman BS-13	Wildlife Department	<table border="0"> <tr> <td>i.</td> <td>Secondary School Certificate 2nd Div.</td> </tr> <tr> <td>ii.</td> <td>Expereince in still and movie photography &</td> </tr> <tr> <td>iii.</td> <td>Experience in operation of Movie and Slide Projector.</td> </tr> </table>	i.	Secondary School Certificate 2 nd Div.	ii.	Expereince in still and movie photography &	iii.	Experience in operation of Movie and Slide Projector.	By initial recruitment
i.	Secondary School Certificate 2 nd Div.									
ii.	Expereince in still and movie photography &									
iii.	Experience in operation of Movie and Slide Projector.									
Part-I S.No.12.	Video Camera Operator BS-10	Agriculture Extension Department	At least 2 nd Div. Secondary School Certificate with four years experience in outdoor photography documentary Editing and commercial.	By initial recruitment						

It is pertinent to mention here that the qualification of the post of Camera man and video camera operator are different in other department; however, job description is similar copies of service rules are attached for necessary action as Annexure-B-I & B-II.

2.	All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the Service Rules cannot given career progression to the holders of this post.	The position has already been explained in para-1 above, however, the official has graduate in Mass Communication which is relates to his present job (Annexure-C). Therefore, this department recommends the up-gradation case of the post of Video Camera Operator BS-10 to BS-13 and re-designation as camera man on the analogy of other department and being no career prospects of further promotion in the existing service Rules (Annexure-D)
3.	Whether organization structure as well as Service Rules needs revision to avoid recurring of the hardship to the future entrant.	Explain in para-1 & 2 however, this department has proposed amendment in the existing Service Rules 2012 and job description for the post of Cameraman BS-13 upon up-gradation of the post of Video Camera Operator BPS-10 to BPS-13 as per detail given below:-

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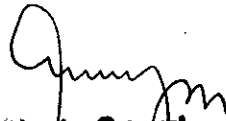
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Proposed amendment in the existing Service Rules 2012 for the post Video Camera Operator BS-10.

Nomenclature of post / BPS		Qualification for appointment by initial recruitment.		Method of recruitment.	
Existing	Proposed	Existing	Proposed	Existing	Proposed
Video Camera Operator BS-10	Cameraman BS-13	At least 2 nd Div. SSC from a recognized Board with four years experience in outdoor photography documentary Editing and Commercial.	i. At least 2 nd div. intermediate certificate from recognized Board; and ii. Having four years experience of all technical process of documentary / commercial aid preparation, recording dubbing, Voice over, designing, non linear editing (NLE) etc. iii. Having computer knowledge regarding video production. iv. Having good knowledge of still photography.	By initial recruitment	--

4.	The Step taken by the department concerned to resolve such hardships on permanent basis.	The position has explained in detail in para-1 & 2. However, this department recommends the up-gradation on the analogy of other department, therefore, the post of video camera Operator BS-10 may be up-graded to BS-13 also re-designated as Cameraman
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**Director General
Agriculture (Extension)
Khyber Pakhtunkhwa**

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GOVERNMENT OF KHYBER PAKHTUNKHWA, INFORMATION, PUBLIC RELATIONS AND CULTURE DEPARTMENT.

NOTIFICATION

Peshawar Dated the 18th August, 2011.

No.SO(INF)11(34)S.Rules/2011 Vol.V. In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules issued in this behalf, the Information, Public Relations and Culture Department, in consultation with the Establishment Department and Finance Department hereby lays down the method of recruitment, qualifications and other conditions, specified in Columns 3 to 5 of the Appendix to this notification which shall be applicable to various posts in the Directorate of Information, Khyber Pakhtunkhwa as specified in column 2 of the said appendix.

APPENDIX

N	Nomenclature of Post.	Minimum qualification prescribed for appointment by initial recruitment.	Age Limit	Method of recruitment
	Director of Information (BS-19)	XXXXXXXXXX	XXXXXXXXXX	By Promotion on the basis of seniority-cum-fitness, from amongst the Deputy Director Information, Public Relations Officer to Governor and Station Directors with twelve years service in BPS-17 and above.

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17.	Non-Linear Editor (BPS-14).	(i) At least Second Class Bachelor's Degree from a recognized University; (ii) one year Diploma in Information Technology from a recognized Technical Board; and (iii) three years experience in Non-Linear Editor and Video Composition.	21 to 32 years.	By initial recruitment.
18.	Camerman (BPS-13).	(i) Intermediate Certificate from a recognized Board; and (ii) three years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.	21 to 30 years.	By initial recruitment.
19.	Stenographer (English/Urdu) (BPS-12)	(i) Intermediate or equivalent qualification from a recognized Board;	18 to 30 years.	By initial recruitment.

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**ICE RULES OF THE WILDLIFE DEPARTMENT KHYBER PAKHTUNKHWA NOTIFIED VIDE
VERNMENT OF KYBER PAKHTUNKHWA, ENVIRONMENT DEPARTMENT NOTIFICATION
NO.SOF(FT:II)/AD/II-465-88/VOL-IV, /720-27, DATED 26-01-1993 INCLUDING UPTO DATE
AMENDMENTS.**

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PART-I PROFESSIONAL POSTS.

#	Nomenclature of the Post	Minimum Qualification for Appointment by Initial Recruitment.	• Age Limit for Initial Recruitment	Method of Recruitment.
1	2	3	4	5
1.	Chief Conservator Wildlife (BPS-20).			By promotion, on the basis of seniority-cum-fitness from amongst Conservator of Wildlife with seven years service in BPS-17 and above.
1A	***Conservator Wildlife (BPS-19).	<p>(i). M.Sc. Forestry degree from a recognized university or a recognized institute.</p> <p>Note: Preference will be given to candidates who have contributed significantly to the profession/practice of Wildlife and its allied fields by way of preparing management plans, research studies, survey and feasibility reports for assessing and husbanding renewable natural resources for economic and social benefits, etc.</p>	35 to 45 years	<p>(i). By selection on merit, with due regard to seniority from amongst the holders of the posts of Deputy Conservator of Wildlife, having at least twelve years service in Basic Pay Scale-17 and above who successfully completed such trainings or passed such departmental examinations as may be prescribed and possessed minimum qualifications prescribed for appointment by initial recruitment to the post of Assistant Conservator of Wildlife, or</p> <p>(ii). If no suitable person is available for promotion, by initial recruitment.</p>
2.	*Deputy Conservator Wildlife/Divisional Wildlife Officer (BPS-18).			By promotion, on the basis of seniority cum fitness from amongst holders of the posts of Sub-Divisional Wildlife Officers/Assistant Conservator Wildlife (BPS-17) with five years service as such, who successfully completed such training or passed departmental examination as prescribed by Government for this purpose.
3.	*Sub-Divisional Wildlife Officer/Assistant Conservator Wildlife (BPS-17).	<p>(i). Master degree in Wildlife, Forestry or National Park Management from a recognized University/Institute; or</p> <p>(ii). M.Sc Zoology or Botany in 2nd Division from a recognized University; or</p> <p>(iii). B.Sc Wildlife/Forestry or Bachelor of Veterinary Science/B.Sc, Animal Husbandry or Doctor of Veterinary Medicine from a recognized University/Institute.</p> <p>Note: Qualifications at S.No.ii & iii will only be considered when no suitable candidate with the qualification at S.No. (i), is available.</p>	21 to 32 years	<p>(a). Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Range Officers with at least five years service as such; and</p> <p>(b). Eighty percent by initial recruitment.</p> <p>Note:- Appointment of candidates selected for the posts of the Public Service Commission shall be made subject to the following conditions -</p> <p>1) The selected candidates shall undergo and successfully complete the training at the Pakistan Forest Institute leading to M.Sc Forestry Degree. Those already having M.Sc Forestry Degree from Pakistan Forest Institute shall be exempted from such training.</p> <p>2) The selected candidates shall produce certificates from the Standing Medical Board at Peshawar regarding their physical and mental fitness for performing the duties required of them.</p> <p>3) The selected candidates undergoing training at the Pakistan Forest Institute shall execute a bond with the Wildlife Department to the effect that on successful completion of the training they shall remain in the Government for at least five years or they shall refund all the expenses incurred in connection with their training and education.</p>

ATTESTED

• Amended vide Notification No. SO (Estt.) Env/II-465/2k5/3466-3510/6825-39, dated; 01-09-2006.
• Amended vide Notification No. SO (Estt.) Env/II-465/2k5/3955-80, dated; 08-10-2007
• Amended vide Notification No. SO (Estt.) Env/II-465/2k3, dated; 08-02-2003.

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1	2	3	4	5
Nomenclature of the Post	Minimum Qualification for Appointment by Initial Recruitment.	Age Limit for Initial Recruitment	Method of Recruitment.	
4. *Range Officer (BPS-16)	(i). B.Sc. in Wildlife Management/Wildlife Ecology/Wildlife Biology from a recognized University or Institute with at least 2 nd division; or (ii) B.Sc. Forestry from Pakistan Forest Institute Peshawar in 2 nd Division; or (iii). B.Sc. from a recognized University with Zoology/Botany as one of the subjects in 2 nd Division. Note: Qualifications at serial No. iii will only be considered when no suitable candidate with qualification at serial No. i and ii, is available.	18 to 30 years	(a). Sixty-seven percent by promotion, on the basis of seniority-cum-fitness, from amongst the holder of the posts of Deputy Rangers Wildlife with at least years service as such; and (b). Thirty-three percent by initial recruitment Note:- Appointment of candidates selected for the post the Public Service Commission shall be subject to following conditions:- (1) The selected candidates shall undergo successfully complete the training at Pakistan Forest Institute leading to B.Sc Forestry Degree, already having B.Sc Forestry Degree from Pakistan Forest Institute, shall be exempted from training. (2) The selected candidates shall produce certificate from the Standing Medical Board at Peshawar physical and mental fitness for performing the duties required of them. (3) The selected candidates shall execute a bond with the Wildlife Department, to the effect that on successful completion of the training, they shall remain in the Government for at least five years or if they leave shall refund all the expenses incurred in connection with their training and education.	

PART-II SUB-PROFESSIONAL POSTS.

1. **Deputy Ranger Wildlife (BPS-09)		F.Sc. (Pre-Medical) in second Division or equivalent qualification from a recognized Board	18 to 30 years	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Wildlife Watchers with at least five years service or twelve years service as Head Wildlife Watcher. Provided that in case of a Division where there is no post of Head Wildlife Watcher, by promotion from Wildlife Watcher with twelve years service as such. (b) Fifty percent by initial recruitment. Note:- Officials appointed by initial recruitment or by promotion shall undergo and successfully complete Forest Rangers Wildlife Training Course from Sarfraz School, Abbottabad at Thal, or any other institute maintained by the department, failing which seniority-cum-fitness of official appointed by initial recruitment shall be maintained and those appointed by promotion shall be appointed to their lower posts.
2. ** Head Wildlife Watcher (BPS-07)				By promotion, on the basis of seniority-cum-fitness amongst the holders of the post of Wildlife Watcher with at least five year's service as such and having completed Forest Guard's or equivalent training from a Forestry/Wildlife School
2A Pheasant Breeding Assistant (BPS-09)		Secondary School Certificate from a recognized Board and having ten years experience in captive breeding of pheasants and peacocks.	18 to 28 years	By initial recruitment.
2B. Field Assistant (BPS-09)		(i) Intermediate with at least Second Class from a recognized Board; and (ii) Field Assistant Training Certificate from Agriculture Training Institute or any other recognized institute.	18 to 28 years.	By initial recruitment.

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	1	2	3	4	5
	Nomenclature of the Post	Minimum Qualification for Appointment by Initial Recruitment.	Age Limit for Initial Recruitment		Method of Recruitment.
3	*** Wildlife Watcher (BPS-05)	Secondary School Certificate in Second Division from a recognized Board.	18 to 35 years		By initial recruitment
4	Cameraman (BPS-13)	I. Secondary School Certificate from a recognized Board; II. Experience in Still and Movie Photography; and III. Experience in the operation of Movies and Slide Projectors.	18 to 32 years		By initial recruitment.
5	Boatman	Five years' experience of boating in major rivers	18 to 35 years		By initial recruitment.
6	Wildlife Chowkidar	Intimate Knowledge of Wildlife and habitats	18 to 35 years		By initial recruitment

*** Amended vide Notification No. SO-II(FF&WD) 1-465/2T/731-38, dated: 03-03-2000

PART-III MINISTERIAL POSTS.

S#	Nomenclature of the Post	Minimum Qualification for Appointment by Initial Recruitment.	Age Limit for Initial Recruitment	Method of Recruitment.
1	2	3	4	5
1	Superintendent	---	---	By promotion, on the basis of seniority-cum-fitness amongst holders of the posts of Assistant/Senior Clerk (BPS-15) with at least five years service as such.
2	Assistant	Degree from a recognized University	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 holder posts of Senior Clerks with at least five years' service as such.
3	Senior Clerk	---	---	By promotion, on the basis of seniority-cum-fitness amongst holders of the posts of Clerks/Storekeepers with at least three years' service as such.
4	Junior Clerk/Storekeeper	(i). Secondary School Certificate or equivalent qualification from a recognized Board; and (ii). A speed of 30 words per minute in typing	18 to 30 years	(a). Eighty percent by initial recruitment, and Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Junior Clerks and Naib Qasid, who possess Secondary Certificate and have at least two years' service as such.
5	Stenographer (BPS-15)	(i). Secondary School Certificate or equivalent qualification from a recognized Board; and (ii). A speed of 120 words per minute in shorthand in English and 40 words per minute in typing.	18 to 30 years	(a). Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Stenographers (BPS-12) with at least five years' service as such who have passed such test as may be prescribed by Government for the purpose; and (b). Fifty percent by initial recruitment.
6	Stenographer (BPS-12)	(i). Intermediate or equivalent qualification from the recognized Board; and (ii). A speed of 50 words per minute in shorthand in English and 35 words per minute in typing, and (iii). Knowledge of Computer in using MS Word and MS Excel.	18 to 30 years	By initial recruitment
6A	Computer Operator/Data Entry Operator (BPS-12)	(i). Intermediate from a recognized Board; and (ii). Diploma in Computer Science or equivalent qualification from	18 to 28 years.	By initial recruitment.



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

Dated Peshawar, the April 20, 2012

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NOTIFICATION

No.SOE(AD)2(2)429/2011.- 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 and in supersession of all notifications issued in this behalf to the extent of Agriculture Extension Wing, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the appendix to this Notification, which shall be applicable to the posts mentioned in column 2 of the said Appendix in the Directorate of Extension Wing of the Agriculture Department.

APPENDIX

PART-I

PROFESSIONAL STAFF

S. No	Nomenclature of post.	Qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1	2	3	4	5
1	Director General, Agriculture (Extension) Khyber Pakhtunkhwa / Director General Agriculture (Extension) FATA / Principal, Agricultural Training Institute, Peshawar (BPS-20).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Officers (BPS-19) of the Agriculture Extension Wing having M.Sc Agriculture or B.Sc Degree in Agriculture from a recognized Agriculture University.
2	Directors Field Operation / Plant Protection / Horticulture / Agriculture Marketing / Coordination, Planning and Monitoring / Model Farm Services Centre / Seed / Training and Training Coordinator Agriculture Training Institute / Director Agriculture / District Directors Agriculture / Vice Principal, Agriculture Training Institute and Executive District Officer Agriculture (BPS-19).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Officers (BPS-18) of the Agriculture Extension Wing with seven years service in BS-18 or 12 years service in BS-17 and above having M.Sc Agriculture or B.Sc Degree in Agriculture from a recognized Agriculture University.
3	Deputy. Directors (Planning, Monitoring and Evaluation) / Plant Protection / Horticulture / Agriculture Marketing /Agriculture(Information) / Coordination and Publication /Senior Instructors, Agriculture Training Institute /subject Matter Specialists Plant Protection/Agronomy and Extension- / Horticulture / Plant Protection Officers / Deputy. Director Farms / Agency Officers Agriculture and Horticulture Specialists (BPS-18).	--	--	By promotion, on the basis of seniority cum fitness, from amongst the BS-17 Agricultural officers / Instructor/Agriculture Officer Public Relation and Publication of Agriculture Extension Wing with five years' service as such, having M.Sc Agriculture or B Sc Degree in Agriculture from a recognized Agriculture University.

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		with three years experience in portrait / landscape photography with appropriate knowledge and practice of commercial photography.		
12	Video Camera Operators (BPS-10).	At least 2 nd Division Secondary School Certificate from a recognized Board with four years experience in Outdoor Photography, Documentary, Editing and Commercial.	18 to 28 years.	By initial recruitment.
13	Artist-cum-Photographers (BSPS-9).	Diploma in Arts from a recognized Institute of Arts, with sufficient experience in photography.	18 to 28 years.	By initial recruitment.
14	Agriculture Inspectors (BPS-9).			By promotion, on the basis of seniority-cum-fitness, from amongst Field Assistants with at least five years service as such.
15	Field Assistants (BPS-6).	(a) At least 2 nd Division in Secondary School Certificate with science from a recognized Board; and (b) Certificate of passing two years training course from Agricultural Training Institute.	18 to 28 years.	By initial recruitment.
16	Stock Assistants (BPS-6).	(a) At least 2 nd Division in Secondary School Certificate with science from a recognized Board; and (b) Certificate of passing two years training course from Agricultural Training Institute.	18 to 28 years.	By initial recruitment.
17	Laboratory Assistants (BPS-6).	At least 2 nd Division in Secondary School Certificate with science from a recognized Board.	18 to 28 years.	(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Attendants with three years service as such, having Secondary School Certificate with science from a recognized Board; and (b) Fifty percent by initial recruitment.
18	Pharmacy Technicians (BPS-9).	Secondary School Certificate from a recognized Board with Dispenser Certificate from Health Department.		By initial recruitment.
19	Heavy Duty Driver (BPS-6).	Experience in driving having heavy vehicle driving licence.	18 to 40 years.	By initial recruitment.
20	Driver-Cum-Operator (BPS-6).	Middle pass having heavy Motor driving licence and experience in handling projector.	18 to 40 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the vehicle drivers with three years experience.
21	Projectionist-cum-Drivers (BS-6).	Literate possessing a valid driving licence and having three years experience in a relevant field. Note:- preference will be given to the holders of certificate in film projection.	18 to 32 years.	By initial recruitment.
22	Mechanics (BPS-5).			By transfer from amongst Fitter with three years service as such.
23	Fitters (BPS-5).	Middle pass certificate from a recognized Institute.	18 to 28 years.	By initial recruitment.
24	Budders (BPS-5).	Middle pass with experience in budding.	18 to 40 years.	By promotion from amongst Field Worker/ Malles and Attendants.
25	Electricians (BPS-5).	Secondary School Certificate from a	18 to 40 years.	By initial recruitment.

ATTESTED

[Signature]

26 655

42	Senior Clerks (BPS-9).	Documentary Editing and Commercial.		By promotion, on the basis of seniority-cum-fitness, from amongst Junior Clerks / Time Keepers / Store Keepers and Depot Keepers with two years service as such.
43	Senior Auditors (BPS-8).			By promotion, on the basis of seniority-cum-fitness, from amongst Junior Auditors with two years service as such.
44	Junior Clerks (BSPS-7).	(a). Secondary School Certificate or an equivalent qualification from a recognized Board; and (b). a speed of thirty words per minute in typing.	18 to 28 years.	(a) Thirty-three percent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of all Class-IV posts provided that they possess secondary school certificate with two years service as such; and (b) Sixty-seven percent by initial recruitment.
45	Junior Auditors (BPS-6).	Secondary School Certificate or an equivalent qualification from a recognized Board.	18 to 28 years.	By initial recruitment.
46	Store Keepers/Time Keepers and Depot keepers (BPS-5).	Secondary School Certificate or an equivalent qualification from a recognized Board.	18 to 28 years.	By initial recruitment.
47	Calligraphers (BPS-5).	Three years experience in the art of calligraphy.	18 to 32 years.	By initial recruitment.
48	Daftaries (BPS-2).	Middle Pass.	18 to 45 years.	By promotion, from amongst Naib Qasids who are middle passed.
49	Naib Qasids (BPS-1)	Preferably literate.	18 to 45 years.	By initial recruitment.
50	Chowkidars and Security Guards (BPS-1).	Having experienced in watch and ward duty.	18 to 45 years.	By initial recruitment.

SECRETARY TO GOVERNMENT OF
THE KHYBER PAKHTUNKHWA,
AGRI. LIVESTOCK AND COOP. DEPARTMENT.

Endst. of even No. & Date.

Copy forwarded for information and necessary action to :-

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa Law Department w/r to his letter No.LD/REG/1(6)76/Vol-II dated 06.01.2012.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The All District Coordination Officers, Khyber Pakhtunkhwa.
6. The All Executive District Officers (Agriculture), Khyber Pakhtunkhwa.
7. The Secretary to Governor, Khyber Pakhtunkhwa.
8. The PSO to Chief Minister, Khyber Pakhtunkhwa.
9. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
10. The PS to Additional Chief Secretary, FATA, Warsak Road, Peshawar.
11. The PS to Minister for Agriculture, Khyber Pakhtunkhwa.
12. The Director General, Agricultural (Extension), Khyber Pakhtunkhwa, Peshawar
13. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
14. PS to Secretary Agriculture.

ATTESTED



379
(MUHAMMAD ZAHID)
SECTION OFFICER-ESTT.

No.18/177-A/Est/ 6008 /DG
Dated Peshawar: the 29/4 /2014

(27)

To:

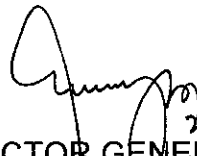
The District Director Agriculture,
(Information) Peshawar.

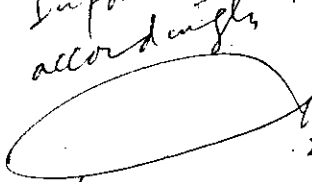
Subject: CHANGE OF DESIGNATION

Memo:

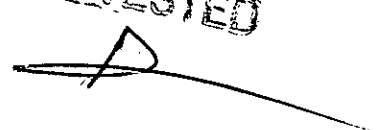
Enclosed herewith a copy of Government of Khyber Pakhtunkhwa,
Agriculture Department letter No.SOE(AD)3/(2)/201/2012/EW dated 11.4.2014.

It is to inform that the up-gradation case of Mr. Imtiaz Ahmad, Video
Camera Operator of your office was considered by the Government and filed at this
stage.


28/04/2014
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

*Inform the applicant
accordingly*

30/4

ATTESTED



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

NO.SOE(AD)/3(2)201/2012/EW
Dated Peshawar, the April 11, 2014

M
28

The Director General,
Agriculture (Extension),
Khyber Pakhtunkhwa Peshawar

SUBJECT:- **CHANGE OF DESIGNATION**

I am directed to refer to your letter No.1486 dated 28/1/2014 on the subject noted above and to state that the appeal for upgradation was considered and filed at this stage.

P-63

(DAULAT KHAN)
SECTION OFFICER-ESTT:

Endst. of even No. & Date.

Copy for information to:

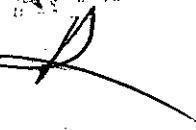
1. P.S to Secretary Agriculture department.
2. P.A to Deputy Secretary-Admn: Agriculture.


SECTION OFFICER-ESTT:

Supp II (E)
E II
17/4

1089
18/4/14

3046
17/4/14

ATTESTED


VAKALAT NAMA

29

NO. _____/20

IN THE COURT OF Service Tribunal, Peshawar

Gontiaz Ali (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Agriculture Deptt. (Respondent)
(Defendant)

I/We Gontiaz Ali

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar,** ^{G. Faizullah Ali Khan} to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

[Signature]
(CLIENT)

ACCEPTED

[Signature]
M. ASIF YOUSAFZAI
Advocate

[Signature]
Faizullah Ali Khan
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

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

Appeal No.698/2014

Mr. Imtiaz.Ali, Video Camera Operator
o/o Bureau of Agriculture (Information)
Agriculture (Extension) Peshawar.

Appellant

VERSUS

1. The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture, Livestock and Cooperation Department,
Peshawar.
2. Director General,
Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Director of Agriculture
(Information) Peshawar.
4. The Secretary to Government of Khyber Pakhtunkhwa
Finance Department, Peshawar.
5. The Up-gradation Committee,
Through it, Chairman the Secretary
Finance Department, Government of Khyber Pakhtunkhwa
Peshawar.

Respondents

PRELIMINARY OBJECTIONS

- 270517
1. That the appeal is not maintainable in its present form and liable to be dismissed.
 2. That the appellant has no cause of action to file the instant appeal.
 3. That the appellant has no locus standi to file the instant appeal.
 4. That the appellant has deliberately concealed the material fact from this Hon'ble Service Tribunal.
 5. That the appellant has not come to this Hon'ble Service Tribunal with clean hand and come to the court with malafide intension just to pressurise the respondents.
 6. That the Hon'ble Tribunal has no jurisdiction to entertained the appeal.
 7. That the appeal is time barred.

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1,2,3 & 4

Para-1. Correct to the extent that the appellant was appointed as Video Camera Operator (BS-10) in the office of respondent No.3 vide office order No.18/177-A/Estt/8027-30/dg dated 5.5.2011 (Annexure-A).

Para-2. No comments hence denied.

Para-3. Correct to the extent that revised policy and criteria for up-gradation of posts issued by the Government of Khyber Pakhtunkhwa, Finance Department (Regulation Wing) vide No.SO (FR) FD/7-2/2008 dated 11.10.2010 (Annexure-B). According to para-II (b) (iii) that no such recommendations will be made in case where the incumbent has less than 10 years of stay on one and the same position, wherein the appellant was appointed as Video Camera Operator (BS-10) on 5.5.2011 and not completed 10 years service / stay on the same position.

Para-4. Correct to the extent that the appellant applied for up-gradation / change of designation with the plea that the post of Cameraman working in other department is in BS-13 while the appellant is in BS-10. It is pertinent to mention here that qualification of the post of Video Camera Operator and Cameraman are different in other department as per their rules.

Para-5. Correct to the extent that the case was submitted to the respondent No.4 for up-gradation of the post. The committee thoroughly discussed the case and observed that nomenclature of the post in Agriculture Department is different from that of information and environment Departments and the required qualification in Information Department is Intermediate as however Matric in Agriculture Department. The committee concluded that up-gradation of the post of Video Camera Operator cannot be justified on the basis of parity. Minutes of the meeting of the up-gradation committee held on 4.4.2014 (Annexure-C). Further rules of parity applicable to similar placed person in the same department.

Para-6. In-correct. Detail comments given in para-5 above.

Para-7. No comments.

GROUND.

Para-A. In-correct the impinged order is in accordance with law and rules

Para-B. In-correct. Detail comments already given in para-5 above.

Para-C. In-correct. Detail comments already given in para-3. However, the impinged order is ⁱⁿ accordance with rules.

Para-D. In-correct. Detail comments already given in para-4 & 5.

Para-E. In-correct. Detail comments already given in para-5.

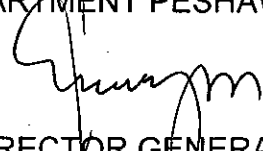
Para-F. in-correct that the appellant was treated as per up-gradation policy issued by the Government of Khyber Pakhtunkhwa. The up-gradation committee thoroughly discussed the case and observed that up-gradation of the post cannot be justified on the basis of parity.

Para-G. No comments, hence denied.

It is therefore, humbly prayed that on acceptance of the above para-wise comments / reply the appeal of the appellant may kindly be dismissed.

RESPONDENTS


SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATION
DEPARTMENT PESHAWAR


DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR


DEPUTY DIRECTOR OF AGRICULTURE
(INFORMATION) PESHAWAR


SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT PESHAWAR


30/11/12

Respdt No: 4 & 5

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

Appeal No.698/2014

Mr. Imtiaz Ali, Video Camera Operator
o/o Bureau of Agriculture (Information)
Agriculture (Extension) Peshawar.

Appellant

VERSUS

1. The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture, Livestock and Cooperation Department,
Peshawar.
2. Director General,
Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Director of Agriculture
(Information) Peshawar.
4. The Secretary to Government of Khyber Pakhtunkhwa
Finance Department, Peshawar.

Respondents

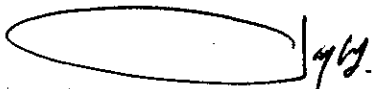
COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honourable Tribunal.

RESPONDENTS

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATION
DEPARTMENT PESHAWAR


DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR


DEPUTY DIRECTOR OF AGRICULTURE
(INFORMATION) PESHAWAR

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT PESHAWAR

Annex-A (1)

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR.

OFFICE ORDER

On recommendation of Departmental Selection Committee Mr. Imtiaz Ali S/O Rahimud Din is hereby appointed as Video Camera Operator (BS- 10) (Rs.3955-250-11755) against the vacant post in the office of the Deputy Director of Agriculture (Information) Peshawar with immediate effect on the following terms and conditions: -

- 1) He will get pay at the minimum of BPS-10 including usual allowances as admissible under the rules. He will also be entitled to annual increment.
- 3) His services will be liable to termination with or without any reason on two months notice from either side. In case of termination without notice by the employer or two months notice from the employee for resignation two months pay and allowances shall be paid by the Government or refunded by the employee as the case may be.
- 4) His services under the present post shall not qualify for pension / gratuity.
- 5) He will not contribute towards G.P.Fund. However, he will contribute C.P.Fund @ 5% of minimum of pay scale and an equal amount of 5% contribution will be made by the Government as per rules.
- 6) He will be allowed conveyance, Medical, House Rent Allowances. Leave and TA / DA as per Government rules.
- 7) He will be considered for appointment against higher post of availability of vacancy, if found eligible and due for promotion.
- 8) He has to join duty at his own expenses.
- 9) He shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar before reporting himself for duty in the DDA (Information), Peshawar as required under the rules.
- 10) He will be on probation for a period one year with effect from the date of joining his duty.
- 10) His service can be terminated at any time in case his performance is found unsatisfactory during one year.

2) If he accepts the post on the above terms and conditions, he should report for duty in the office of the Dy. Director of Agriculture (Information) Peshawar within 30 days of the receipt of this offer and produce original certificates in connection with his qualification, domicile and age.

Sd/- (MUHAMMAD TASLEEM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

No.18/177-A/Estt/ 8027-30 /DG

Dated Peshawar: the 5/5 /2011

Copy forwarded to: -

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Dy. Director of Agriculture (Information) Peshawar.
3. Mr. Imtiaz Ali S/O Rahimud Din Mohallah Hussain Abad House No.251 P.O. Karimpura Near Jamiya Masjid Hamza Tehsil and District Peshawar.

For information and necessary action.

4. File No.18/1/Estt/ for record.


DIRECTOR GENERAL

Handwritten notes and signatures:
- "copy" written vertically
- "A. A. S." written horizontally
- "9-1" written at the bottom right of the notes

Ammer-B. 107

GOVT: OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(REGULATION WING)

NO. SO(FR)/FD/7-2/2008

Dated Peshawar, the 11th October, 2010

To

1. All the Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Registrar, Peshawar High Court, Peshawar.
7. The Registrar, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
8. The Registrar, Service Tribunal Khyber Pakhtunkhwa.
9. All the Divisional Commissioners, Khyber Pakhtunkhwa.


Subject: POLICY AND CRITERIA FOR UPGRADATION OF POSTS.

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of revised Policy/ Criteria for Up-gradation of Posts duly approved by the Provincial Cabinet in its meeting held on 23rd August, 2010 in supercession of the policy and criteria for up-gradation circulated vide Finance Department letter No. SO(FR)FD/7-2/2008 dated 19-01-2009.

2. I am accordingly directed to request that the enclosed policy/ criteria for up-gradation of posts may please be brought into the notice of all concerned and in future proposals for up-gradation may be scrutinized strictly in accordance with the approved policy before submission to the up-gradation committee for consideration.

Yours faithfully,


(SHAUKAT ULLAH)
SECTION OFFICER (FR)

END. NO & DATE EVEN

Copy is forwarded for information to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Section/ Budget Officers, in Finance Department.

SECTION OFFICER (FR)

REVISED POLICY AND CRITERIA FOR UPGRADATION OF POSTS.

All proposals regarding upgradation of any post in any Provincial Department or office shall be placed before the following committee for scrutinization and recommendations: -

- | | | |
|------|--|----------------------|
| i. | Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department. | Chairman |
| ii. | Secretary to Govt. of Khyber Pakhtunkhwa,
Establishment Department. | Member |
| iii. | Additional Finance Secretary (Regulation)
Finance Department. | Member-cum-Secretary |
| iv. | Additional Secretary of the concerned
Department. | Member |

Note- In case the post of Additional Secretary is not sanctioned in concerned department, the Deputy Secretary of the concerned department will represent as member of the up-gradation committee for scrutiny and recommendations of the upgraded posts.

2. No proposal request for up-gradation of post(s) to higher pay scale shall be entertained except in following cases: -

I. UPGRADATION OF POSTS PROPOSED AS PART OF
RE-ORGANIZATION/ RE-STRUCTURING OF
DEPARTMENTS:-

Proposals for upgradation of certain posts as a sequel to the re-organization/ re-structuring of the department organization will be considered/ scrutinized by the committee on following parameters: -

- (i). *Objectives set forth for Re-organization.*
- (ii). *Reasons, factors and impediments in the existing structure which led to Re-organization process.*
- (iii). *Why upgradation of some posts are essential for re-organization.*
- (iv). *Proposed changes in method of recruitment as part of re-organization proposed; Provided that before submitting proposals of upgradation of posts to the Finance Department in such cases, the Administrative Department will do proper consultation with Establishment Department for developing a practical and modest Re-organization proposal.*

II. UPGRADATION OF POSTS PROPOSED DUE TO INDIVIDUAL HARDSHIP CASES:

(a) Proposals for upgradation of certain posts due to the reasons that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for consideration only if the proponent departments provides following information:-

- (i). *Reasons due to which concerned Government servant is unable to be promoted in normal procedure.*
- (ii). *All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the service rules can not give career progression to the holders of these posts.*
- (iii). *Whether organizational structure as well as service rules need revision to avoid recurring of the hardship to the future entrants.*
- (iv). *The steps taken by the department concerned to resolve such hardships on permanent basis.*

(b) The committee after proper scrutiny of case in terms of above parameters and if satisfied that the upgradation of certain post(s) is the only solution, may make its recommendations to the competent authority for upgradation on personal basis provided that: -

- (i). *There shall be no upgradation of post beyond BPS-19 in such cases.*
- (ii). *Such recommendations will only be made in case where there are absolutely no promotion prospects in the service structure for incumbent of said post(s).*
- (iii). *No such recommendations will be made in a case where the incumbent has less than 10 years of stay on one and the same position;*
- (iv). *The incumbent has not been earlier elevated in the existing pay scale by personal upgradation.*
- (v). *The proposed upgradation will be personal to the incumbent and the post shall stand downgraded as and when vacated by such incumbent.*

III. UPGRADATION OF POSTS PROPOSED ON GROUNDS OF PRINCIPLE OF PARITY.

While processing the cases where the proponent department seeks upgradation of certain posts to a higher pay scale on the analogy of similar posts in some other department in this province created with same nomenclature, the committee shall take into account following parameters:

- (i). *Ascertainment of full details about all such posts created with same nomenclature by any other department in addition to those departments whose analogy has been quoted by proponent department.*
- (ii). *Nomenclature shall not be the sole criterion for determining parity/ comparability of post(s). Other details i.e. the job description and prescribed qualification would necessarily be examined.*
- (iii). *In case of difference of prescribed qualification or the job description (or both) as the case may be, the committee may direct change of nomenclature of post(s) in any department to avoid confusion on this ground.*
- (iv). *The committee may associate with all such departments having same nomenclature of certain post(s) with same responsibilities and same qualifications to ascertain as to what were reasons for creation of same posts in different departments with different pay scales, and thus make recommendations in respect of all such posts in all concerned departments, whether they took up the case or otherwise, to bring uniformity in pay scales in all departments to avoid future references.*

Provided that the committee shall not recommend such proposals for uniformity where prescribed qualifications as well as the qualifications possessed by existing incumbents is not at par with the post(s)/ incumbents cited as precedence.

Provided further that in such cases the committee may recommend change of nomenclature of either those post(s) having higher prescribed qualifications or those having lesser prescribed qualifications as may be deemed appropriate by the committee.

IV. UPGRADATION PROPOSED FOR RETENTION OF AN OFFICER ON SAME POST AFTER HIS PROMOTION TO HIGHER PAY SCALE.

Retention of an officer on the same post after he has been promoted to next higher position by the competent authority, is against the spirit of the promotion policy, hence shall not be ordinarily allowed. However, in case due to peculiar exigencies of services if it becomes unavoidable to retain a promoted officer on the same position then the concerned department shall move a summary for the Chief Minister, mentioning therein the detailed reasons and justifications in support of their such proposal and route it through the Establishment Department and the Finance Department for obtaining orders of the Chief Minister, Khyber Pakhtunkhwa.

Provided that in such cases the post will be up-graded personally for the incumbent till his stay as such and shall automatically stand downgraded to its original position thereof.

5

V. UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE.

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposals totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendations independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

4. The recommendations of the above committee shall be submitted for approval of the competent authority as per table given below: -

Sr. No.	Scale	Competent authority	
1.	BPS-1 to BPS-15	Competent Authority (Finance Department) (In case of Finance Department employees the competent authority shall be Admn: & Establishment Department)	In consultation with the above inter departmental committee.
2.	BPS-16 to BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee
3.	BPS-18 & above	Chief Minister, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee

Annex C 17

MINUTES OF THE MEETING OF THE UPGRADATION COMMITTEE HELD ON 04-04-2014 REGARDING UPGRADATION OF THE POST OF VIDEO CAMERA OPERATOR BS-10 TO BS-13 AND RE-DESIGNATION AS CAMERAMAN.

A meeting of the Upgradation Committee was held on 04-04-2014 at 11:00 AM, under the chairmanship of Additional Finance Secretary (Budget), Finance Department to discuss the upgradation of the post of Video Camera Operator (BS-10) to BS-13 and its re-designation as Cameraman. The following attended the meeting.

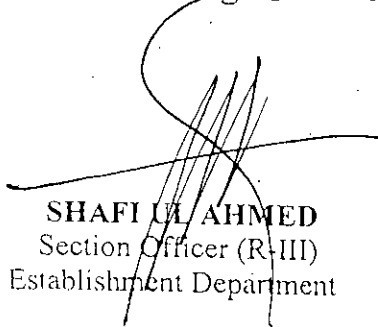
Chairman

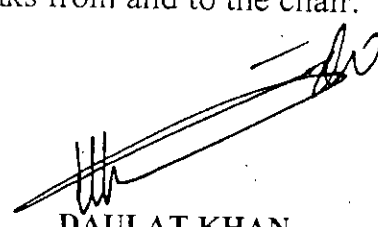
1. **Mr. Muhammad Imtiaz Ayub**
Additional Finance Secretary (Budget)
Finance Department,
2. **Mr. Raza Ullah**
Additional Finance Secretary (Reg)
Finance Department,
3. **Mr. Daulat Khan**
Section Officer (Estt)
Agriculture, Livestock & Cooperative Department,
4. **Mr. Shafi Ul Ahmed**
Section Officer (R-III)
Establishment Department,

2. The meeting commenced with a welcome note from the chair. The representative of the Administrative Department informed the Committee that one Mr. Imtiaz was appointed as Video Camera Operator (BPS-10) in the office of Deputy Director Agriculture (Information) Peshawar on 05-05-2011. The official has applied for upgradation / re-designation on the ground that the post of Cameraman in other departments is in BPS-13 with the same qualification and job description as given below.

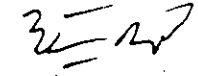
S. No	Name of Post	Department / Office	Qualification / Job Description		Method of recruitment
18	Cameraman BS-13	Information Department Khyber Pakhtunkhwa	i.	Intermediate	By initial Recruitment
			ii.	3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.	
Part-II S. No. 4	Cameraman BS-13	Wildlife Department	i.	Secondary School Certificate 2 nd Div.	By Initial recruitment
			ii.	Experience in still and movie photography	
			iii.	Experience in operation of Movie and Slide Projector	
Part-I S. No. 12	Video Camera Operator BS-10	Agriculture Extension Department	At least 2 nd Div. SSC certificate with four years experience in outdoor photography documentary editing and commercial.		

3. Accordingly, the Administrative Department requested the Committee that the post of Video Camera Operator may be upgraded from BS-10 to BS-13 on the analogy of other departments in the public interest.
4. The Committee thoroughly discussed the case and observed that nomenclature of the post in Agriculture Department is different from that of Information and Environment Departments. Furthermore, the required qualification in Information Department is Intermediate as against Matric in Agriculture Department.
5. In view of the above, the committee concluded that upgradation of the post of Camera Operator in Agriculture Department cannot be justified on the basis of parity.
6. The meeting ended with a vote of thanks from and to the chair.



SHAFIQUL AHMED
Section Officer (R-III)
Establishment Department


DAULAT KHAN
Section Officer (Estt)
Agriculture Live Stock
& Cooperative Department,


RAZA ULLAH KHAN
Additional Finance Secretary (Reg)
Finance Department


MUHAMMAD IMTIAZ AYUB
Additional Finance Secretary
Finance Department




Agriculture

Amusement - D. 107

No.18/177-A/Estt/ 6008 /DG
Dated Peshawar: the 29/4 /2014

To:

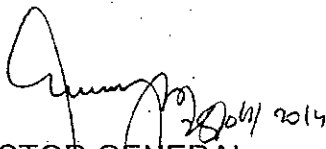
The District Director Agriculture,
(Information) Peshawar.

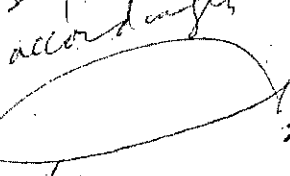
Subject: CHANGE OF DESIGNATION

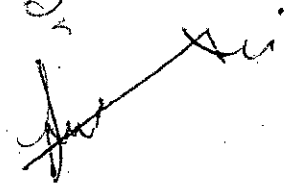
Memo:

Enclosed herewith a copy of Government of Khyber Pakhtunkhwa,
Agriculture Department letter No.SOE(AD)3/(2)/201/2012/EW dated 11.4.2014.

It is to inform that the up-gradation case of Mr. Imtiaz Ahmad, Video
Camera Operator of your office was considered by the Government and filed at this
stage.


29/4/2014
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

Inform the applicant
accordingly

30/4
AS/II

36/33
36/33


GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

108

NO.SOE(AD)/3(2)201/2012/EW
Dated Peshawar, the April 11, 2014

The Director General,
Agriculture (Extension),
Khyber Pakhtunkhwa Peshawar

SUBJECT:- **CHANGE OF DESIGNATION**

I am directed to refer to your letter No.1486 dated 28/1/2014 on the subject noted above and to state that the appeal for upgradation was considered and filed at this stage.


(DAULAT KHAN)
SECTION OFFICER-ESTT:

Endst. of even No. & Date.

Copy for information to:

1. P.S to Secretary Agriculture department.
2. P.A to Deputy Secretary-Admn: Agriculture.


SECTION OFFICER-ESTT:

Supp (LE)

E II
17/4

1089
18/4/14

3046
17/4/14

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

Service Appeal No. 698/2014

Imtiaz Ali

VS

Agriculture Deptt:

.....
REJOINDER ON BEHALF OF APPELLANT

.....
RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Admitted correct. Hence no comments.
- 2 No comments endorsed by the department which means that para 2 of the appeal is correct.
- 3 First portion of para 3 of the appeal is admitted correct, hence no comments. while the rest of portion of para 3 is incorrect as the appellant has different case of hardship case having no promotion and the tenure is not applied to principle of parity.
- 4 First portion of para 4 of the appeal is admitted correct, hence no comments. While the rest of portion of para 4 is incorrect as hence denied.
- 5 First portion of para 5 of the appeal is admitted correct, hence no comments. while the rest of

portion of para 5 of the appeal is incorrect as the Cameraman in other departments are in BPS-13, while the appellant having same job description is in BPS-10 and on the basis of principle of parity, the case of the appellant for up gradation is fully justified.

- 6 Incorrect and misconceived. Detail comments given in para 5.
- 7 No comments endorsed by the department which means that para 7 of the appeal is correct.

GROUNDS:

- A) Incorrect. The order dated 11.4.2014 is not according to law and rules.
- B) Incorrect. Detail comments already given in para 5 above.
- C) Not replied according to para C of the appeal. Moreover para C of the appeal is correct.
- D) Incorrect. While para D of the appeal is correct.
- E) Incorrect. Detail comments already given in para 5.
- F) Incorrect. The appellant was not treated as per up-gradation policy of the Govt: and has been discriminated as on the principle of parity the case of the appellant for up gradation is fully justified.
- G) No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT
Imtiaz Ali

Through:

Asif Yousafzai
(M. ASIF YOUSAFZAI)
&

(TAIMUR ALI KHAN)
ADVOCATES, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of ^{appeal &}rejoinder are true and correct to the best of my knowledge and belief.

Asif
DEPONENT



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

Service Appeal No. 698/2014

Imtiaz Ali

VS

Agriculture Deptt:

.....
REJOINDER ON BEHALF OF APPELLANT

.....
RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-7) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

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6. Incorrect and misconceived. Detail comments given in para 5.
7. No comments endorsed by the department which means that para 7 of the appeal is correct.

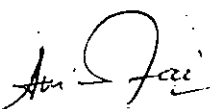
GROUND:

- A) Incorrect. The order dated 11.4.2014 is not according to law and rules.
- B) Incorrect. Detail comments already given in para 5 above.
- C) Not replied according to para C of the appeal. Moreover para C of the appeal is correct.
- D) Incorrect. While para D of the appeal is correct.
- E) Incorrect. Detail comments already given in para 5.
- F) Incorrect. The appellant was not treated as per up-gradation policy of the Govt: and has been discriminated as on the principle of parity the case of the appellant for up gradation is fully justified.
- G) No comments.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

APPELLANT
Imtiaz Ali

Through:


(M. ASIF YOUSAFZAI)
&

(TAIMUR ALI KHAN)
ADVOCATES, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of ^{appeal &} rejoinder are true and correct to the best of my knowledge and belief.


DEPONENT

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

Appeal No.698/2014

Mr. Imtiaz Ali, Video Camera Operator
o/o Bureau of Agriculture (Information)
Agriculture (Extension) Peshawar.

Appellant

VERSUS

1. The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture, Livestock and Cooperation Department,
Peshawar.
2. Director General,
Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Director of Agriculture
(Information) Peshawar.
4. The Secretary to Government of Khyber Pakhtunkhwa
Finance Department, Peshawar.
5. The Up-gradation Committee,
Through it, Chairman the Secretary
Finance Department, Government of Khyber Pakhtunkhwa
Peshawar.

Respondents

PRELIMINARY OBJECTIONS

1. That the appeal is not maintainable in its present form and liable to be dismissed.
2. That the appellant has no cause of action to file the instant appeal.
3. That the appellant has no locus standi to file the instant appeal.
4. That the appellant has deliberately concealed the material fact from this Hon'ble Service Tribunal.
5. That the appellant has not come to this Hon'ble Service Tribunal with clean hand and come to the court with malafide intension just to pressure the respondents.
6. That the Hon'ble Tribunal has no jurisdiction to entertained the appeal.
7. That the appeal is time barred.

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1,2,3 & 4

Para-1. Correct to the extent that the appellant was appointed as Video Camera Operator (BS-10) in the office of respondent No.3 vide office order No.18/177-A/Estt/8027-30/dg dated 5.5.2011 (Annexure-A).

Para-2. No comments hence denied.

Para-3.

Correct to the extent that revised policy and criteria for up-gradation of posts issued by the Government of Khyber Pakhtunkhwa, Finance Department (Regulation Wing) vide No.SO (FR) FD/7-2/2008 dated 11.10.2010 (Annexure-B). According to para-II (b) (iii) that no such recommendations will be made in case where the incumbent has less than 10 years of stay on one and the same position, wherein the appellant was appointed as Video Camera Operator (BS-10) on 5.5.2011 and not completed 10 years service / stay on the same position.

Para-4.

Correct to the extent that the appellant applied for up-gradation / change of designation with the plea that the post of Cameraman working in other department is in BS-13 while the appellant is in BS-10. It is pertinent to mention here that qualification of the post of Video Camera Operator and Cameraman are different in other department as per their rules.

Para-5.

Correct to the extent that the case was submitted to the respondent No.4 for up-gradation of the post. The committee thoroughly discussed the case and observed that nomenclature of the post in Agriculture Department is different from that of information and environment Departments and the required qualification in Information Department is Intermediate as however Matric in Agriculture Department. The committee concluded that up-gradation of the post of Video Camera Operator cannot be justified on the basis of parity. Minutes of the meeting of the up-gradation committee held on 4.4.2014 (Annexure-C). Further rules of parity applicable to similar placed person in the same department.

Para-6.

In-correct. Detail comments given in para-5 above.

Para-7.

No comments.

GROUNDS.

Para-A.

In-correct the impinged order is in accordance with law and rules

Para-B.

In-correct. Detail comments already given in para-5 above.

Para-C.

In-correct. Detail comments already given in para-3. However, the impugned order is ⁱⁿ accordance with rules.

Para-D.

In-correct. Detail comments already given in para-4 & 5.

Para-E.

In-correct. Detail comments already given in para-5.

V. UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE.

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposals totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendations independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

4. The recommendations of the above committee shall be submitted for approval of the competent authority as per table given below: -

Sr. No.	Scale	Competent authority	
1.	BPS-1 to BPS-15	Competent Authority (Finance Department) (In case of Finance Department employees the competent authority shall be Admn: & Establishment Department)	In consultation with the above inter departmental committee.
2.	BPS-16 to BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee
3.	BPS-18 & above	Chief Minister, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee

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Annex C 17

MINUTES OF THE MEETING OF THE UPGRADATION COMMITTEE HELD ON 04-04-2014 REGARDING UPGRADATION OF THE POST OF VIDEO CAMERA OPERATOR BS-10 TO BS-13 AND RE-DESIGNATION AS CAMERAMAN.

A meeting of the Upgradation Committee was held on 04-04-2014 at 11:00 AM, under the chairmanship of Additional Finance Secretary (Budget), Finance Department to discuss the upgradation of the post of Video Camera Operator (BS-10) to BS-13 and its re-designation as Cameraman. The following attended the meeting.

1. **Mr. Muhammad Imtiaz Ayub**
Additional Finance Secretary (Budget)
Finance Department, Chairman
2. **Mr. Raza Ullah**
Additional Finance Secretary (Reg)
Finance Department,
3. **Mr. Daulat Khan**
Section Officer (Estt)
Agriculture, Livestock & Cooperative Department,
4. **Mr. Shafi Ul Ahmed**
Section Officer (R-III)
Establishment Department,

2. The meeting commenced with a welcome note from the chair. The representative of the Administrative Department informed the Committee that one Mr. Imtiaz was appointed as Video Camera Operator (BPS-10) in the office of Deputy Director Agriculture (Information) Peshawar on 05-05-2011. The official has applied for upgradation / re-designation on the ground that the post of Cameraman in other departments is in BPS-13 with the same qualification and job description as given below.

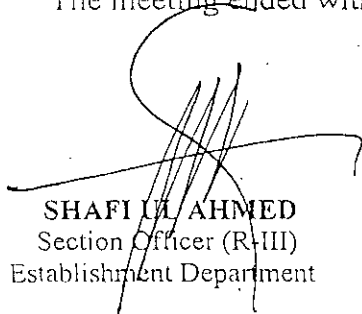
S. No	Name of Post	Department / Office	Qualification / Job Description	Method of recruitment
S. No 18	Cameraman BS-13	Information Department Khyber Pakhtunkhwa	i. Intermediate	By initial Recruitment
			ii. 3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.	
Part-II S. No. 4	Cameraman BS-13	Wildlife Department	i. Secondary School Certificate 2 nd Div.	By Initial recruitment
			ii. Experience in still and movie photography	
			iii. Experience in operation of Movie and Slide Projector	
Part-I S. No. 12	Video Camera Operator BS-10	Agriculture Extension Department	At least 2 nd Div. SSC certificate with four years experience in outdoor photography documentary editing and commercial.	

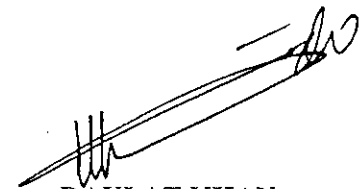
3. Accordingly, the Administrative Department requested the Committee that the post of Video Camera Operator may be upgraded from BS-10 to BS-13 on the analogy of other departments in the public interest.

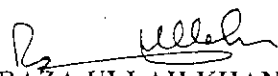
4. The Committee thoroughly discussed the case and observed that nomenclature of the post in Agriculture Department is different from that of Information and Environment Departments. Furthermore, the required qualification in Information Department is Intermediate as against Matric in Agriculture Department.


5. In view of the above, the committee concluded that upgradation of the post of Camera Operator in Agriculture Department cannot be justified on the basis of parity.

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



SHAFIQUL AHMED
Section Officer (R-III)
Establishment Department


DAULAT KHAN
Section Officer (Estt)
Agriculture Live Stock
& Cooperative Department,


RAZA ULLAH KHAN
Additional Finance Secretary (Reg)
Finance Department


MUHAMMAD IMTIAZ AYUB
Additional Finance Secretary
Finance Department




Agriculture

Amusean - D 107

No.18/177-A/Estt/ 6008 /DG
Dated Peshawar: the 24/4 /2014

To:

The District Director Agriculture,
(Information) Peshawar.

Subject: CHANGE OF DESIGNATION

Memo:

Enclosed herewith a copy of Government of Khyber Pakhtunkhwa,
Agriculture Department letter No.SOE(AD)3/(2)/201/2012/EW dated 11.4.2014.

It is to inform that the up-gradation case of Mr. Imtiaz Ahmad, Video
Camera Operator of your office was considered by the Government and filed at this
stage.

DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

In form the applicant
accordingly
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4/2014

36/3509
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36/33

Para-F.

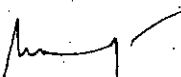
in-correct that the appellant was treated as per up-gradation policy issued by the Government of Khyber Pakhtunkhwa. The up-gradation committee thoroughly discussed the case and observed that up-gradation of the post cannot be justified on the basis of parity.

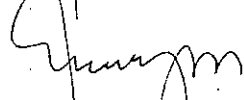
Para-G.

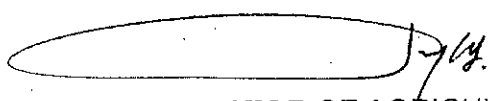
No comments, hence denied.

It is therefore, humbly prayed that on acceptance of the above para-wise comments / reply the appeal of the appellant may kindly be dismissed.

RESPONDENTS

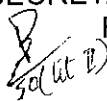

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATION
DEPARTMENT PESHAWAR


DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR


DEPUTY DIRECTOR OF AGRICULTURE
(INFORMATION) PESHAWAR


SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT PESHAWAR

Respect No: 445


30/11/11

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

Appeal No.698/2014

Mr. Imtiaz Ali, Video Camera Operator
o/o Bureau of Agriculture (Information)
Agriculture (Extension) Peshawar.

Appellant

VERSUS

1. The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture, Livestock and Cooperation Department,
Peshawar.
2. Director General,
Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Director of Agriculture
(Information) Peshawar.
4. The Secretary to Government of Khyber Pakhtunkhwa
Finance Department, Peshawar.

Respondents


COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honourable Tribunal.

RESPONDENTS

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATION
DEPARTMENT PESHAWAR


DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR


DEPUTY DIRECTOR OF AGRICULTURE
(INFORMATION) PESHAWAR

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT PESHAWAR

Annex-A (1)

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

On recommendation of Departmental Selection Committee Mr. Imtiaz Ali S/O Rahimud Din is hereby appointed as Video Camera Operator (BS- 10) (Rs.3955-250-11755) against the vacant post in the office of the Deputy Director of Agriculture (Information) Peshawar with immediate effect on the following terms and conditions: -

- 1) He will get pay at the minimum of BPS-10 including usual allowances as admissible under the rules. He will also be entitled to annual increment.
- 3) His services will be liable to termination with or without any reason on two months notice from either side. In case of termination without notice by the employer or two months notice from the employee for resignation two months pay and allowances shall be paid by the Government or refunded by the employee as the case may be.
- 4) His services under the present post shall not qualify for pension / gratuity.
- 5) He will not contribute towards G.P.Fund. However, he will contribute C.P.Fund @ 5% of minimum of pay scale and an equal amount of 5% contribution will be made by the Government as per rules.
- 6) He will be allowed conveyance, Medical, House Rent Allowances, Leave and TA / DA as per Government rules.
- 7) He will be considered for appointment against higher post of availability of vacancy, if found eligible and due for promotion.
- 8) He has to join duty at his own expenses.
- 9) He shall produce a medical certificate of fitness from Medical Superintendent, Civil Hospital, Peshawar before reporting himself for duty in the DDA (Information), Peshawar as required under the rules.
- 10) He will be on probation for a period one year with effect from the date of joining his duty.
- 10) His service can be terminated at any time in case his performance is found unsatisfactory during one year.

2) If he accepts the post on the above terms and conditions, he should report for duty in the office of the Dy. Director of Agriculture (Information) Peshawar within 30 days of the receipt of this offer and produce original certificates in connection with his qualification, domicile and age.

Sd/- (MUHAMMAD TASLEEM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

No.18/177-A/Estt/ 8027-30 /DG

Dated Peshawar: the 5/5 /2011

Copy forwarded to: -

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Dy. Director of Agriculture (Information) Peshawar.
3. Mr. Imtiaz Ali S/O Rahimud Din Mohallah Hussain Abad House No.251 P.O. Karimpura Near Jamiya Masjid Hamza Tehsil and District Peshawar.

For information and necessary action.

4. File No.18/1/Estt/ for record.


DIRECTOR GENERAL

Handwritten notes:
18/177-A/Estt/ 8027-30
5/5/11

Annex-B 107

GOVT: OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(REGULATION WING)

NO. SO(FR)/FD/7-2/2008

Dated Peshawar, the 11th October, 2010

To

1. All the Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Registrar, Peshawar High Court, Peshawar.
7. The Registrar, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
8. The Registrar, Service Tribunal Khyber Pakhtunkhwa.
9. All the Divisional Commissioners, Khyber Pakhtunkhwa.


Subject: POLICY AND CRITERIA FOR UPGRADATION OF POSTS.

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of revised Policy/ Criteria for Up-gradation of Posts duly approved by the Provincial Cabinet in its meeting held on 23rd August, 2010 in supercession of the policy and criteria for up-gradation circulated vide Finance Department letter No. SO(FR)FD/7-2/2008 dated 19-01-2009.

I am accordingly directed to request that the enclosed policy/ criteria for up-gradation of posts may please be brought into the notice of all concerned and in future proposals for up-gradation may be scrutinized strictly in accordance with the approved policy before submission to the up-gradation committee for consideration.

Yours faithfully,


(SHAUKAT ULLAH)
SECTION OFFICER (FR)

END. NO & DATE EVEN

Copy is forwarded for information to

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Section/ Budget Officers, in Finance Department.

SECTION OFFICER (FR)

10/2/2011

REVISED POLICY AND CRITERIA FOR
UPGRADATION OF POSTS.

All proposals regarding upgradation of any post in any Provincial Department or office shall be placed before the following committee for scrutinization and recommendations: -

i.	Secretary to Govt: of Khyber Pakhtunkhwa, Finance Department.	Chairman
ii.	Secretary to Govt: of Khyber Pakhtunkhwa, Establishment Department.	Member
iii.	Additional Finance Secretary (Regulation) Finance Department.	Member-cum-Secretary
iv.	Additional Secretary of the concerned Department.	Member

Note - In case the post of Additional Secretary is not sanctioned in concerned department, the Deputy Secretary of the concerned department will represent as member of the up-gradation committee for scrutiny and recommendations of the upgraded posts.

2. No proposal request for up-gradation of post(s) to higher pay scale shall be entertained except in following cases: -

I. UPGRADATION OF POSTS PROPOSED AS PART OF
RE-ORGANIZATION/ RE-STRUCTURING OF
DEPARTMENTS:-

Proposals for upgradation of certain posts as a sequel to the re-organization/ re-structuring of the department organization will be considered/ scrutinized by the committee on following parameters: -

- (i). Objectives set forth for Re-organization.
- (ii). Reasons, factors and impediments in the existing structure which led to Re-organization process.
- (iii). Why upgradation of some posts are essential for re-organization.
- (iv). Proposed changes in method of recruitment as part of re-organization proposed; Provided that before submitting proposals of upgradation of posts to the Finance Department in such cases, the Administrative Department will do proper consultation with Establishment Department for developing a practical and modest Re-organization proposal.

II. UPGRADATION OF POSTS PROPOSED DUE TO INDIVIDUAL HARDSHIP CASES:

(a) Proposals for upgradation of certain posts due to the reasons that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for consideration only if the proponent departments provides following information:-

- (i). *Reasons due to which concerned Government servant is unable to be promoted in normal procedure.*
- (ii). *All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the service rules can not give career progression to the holders of these posts.*
- (iii). *Whether organizational structure as well as service rules need revision to avoid recurring of the hardship to the future entrants.*
- (iv). *The steps taken by the department concerned to resolve such hardships on permanent basis.*

(b) The committee after proper scrutiny of case in terms of above parameters and if satisfied that the upgradation of certain post(s) is the only solution, may make its recommendations to the competent authority for upgradation on personal basis provided that: -

- (i). *There shall be no upgradation of post beyond BPS-19 in such cases.*
- (ii). *Such recommendations will only be made in case where there are absolutely no promotion prospects in the service structure for incumbent of said post(s).*
- (iii). *No such recommendations will be made in a case where the incumbent has less than 10 years of stay on one and the same position;*
- (iv). *The incumbent has not been earlier elevated in the existing pay scale by personal upgradation.*
- (v). *The proposed upgradation will be personal to the incumbent and the post shall stand downgraded as and when vacated by such incumbent.*

III. UPGRADATION OF POSTS PROPOSED ON GROUNDS OF PRINCIPLE OF PARITY.

While processing the cases where the proponent department seeks upgradation of certain posts to a higher pay scale on the analogy of similar posts in some other department in this province created with same nomenclature, the committee shall take into account following parameters:

- (i). *Ascertainment of full details about all such posts created with same nomenclature by any other department in addition to those departments whose analogy has been quoted by proponent department.*
- (ii). *Nomenclature shall not be the sole criterion for determining parity/ comparability of post(s). Other details i.e. the job description and prescribed qualification would necessarily be examined.*
- (iii). *In case of difference of prescribed qualification or the job description (or both) as the case may be, the committee may direct change of nomenclature of post(s) in any department to avoid confusion on this ground.*
- (iv). *The committee may associate with all such departments having same nomenclature of certain post(s) with same responsibilities and same qualifications to ascertain as to what were reasons for creation of same posts in different departments with different pay scales, and thus make recommendations in respect of all such posts in all concerned departments, whether they took up the case or otherwise, to bring uniformity in pay scales in all departments to avoid future references.*

Provided that the committee shall not recommend such proposals for uniformity where prescribed qualifications as well as the qualifications possessed by existing incumbents is not at par with the post(s)/ incumbents cited as precedence.

Provided further that in such cases the committee may recommend change of nomenclature of either those post(s) having higher prescribed qualifications or those having lesser prescribed qualifications as may be deemed appropriate by the committee.

IV. UPGRADATION PROPOSED FOR RETENTION OF AN OFFICER ON SAME POST AFTER HIS PROMOTION TO HIGHER PAY SCALE.

Retention of an officer on the same post after he has been promoted to next higher position by the competent authority, is against the spirit of the promotion policy, hence shall not be ordinarily allowed. However, in case due to peculiar exigencies of services if it becomes unavoidable to retain a promoted officer on the same position than the concerned department shall move a summary for the Chief Minister, mentioning therein the detailed reasons and justifications in support of their such proposal and route it through the Establishment Department and the Finance Department for obtaining orders of the Chief Minister, Khyber Pakhtunkhwa.

Provided that in such cases the post will be up-graded personally for the incumbent till his stay as such and shall automatically stand downgraded to its original position thereof.

V. UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE.

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposals totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendations independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

4. The recommendations of the above committee shall be submitted for approval of the competent authority as per table given below: -

Sr. No.	Scale	Competent authority	
1.	BPS-1 to BPS-15	Competent Authority (Finance Department) (In case of Finance Department employees the competent authority shall be Admn: & Establishment Department)	In consultation with the above inter departmental committee.
2.	BPS-16 to BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee
3.	BPS-18 & above	Chief Minister, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee

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Annex C 17

MINUTES OF THE MEETING OF THE UPGRADATION COMMITTEE HELD ON 04-04-2014 REGARDING UPGRADATION OF THE POST OF VIDEO CAMERA OPERATOR BS-10 TO BS-13 AND RE-DESIGNATION AS CAMERAMAN.

A meeting of the Upgradation Committee was held on 04-04-2014 at 11:00 AM, under the chairmanship of Additional Finance Secretary (Budget), Finance Department to discuss the upgradation of the post of Video Camera Operator (BS-10) to BS-13 and its re-designation as Cameraman. The following attended the meeting.

1. **Mr. Muhammad Imtiaz Ayub** Chairman
Additional Finance Secretary (Budget)
Finance Department,
2. **Mr. Raza Ullah**
Additional Finance Secretary (Reg)
Finance Department,
3. **Mr. Daulat Khan**
Section Officer (Estt)
Agriculture, Livestock & Cooperative Department,
4. **Mr. Shafi Ul Ahmed**
Section Officer (R-III)
Establishment Department,

2. The meeting commenced with a welcome note from the chair. The representative of the Administrative Department informed the Committee that one Mr. Imtiaz was appointed as Video Camera Operator (BPS-10) in the office of Deputy Director Agriculture (Information) Peshawar on 05-05-2011. The official has applied for upgradation / re-designation on the ground that the post of Cameraman in other departments is in BPS-13 with the same qualification and job description as given below.

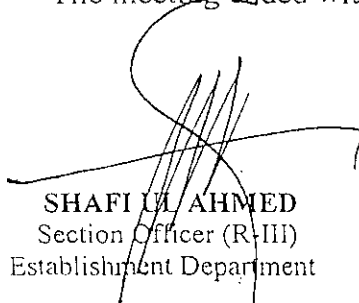
S. No	Name of Post	Department / Office	Qualification / Job Description	Method of recruitment
S. No 18	Cameraman BS-13	Information Department Khyber Pakhtunkhwa	i. Intermediate	By initial Recruitment
			ii. 3 years experience in out door cinematography and full knowledge of technical processing of documentary and news reel films.	
Part-II S. No. 4	Cameraman BS-13	Wildlife Department	i. Secondary School Certificate 2 nd Div.	By Initial recruitment
			ii. Experience in still and movie photography	
			iii. Experience in operation of Movie and Slide Projector	
Part-I S. No. 12	Video Camera Operator BS-10	Agriculture Extension Department	At least 2 nd Div. SSC certificate with four years experience in outdoor photography documentary editing and commercial.	


3. Accordingly, the Administrative Department requested the Committee that the post of Video Camera Operator may be upgraded from BS-10 to BS-13 on the analogy of other departments in the public interest.

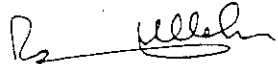
4. The Committee thoroughly discussed the case and observed that nomenclature of the post in Agriculture Department is different from that of Information and Environment Departments. Furthermore, the required qualification in Information Department is Intermediate as against Matric in Agriculture Department.


5. In view of the above, the committee concluded that upgradation of the post of Camera Operator in Agriculture Department cannot be justified on the basis of parity.

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


SHAFIQUL AHMED
Section Officer (R-III)
Establishment Department


DAULAT KHAN
Section Officer (Estt)
Agriculture Live Stock
& Cooperative Department,


RAZA ULLAH KHAN
Additional Finance Secretary (Reg)
Finance Department


MUHAMMAD IMTIAZ AYUB
Additional Finance Secretary
Finance Department




Agriculture

Amusement - D 107

No.18/177-A/Estt/ 6008 /DG
Dated Peshawar: the 29/4 /2014

To:

The District Director Agriculture,
(Information) Peshawar.

Subject: CHANGE OF DESIGNATION

Memo:

Enclosed herewith a copy of Government of Khyber Pakhtunkhwa,
Agriculture Department letter No.SOE(AD)3/(2)/201/2012/EW dated 11.4.2014.

It is to inform that the up-gradation case of Mr. Imtiaz Ahmad, Video
Camera Operator of your office was considered by the Government and filed at this
stage.

DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA
PESHAWAR

*In form the applicant
accordingly*

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