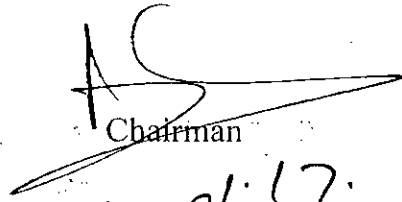


24.1.2017

On application of the appellant for withdrawal of the appeal, file requisitioned for to-day.

In the light of application dated 24.01.2017 of the appellant for withdrawal of the appeal and request before the Tribunal, the appeal is dismissed as withdrawn. File be consigned to the record room.


Chairman
24.01.17.

ANNOUNCED
24.01.2017

31.03.2016


Counsel for the appellant, Mr. Muhammad Amin, SDO, Mr. Muhammad Yaseen, Supdt alongwith Mr. Ziaullah, GP for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 22.06.2016.



MEMBER


MEMBER

22.06.2016

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Clerk to counsel for the appellant requested for adjournment. To come up for arguments on 26.10.2016.


Member


Member

26.10.2016

Clerk to counsel for the appellant and Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to general strike of the Bar. To come up for arguments on 21.02.2017.


(ABDUL LATIF)
MEMBER


(PIR BAKHSH SHAH)
MEMBER

29.07.2015

Counsel for the appellant, M/S Muhammad Iqbal, Supdt. and Muhammad Yasin, Supdt. alongwith Addl: A.G for official respondents, private respondents No. 5 and 6 in person present. Applicant with counsel also present. Written reply by private respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 24.11.2015.


Chairman

24.11.2015

Counsel for the appellant, M/S Muhammad Yaseen, Supdt., Muhammad Iqbal, Supdt., and Muhammad Anwar Khan, SO (Litigation) alongwith Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to learned Member (Judicial) is on official tour to D.I. Khan. Therefore, the case is adjourned to 31/3/16 for arguments.


Member

214/19

23.02.2015

Appellant with counsel and Mr. Muhammad Yasin, ^{Supdt.} ~~AST~~ for official respondents alongwith Addl: A.G and counsel for private respondents No. 5 and 6 present. Written reply on behalf of official respondents submitted while learned counsel for private respondents requested for adjournment. Last opportunity granted for written reply/comments. To come up for written reply/comments on behalf of remaining respondents on 15.5.2015. Meanwhile Muhammad Arshad Khan Tanoli, Advocate appeared and submitted application for impleadment of Zahid Hussain Shah applicant as a party in the panel of respondents. Appellant shall submit reply to the said application. Arguments on said application are to be heard on the said date.


Chairman

15.05.2015

None present for appellant. M/S Muhammad Iqbal, Supdt. for respondent No. 2, Muhammad Yasin, Supdt. for respondent No. 4, alongwith Addl: A.G for official respondents present. Counsel for applicant Zahid Hussain Shah also present. Seeks adjournment. To come up for written reply/comments on behalf of remaining respondents as well as reply and arguments on application submitted by the applicant on 29.7.2015.


Chairman

214/14

25.08.2014

Counsel for the appellant, Mr. Muhammad Jan, GP and Mr. Amjad Ali, Advocate/counsel for private respondents No. 5 & 6 present and Wakalanama placed on file. None is available on behalf of other respondents. Fresh notices be issued to them. To come up for written reply on 30.10.2014.


MEMBER

30.10.2014

Counsel for the appellant and Mr. Muhammad Jan, GP with Muhammad Yaseen Supdt. for the official respondents and private respondents No. 5 & 6 in person present. They requested for further time. To come up for written reply on 12.12.2014.


MEMBER

12.12.2014

Clerk to counsel for the appellant, Mr. Muhammad Jan, GP with Muhammad Iqbal, SO and Muhammad Yaseen, Supdt. for the official respondents and private respondents No. 5 & 6 in person present. The Tribunal is incomplete. To come up for the same on 23.2.2015.


READER

08.5.2014

Clerk to counsel for the appellant present and stated that counsel for the appellant is busy in august Supreme Court of Pakistan. To come up for preliminary hearing on 29.5.2014.


MEMBER

29.05.2014

Counsel for the appellant present. Preliminary arguments heard and record perused.


Through the instant appeal the appellant has impugned notification dated 25.10.2013 issued by respondent No. 2 vide which the private respondent No. 5 and 6 were promoted from the post of Sub Engineer (BPS-11) to the post of Sub Divisional Officer (BPS-17) while the appellant has been ignored. Against the impugned notification, the appellant filed departmental appeal on 12.11.2013 which was not responded within the statutory period, hence the present appeal.

The learned counsel for the appellant argued that seniority list was manipulated and the appellant was malafidely denied promotion by the official respondents.

Since the matter pertains to terms & conditions of service of the appellant and the points raised need further consideration, therefore, admit 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 for submission of written reply on 25.8.2014.


MEMBER

29.05.2014

This case be put up before the Final Bench  for further proceedings.




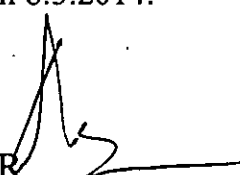

CHAIRMAN

*Appellant deposited
Process fees Security
Rs. 240/- Bank Receipt
attached with file*

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 214/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/02/2014	<p>The appeal of Mr. Aziz-ur-Rahman presented today by Mr. Khush Dil Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p align="right"> REGISTRAR</p> <p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>14-4-2014</u></p> <p align="right"> CHAIRMAN</p>
2	21-2-2014 15.4.2014.	<p>File received from the learned Chairman and order dated 11.4.2014 perused. To come up for preliminary hearing on 22.4.2014.</p> <p align="right"> MEMBER</p>
	22.4.2014.	<p>Clerk to counsel for the appellant present. Counsel for the appellant is not available, due to general strike of the Bar. To come up for preliminary hearing on 8.5.2014.</p> <p align="right"> MEMBER</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 214 /2014

Aziz-ur-Rahman.....Appellant

Versus

The Govt. of Khyber Pakhtunkhwa
through Chief Secretary and othersRespondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Writ Petition with Affidavit			1-8
2.	Copy of the Khyber Pakhtunkhwa Public Health Engineering Department's (Recruitment & appointment) Rules, 2010	Notified on 06.03.2010	A	9-18
3.	Copy of notification thereby amended the Rules, 2010	06.12.2010	B	0-19
4.	Copy of notification thereby amended the Rules, 2010	31.07.2013	C	0-20
5.	Copy of tentative seniority list of B.Tech. Hons. (Civil) Sub Engineers (BPS--11) as stood on 31.07.2013	20.08.2013	D	0-21
6.	Copy of final seniority list of B.Tech. Hons. (Civil) Sub Engineers (BPS--11) as stood on 30.09.2013	09.10.2013	E	0-22
7.	Copy of Departmental Appeal against final seniority list filed by appellant	22.10.2013	F	0-23
8.	Copy of working paper for promotion of B.Tech. Hons. Degree holder sub engineers (BPS-11) to the post of Assistant Engineers/Sub Divisional Officer (BPS-17)		G	24-25
9.	Copy of the minutes of Respondent No.3 (DPC)	27.09.2013	H	26-27
10.	Copy of the impugned notification issued by Respondent No.2 thereby Respondents No.5 & 6 were promoted to the post of Assistant Engineer/Sub Divisional Officer (BPS-17)	25.10.2013	I	0-28
11.	Copy of Departmental Appeal filed by appellant against the impugned notification dated 25.10.2013 with receipt T.C.S.	12.11.2013	J	29-31
12.	Wakalat Nama			

Through

Appellant

Khush Dil Khan
Advocate,
Supreme Court of Pakistan

Dated: 19 / 02/ 2014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 214 /2014

Aziz-ur-Rahman S/o Muhammad Azeem,
Sub-Engineer (BPS-11),
Presently holding the post of
Sub-Divisional Officer in Own Pay Scale
in the office of Executive Engineer
Public Health Engineering
Department, District Karak Appellant

W.F. Project
19-2-14

Versus

1. The Govt: of Khyber Pakhtunkhwa,
through Chief Secretary,
Civil Secretariat Peshawar.
2. The Secretary,
Govt: of Khyber Pakhtunkhwa,
Public Health Engineering Department Peshawar.
3. The Departmental Promotion Committee
through its Chairman/Secretary,
Public Health Engineering Department,
Khyber Pakhtunkhwa, Peshawar.
4. The Chief Engineer (South),
Public Health Engineering Department,
Peshawar.
5. ✓ Syed Zahid Hussain Kazmi,
Sub-Divisional Officer,
PHE Project, Sub Division, Abbottabad.
6. ✓ Muhammad Yaqoob Khan,
Sub-Divisional Officer,
PHE Project, Sub Division,
Batagram Respondents

19/2/14

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974 AGAINST THE NOTIFICATION DATED
25.10.2013 ISSUED BY RESPONDENT NO.2
THEREBY RESPONDENT NO.5 AND 6 WERE**

PROMOTED FROM THE POST OF SUB ENGINEER (BPS-11) TO THE POST OF SUB DIVISION OFFICER (BPS-17) AGAINST WHICH APPELLANT FILED DEPARTMENTAL APPEAL ON 12.11.2013 BEFORE RESPONDENT NO.1 THROUGH T.C.S BUT THE SAME WAS REMAINED UNRESPONSE WITHIN THE STATUTORY PERIOD OF 90 DAYS.

Respectfully Sheweth,

The concise facts giving rise to the present appeal are as under:-

1. That after obtaining the Diploma of Associate Engineering (Civil) in the year 1983, the appellant joined the Respondent Department (Public Health Engineering) as Sub-Engineer on 26.03.1983 on regular basis. Since then he is performing his duties efficiently, having unblemished service record spreading over 31 years. During the service he also improved his qualification and obtained degree of Bachelor of Technology Hons. (Civil) in the year 2013.
2. That the services of officers and officials of the Respondent Department are governed by the Rules called the Khyber Pakhtunkhwa Public Health Engineering Department's (Recruitment & Appointment) Rules, 2010, (hear in after called Rule, 2010) the same was notified on 06.03.2010 (*Annex:-A*) vide Endst: No.SO (Estt:)/PHED/1-9/2010. These Rules are further amended vide Notification No.SO(E)PHE/1-9/2009 dated 06.12.2010 (*Annex: B*) and the same are again

amended by Notification of even Number dated 31.07.2013 (*Annex: C*). In the later Notification, for the first time a quota of promotion was specified for those Sub-Engineers who possess degree in B.Tech Hons in Civil. The relevant para is reproduced for the convenience of this Hon'ble Tribunal:-

“(c) three per cent, by promotion, on the basis of Seniority-cum-fitness, from amongst Sub Engineers, who possess Degree in B.Tech Hons. (Civil), from a recognized University with five years service as such”

3. That it is pertinent to mention that Respondent No.4 had circulated a Tentative Seniority List of B.Tech Hons. (Civil) Sub-Engineers (BPS-11) as stood on 31.07.2013 vide Endst: No.63/E-16/PHE dated 20.08.2013 (*Annex:-D*). The name of appellant was at Serial No.1 of the said Seniority List. When the final seniority list stood on 30.09.2013 was issued on 09.10.2013 (*Annex: E*) the appellant was relegated to junior position and shown his name at the last serial No.8 of the list against which he filed Departmental Appeal on 22.10.2013 (*Annex: F*) which was not disposed of within statutory period of 90 days then the appellant has challenged the same before this Hon'ble Tribunal.
4. That working paper was prepared by the Deputy Secretary Administration of the Respondent Department in view of newly added clause “C” to column No.5 against serial No.3 of the rules 2010

in order to promote on those Sub Engineers (BPS-11), who possess degree in B.Tech Hons in Civil Trade to the post of Assistant Engineer/Sub Divisional Officer (BPS-17). Later on, the appellant came to know that his name was not included in the panel of candidates at the instance of respondent No.2 as he was interested in the promotion of Respondents No.5 & 6 being his favourites. Copy of the working paper as *(Annex: G)*.

5. That the meeting of the Respondent No.3 (Departmental Promotion Committee) was held on 27.09.2013 under the Chairmanship of Respondent No.2 but the case was returned for the want of Final Seniority List which was not yet prepared with the direction to makeup deficiency soonly in order to facilitate promotion of the nominated candidates to next higher rank. Copy of the minutes of DPC *(Annex: H)*.
6. That as soon, the final seniority list was finalized on 09.10.2013 the meeting of Respondent No.3 was held on 23.10.2013 under the chairmanship of Respondent No.2 and accordingly Respondents No.5 & 6 were recommended for the requisite promotion which notified on 25.10.2013 vide notification No. Ends: No. SO(Estt:)/PHED/1-44/2013. Copy of the notification dated 25.10.2013 as *(Annex: I)*.

7. That the appellant being aggrieved of the illegal promotion of Respondents No.5 & 6 filed a Departmental Appeal under Section 22 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-3 of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 before the Respondent No.1 but the same was not disposed of within statutory period of 90 days. Copy of Departmental Appeal as (*Annex: J*).

Hence the present appeal is submitted on the following grounds:

Grounds:

- A. That appellant was not treated in accordance with law and rules on subject and malafidely excluded his name from the panel of candidates and deprived him of his right of promotion to the post of Assistant Engineer/Sub Divisional Officer (BPS-17).
- B. That the entire process in the instant case is tainted with malafide intention. Neither the working paper was prepared honestly, fairly nor the Respondent No.3 acted in accordance with law and rules on subject and unfairly recommended Respondents No.5 & 6 for the promotion in question on the basis of which the impugned notification was issued on 25.10.2013 by the Respondent No.2 which has no legal sanctity, of no legal effect and inoperative on the rights of appellant.

- C. That the Respondents No.5 & 6 were more junior to appellant as their regular entries in the service are made on 25.03.1996 and 27.03.1990 while the date of regular appointment of appellant is 26.03.1983 and the same position was intact till the passing of impugned notification of their promotion. This important factor of seniority was totally ignored by Respondent No.3 and relied on incorrect and objected seniority list. Therefore the recommendation of Respondent No.3 and the subsequent impugned notification are without lawful authority being violative of law and rules on subject.
- D. That the impugned recommendation and notification of promotion of Respondent No.5 & 6 are tainted with favouritism and nepotism as evident from the conduct of the Respondent Department that earlier the working paper was submitted without seniority list being not prepared which was returned for the same reason on 27.09.2013. Promptly the final seniority list was prepared and without its circulation among the concerned persons submit the case before the Respondent No.3 on 23.10.2013 and the case was recommended accordingly. Therefore such recommendation has no legal sanctity being passed in vary clandestine manner.
- E. That the Respondent No.1 was under legal obligation to consider the Departmental Appeal of appellant against the impugned recommendation and notification of promotion of Respondent No.5

and 6 in accordance with law and rules on subject and pass an appropriate reasonable order as required by law but he acted in arbitrary manner and kept the same without any action as such not acted fairly and justly.

It is therefore, humbly prayed that on acceptance of this service appeal, the impugned recommendation of Respondent No.3 and the subsequent notification dated 25.10.2013 passed by Respondent No.2 thereby Respondents No.5 & 6 were promoted, may kindly be declared malafide, unlawful, without lawful authority, of no legal effect and be set aside the same accordingly. Further prayed to please direct the Respondent authorities to act in accordance with law and consider appellant for promotion to the post of Assistant Engineer/Sub Divisional Officer (BPS-17) being senior to Respondents No.5 & 6.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant

Khush Dil Khan
Advocate, Peshawar.

Dated: 19 / 02/ 2014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2014

Aziz-ur-Rahman.....Appellant

Versus

The Govt. of Khyber Pakhtunkhwa
through Chief Secretary and othersRespondents**Affidavit**

I, Aziz-ur-Rahman S/o Muhammad Azeem, Sub-Engineer (BPS-11), Presently holding the post of Sub-Divisional Officer in Own Pay Scale in the office of Executive Engineer Public Health Engineering Department, District Karak, do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Tribunal.


Deponent

Annex-D

(14)

GOVERNMENT OF N.W.F.P.
PUBLIC HEALTH ENGINEERING DEPARTMENT

Annex-A2

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Dated Peshawar the March 6, 2010.

NOTIFICATION

No.SO(Estt)/PHED/1-9/2010 In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North-West Frontier Province Civil servants (Appointment, Promotion and Transfer) Rules, 1989 and in super-session of all previous notifications issued in this behalf, the Public Health Engineering 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 No. 3 to 5 of the Appendix appended to this Notification which shall be applicable to the post as mentioned in Column No. 2 of the said Appendix.

(ENGR. AHMAD JAN)
SECRETARY TO GOVT. OF NWFP
PUBLIC HEALTH ENGG: DEPARTMENT

Endst: No.SO(Estt)/PHED/1-9/2010

Dated Peshawar, the March 6, 2010.

Copy forwarded for information to the:-

1. All Administrative Secretaries, Govt. of NWFP Peshawar.
2. Secretary to Governor NWFP.
3. Secretary to Govt. of NWFP, Establishment (E&A) Department Peshawar.
4. Secretary to Govt. of NWFP, Law Department Peshawar.
5. Principal Secretary to Chief Minister NWFP Peshawar.
6. PS to Chief Secretary NWFP Peshawar.
7. PS to Additional Chief Secretary NWFP Peshawar.
8. PS to Additional Chief Secretary Home NWFP Peshawar.
9. PS to Additional Chief Secretary FATA Peshawar.
10. Accountant General NWFP Peshawar.
11. Additional Accountant General, (PR) Sub Office Peshawar.
12. Chief Engineer (South/North)PHE Department NWFP Peshawar.
13. Secretary Public Service Commission Peshawar w/r to his letter No.NWFP/PSC/Lt/2010/08527 dated 12-02-2010.
14. Registrar Peshawar High Court Peshawar.
15. Registrar N.W.F.P. Services Tribunal Peshawar.
16. All Superintending Engineers PHE Department NWFP.
17. All Executive Engineers PHE Department NWFP.
18. PS to Secretary PHE Department NWFP Peshawar.
19. Office Order File.
20. Manager Government Printing Press NWFP Peshawar. He is requested to supply 50 copies of the printed gazette for further distribution.

ATTESTED

(SHABBIR AHMED AWAN)
SECTION OFFICER (ESTT)

ATTESTED

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GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE
PUBLIC HEALTH ENGINEERING DEPARTMENT

NOTIFICATION

Peshawar, dated: 26.02.2010.

No. _____ - In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North-West Frontier Province Civil servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf, the Public Health Engineering 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 No. 3 to 5 of the Appendix appended to this Notification which shall be applicable to the post as mentioned in Column No. 2 of the said Appendix.


Section Officer (Estt)
Public Health Engg. Department
Khyber Pakhtunkhwa

ATTESTED

ATTESTED


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APPENDIX

S.No.	Nomenclature of post.	Minimum qualification required for appointment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
I. <u>Engineering Cadre:</u>				
1.	Chief Engineer (BS-20).			By promotion, on the basis of selection on merit, from amongst the Superintending Engineers/Directors Design/Directors (Planning and Monitoring) with at least seventeen years service in BS-17 and above, possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University.
2.	Superintending Engineer / Director Design / Director (Planning and Monitoring) (BS-19).			By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/ Design Engineers/ Technical Officers with twelve years of service in BS-17 and above, possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University.
3.	Executive Engineer/ Design Engineer/ Technical Officer (BS-18).			By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Engineers/Assistant Design Engineers/Sub Divisional Officers possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such.

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[Signature]
 Section
 Public

ATTESTED

(17)

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4.	Assistant Engineer/ Assistant Design Engineer/Sub Divisional Officer (BS-17).	Degree in B.E/B.Sc Engineering (Civil) from a recognized University.	21 to 32 years	<p>(a) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers who possessed Degree of B.E/B.Sc Engineering (Civil) from a recognized University;</p> <p><u>Note:</u> The seniority for the purpose of promotion shall be reckoned from the date of acquiring degree of B.E/B.Sc Engineering. (Civil), from a recognized University or date of appointment which ever is later.</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness; from amongst the Sub-Engineers who hold a diploma and have passed Departmental Professional Examination with at least ten years service as such; and</p> <p>(c) seventy per cent by initial recruitment.</p>
5.	Sub Engineer (BS-11).	Diploma of Associate Engineering (Civil) / Electrical / Mechanical from a recognized Technical Board.	18 to 30 years	<p>(a) Ten per cent by transfer, from amongst the Draftsmen with seven years service as such, having Diploma in Civil/Electrical/Mechanical Technology from a recognized Board; and</p> <p>(b) ninety per cent by initial recruitment;</p>

II. Ministerial Establishment:

6.	Budget and Accounts Officer/Administrative Officer (BS-17).			By promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with five years service as such.
7.	Superintendent (BS-16).			<p>(a) Seventy per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with five years service as such; and</p> <p>(b) thirty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with five years service as such.</p>

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Section Officer (Estt)

ATTESTED

8.	Senior Scale Stenographers (BS-15).	(a) Second Class Bachelor's Degree or equivalent qualification from a recognized University; and (b) a speed of 100 words per minute in English shorthand and 40 words per minute in English typing.	18 to 30 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers BS-12 with five years service as such. Provided that if no suitable candidate is available for promotion, then by initial recruitment.
9.	Junior Scale Stenographer (BS-12).	(a) Second Class Intermediate/ D.Com or equivalent qualification from a recognized Board; and (b) a speed of 50 words per minute in English shorthand and 35 words per minute in English typing.	18 to 30 years	By initial recruitment.

ATTESTED

[Signature]
 Section Officer (Estt)
 Health Engg. Department
 Lucknow

ATTESTED
[Signature]

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10.	Assistant/Head Clerk (BS-14).	Second Class Bachelor's Degree from a recognized University.	21 to 32 years	<p>(a) Twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Clerks, having graduation with five years service as such;</p> <p>(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Clerk other than Graduates, with five years service as such:</p> <p style="text-align: center;">Provided that if qualified persons are not available for promotion, against the quota at (a), then the vacancy shall be filled in by way prescribed at (b); and</p> <p>(c) Twenty-five per cent by initial recruitment.</p>
11.	Accounts Clerk (BS-11).			By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with five years service as such.
12.	Senior Clerk (BS-09).			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with three years service as such.
13.	Junior Clerk (BS-07).	<p>(a) Second Division Intermediate or equivalent qualification from a recognized Board; and</p> <p>(b) a speed of 30 words per minute in English typewriting.</p>	18 to 28 years	<p>(a) Twenty per cent by promotion, from amongst the Daftari, Record Lifter, Daffadar, Barkandaz, Naib Qasids and Chowkidars, who have passed Secondary School Examination and are under 45 years of age and have at least two years service as such; and</p> <p><u>Note:</u> For the purpose of promotion, the department shall maintain a joint seniority list of Daftari, Naib Qasids, Chowkidars, Record Lifter, Daffadar and Barkandaz based on the date of regular appointment to the post or that of acquiring the SSC whichever is later; provided that if two dates are the same the person older in age or having longer service, whichever is more beneficial to him, shall rank senior; and</p> <p>(b) eighty per cent by initial recruitment.</p>

ATTESTED

Section Officer (Estt)
Public Health Engg. Department
Pakhtunkhwa

ATTESTED

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III. Drawing Branch Establishment:

20.	Chief Draftsman (BS-17).		By promotion, on the basis of seniority-cum-fitness, from amongst the Circle Head Draftsman with five years service as such.
21.	Circle Head Draftsman (BS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst the Head Draftsman/ Divisional Head Draftsman with five years service as such.
22.	Head Draftsman / Divisional Head Draftsman (BS-14).		By promotion, on the basis of seniority-cum-fitness, from amongst the Draftsman with five years service as such.
23.	Draftsman (BS-11).	<p>(a) Second Division Secondary School Certificate from a recognized Board; and</p> <p>(b) two years duration Certificate Course in Civil Draftsmanship from a recognized Board of Technical Education.</p>	<p>(a) Twenty-five per cent by promotion, on the basis of seniority-cum-fitness; from amongst the Tracers having Certificate of Civil Draftsman Course of two years duration from recognized Board of Technical Education with three years service as such;</p> <p>(b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers who have qualified the prescribed Departmental Examination of Draftsman, and having three years service as such;</p> <p>Provided that if no suitable candidates are available for promotion against the quota at (a) then the vacancy shall be filled in by way prescribed at (b) and vice versa; and</p> <p>(c) fifty per cent by initial recruitment.</p>

ATTESTED

Section Officer (Estt)
Public Works Department

ATTESTED

24.	Tracer (BS-05).	(a) Second Class Secondary School Certificate from a recognized Board; and (b) Survey course of at least 6-9 months duration.	18 to 30 years	(a) Twenty-five by promotion, from amongst the Ferro-Printer/Ferro Khalasi having Secondary School Certificate with two years service as such; and (b) seventy-five per cent by initial recruitment.
25.	Ferro-Printer/ Ferro Khalasi (BS-02).	Middle Standard Qualification.	18 to 30 years	By initial recruitment.
IV. <u>Water Quality (WQ) Laboratory's Technical Staff:</u>				
26.	Water Scientist / Senior Research Officer (WQ) (BS-18).	Second Division M.Sc (Micro-biology or Chemistry) from a recognized University.		By promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Research Officer (Water Quality) BS-17 with five years service as such.
27.	Research Officer (WQ) (BS-17).	Second Division M.Sc (Micro-biology or Chemistry), from a recognized University.	21 to 32 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Assistant Research Officer (Water Quality) with three years service as such; and (b) fifty per cent by initial recruitment; and
28.	Assistant Research Officer (WQ) (BS-16).	Second Division B.Sc (Microbiology or Chemistry) from a recognized University.	21 to 30 years	By initial recruitment.

ATTESTED

[Signature]
Section Officer (Estt)
Health Engg. Department
Mankhwa

ATTESTED
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29.	Laboratory Technician (BS-06).	Second Division Secondary School Certificate or equivalent qualification from a recognized Board and relevant Laboratory Technician Course from a recognized Technical Board/Institute.	18 to 30 years	By initial recruitment.
30.	Laboratory Attendant (BS-01).	Literate.	18 to 45 years	By initial recruitment.
Hydrogeology/Resistivity Survey Staff:				
31.	Research Officer/ Hydro-Geologist (BS-17).	Second Division M.Sc (Hydro-Geology) or B.Sc (Civil/Agriculture Engineering) with two years relevant experiences or Second Division M.Sc. (Water Resources/ Civil Engineering) from a recognized University.	21 to 32 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Assistant Research Officer (Resistivity Survey) with three years' service as such; and (b) fifty per cent by initial recruitment.
32.	Assistant Research Officer (R/Survey) (BS-16).	Second Division M.Sc (Hydro-Geology) or B.Sc (Civil/Agriculture Engineering) or Second Division M.Sc. (Water Resources/ Civil Engineering) from a recognized University.	21 to 30 years	By initial recruitment.

ATTESTED

[Signature]
Section Officer (Estt)
Health Engineering Department
Bhujkhera

[Signature]
ATTESTED

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P-23 P-18

33.	Technician (BS-06).	Second Class Secondary School Certificate or equivalent qualification from a recognized Board and relevant Technician Course from a recognized Technical Board/Institute.	18 to 30 years	By initial recruitment.
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VI. Community Development/Health Hygiene Promotion Staff:

34.	Assistant Social Organizer (BS-16).	Second Class Master's Degree in Social Sciences from a recognized University.	21 to 30 years	By initial recruitment.
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VII. EIA/Environment Section Staff:

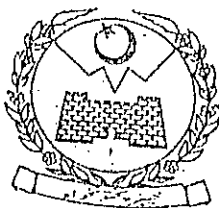
35.	Environmentalist (BS-17).	Second Class Master's Degree in Environmental Sciences/Environmental Engineering from a recognized University.	21 to 30 years	By initial recruitment or by deputation from Environmental Protection Agency North-West Frontier Province.
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SECRETARY TO GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE
PUBLIC HEALTH ENGINEERING DEPARTMENT.

ATTESTED

[Signature]
Section Officer (Estt)
Public Health Engineering Department
Khyber Pakhtunkhwa

ATTESTED
[Signature]



Dated Peshawar, the December 6, 2010

NOTIFICATION

No. SO(E)PHE/1-9/2009. In pursuance of the provisions contained in sub-rule(2) o 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion Transfer) Rules, 1989, the Public Health Engineering Department, in consultation the Establishment Department and Finance Department, hereby directs that in department's Notification No. SOE/PHE/1-9/2010, dated 06-03-2010, the following amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- (i) against serial No.2 and 3, in column No.5, the word and brackets, "(shall be deleted;
- (ii) against serial No.4, in column No.5, for the existing entry, the following shall be substituted, namely:
 - "(a) Five percent by promotion, on the basis of seniority-cum-fir from amongst the Direct Graduate Sub Engineers, who possess Degree of B.E/B.Sc Engineering (Civil) from a recognized University;
 - (b) five percent by promotion, on the basis of seniority-cum-fir from amongst the in-service Graduate Sub Engineers, who possess Degree of B.E/B.Sc Engineering (Civil) from a recognized University;
 - (c) twenty percent by promotion, on the basis of seniority-cum-fir from amongst the Sub Engineers, who hold a Diploma in Electrical / Mechanical Technology and have passed Department Professional Examination with at least ten years service as such
 - (d) seventy percent by initial recruitment."
- (iii) against serial No.5, in column No.5, for the existing entry, the following shall be substituted, namely:
 - "(a) ninety-five per cent by initial recruitment having Diploma Associate Engineering (Civil) from a recognized Technical Institution;
 - (b) One per cent by initial recruitment having Diploma of Associate Engineering (Electrical) from a recognized Technical Institution
 - (c) two per cent by initial recruitment having Diploma of Associate Engineering (Mechanical) from a recognized Technical Institution and
 - (d) two per cent by transfer, from amongst the Draftsmen with at least seven years service as such, having Diploma in Civil / Electrical Mechanical Technology from a recognized Institution."

ATTESTED

- (iv) against serial No.7, in column No.5, for the existing entry, the following shall be substituted, namely;

“By promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers having five years service such.

Note:- A joint seniority list of Assistants / Senior Scale Stenographers shall be maintained for the purpose of promotion. The seniority shall be reckoned from the date of regular appointment to the post of Assistant / Senior Scale Stenographer respectively. In case of same date of appointment, Assistant shall rank senior.”;

- (v) against serial No.11,-

- (a) in column No.2, for the existing entry, the following shall be substituted, namely;

“Accounts Clerk / Senior Clerk;” and

- (b) in column No.5, for the words “Senior Clerks with five”, the words “Junior Clerks with three”, shall be substituted.

- (vi) entries against serial No.12 shall be deleted;

- (vii) against serial No.13, in column No.3, for the existing entry at clause (a), the following shall be substituted, namely;

“(a) Second class Secondary School Certificate from a recognized Board and”; and

- (viii) against serial No.19, in column No.3, for the existing entry, the following shall be substituted, namely;

“Second class Bachelor’s Degree from a recognized University with year Diploma in Information Technology from a recognized Board of Technical Education.”.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGINEERING DEPARTMENT

ENDST: No. SO(E)PHE/1-9/2009 Dated Peshawar, the December 6, 2010

Copy forwarded to the:-

1. All Administrative Secretaries to the Govt. of Khyber Pukhtoonkhwa Province.
2. Secretary to Governor Khyber Pukhtoonkhwa Province.
3. Principal Secretary to Chief Minister Khyber Pukhtoonkhwa Province.
4. PS to Chief Secretary Khyber Pukhtoonkhwa Province.
5. Accountant General Khyber Pukhtoonkhwa Province Peshawar.
6. Additional Accountant General (PR), Pakistan Revenue Sub Office Peshawar.
7. Chief Engineer (North & South) PHE Department.
8. Secretary Public Service Commission.
9. Registrar Peshawar High Court / Services Tribunal Peshawar.
10. All Superintending Engineers PHE Circles / XENs PHE Department.
11. Manager Government Stationary & Printing Department.
12. PS to Secretary / DS (Admn) PHE Department.
13. Office Order File



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Dated Peshawar, the July 31, 2013

25
Annex-C
P-20

NOTIFICATION

No. SO(E)PHE/1-9/2009. In pursuance of the provisions contained in sub-rule(2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Government of the Khyber Pakhtunkhwa is pleased to direct that in the Public Health Engineering Department's (Recruitment and Appointment) Rules, 2010, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- i) Against serial No.3, in column No.5, for the existing entry, the following shall be substituted, namely:
"By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Engineers, Assistant Design Engineers and Sub Divisional Officers, who possess Degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such and have passed the Departmental Professional Examination."
- ii) Against serial No.4, in column No.5, for the existing entries, the following shall be substituted, namely:
 - (a) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the direct graduate Sub Engineers, who possess Degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such;
 - (b) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the in service graduate Sub Engineers, who possess Degree in B.E/B.Sc Engineering (Civil), from a recognized University with five years service as such;
 - (c) three per cent, by promotion, on the basis of seniority-cum-fitness, from amongst Sub Engineers, who possess Degree in B.Tech Hons. (Civil), from a recognized University with five years service as such;
 - (d) twenty per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers, who possess Diploma in Civil / Electrical / Mechanical Technology with ten years service as such and have passed the Departmental Examination; and
 - (e) sixty-seven per cent by initial recruitment".

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SECRETARY

ATTESTED
A. Javed

ENDST: No. SQ(E)PHE/1-9/2009 Dated Peshawar, the July 31, 2013

Copy forwarded to the:-

1. All Administrative Secretaries to the Govt. of Khyber Pakhtunkhwa Province.
2. Secretary to Governor Khyber Pakhtunkhwa Province.
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa Province.
4. PS to Chief Secretary Khyber Pakhtunkhwa Province.
5. Accountant General Khyber Pakhtunkhwa Province Peshawar.
6. Additional Accountant General (PR), Pakistan Revenue Sub Office Peshawar.
7. Chief Engineer (South) PHE Department.
8. Chief Engineer (North) PHE Department.
9. Chief Engineer (FATA) Communication & Works Department.
10. Secretary Public Service Commission Khyber Pakhtunkhwa.
11. Registrar Supreme Court of Pakistan / Peshawar High Court / Service Tribunal Peshawar.
12. All SuperIntending Engineers PHE Circles / Executive Engineers PHE Divisions / Sub Divisional Officers PHE Khyber Pakhtunkhwa.
13. Manager Government Stationary & Printing Department.
14. PS to Minister for PHE Department.
15. PS to Secretary PHE Department.
16. Office Order File

Muhammad Yunas
31/7/13

(MUHAMMAD YUNAS)
SECTION OFFICER (ESTT)

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Annex-D
P-21

PUBLIC HEALTH ENGINEERING DEPARTMENT

Tentative Seniority List of B.Tech Hons (Civil) Sub Engineers (BPS-11) as stood on 31.07.2013

S#	Name	Father's Name	Home District	Qualification	Date of Birth	Date of Commencement of Service	Date of Appointment to Present Post	Remarks
1.	Aziz-ur-Rehman	Muhammad Azeem	Karak	B.Tech Hons (Civil)	02.02.1962	14.04.1983	26.03.1983	
2.	Hazrat Muhammad	Shamsi Bahadar	Dir Lower	B.Tech Hons (Civil)	01.05.1965	05.10.1986	29.03.1989	
3.	Riaz Ahmad	Ghulam	Dir Lower	B.Tech Hons (Civil)	01.03.1966	10.12.1989	06.12.1989	
4.	Aurangzeb	Jehanzeb	Mohmand Agency	B.Tech Hons (Civil)	25.10.1968	13.12.1989	13.12.1989	
5.	Muhammad Yaqoob Khan	Mir Sahib-ur-Rehman	Bannu	B.Tech Hons (Civil)	10.04.1963	27.03.1990	26.03.1990	
6.	Irshad Mehmood	Sultan Muhammad	Dir Upper	B.Tech Hons (Civil)	20.12.1965	23.09.1993	16.09.1993	
7.	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain	Abbottabad	B.Tech Hons (Civil)	11.10.1971	25.03.1996	26.02.1996	
8.	Zahid Hussain Shah	Syed Muzaffar Shah	Mansehra	B.Tech Hons (Civil)	27.02.1996	27.02.1996	26.02.1996	

Chief Engineer (South)
Public Health Engg: Dep
Khyber Pakhtunkhwa, Peshawar

Endst: No. 63 E-16/PHE Dated Peshawar the 20 / 8 / /2013

Copy of the Seniority List is forwarded to the:-

1. Chief Engineer (North) PHE Department Khyber Pakhtunkhwa, Peshawar
2. All Superintending Engineers PHE Department Khyber Pakhtunkhwa
3. All Executive Engineer PHE Department in Khyber Pakhtunkhwa.
4. Section Officer (Estt) PHE Department Khyber Pakhtunkhwa, peshawar

ATTESTED

Sd/-

Chief Engineer (South)
Public Health Engg: Dep
Khyber Pakhtunkhwa, Peshawar

ATTESTED
(Signature)

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PUBLIC HEALTH ENGINEERING DEPARTMENT

Annex-D
Annex-A (II)
P-29

Tentative Seniority List of B.Tech Hons (Civil) Sub Engineers (PES-11) as stood on 31.07 2013.

S#	Name	Father's Name	Home District	Qualification	Date of Birth	Date of Commencement of Service	Date of Appointment to Present Post
1	Aziz-ur-Rehman	Muhammad Azeem	Karak	B.Tech Hons (Civil)	02.02.1962	14.04.1983	26.03.1983
2	Hazrat Muhammad	Shamsi Bahadar	Dir Lower	B.Tech Hons (Civil)	01.05.1965	05.10.1983	29.02.1989
3	Rizq Ahmad	Ghulam	Dir Lower	B.Tech Hons (Civil)	01.03.1966	10.12.1983	06.12.1989
4	Aurangzeb	Jehanzeb	Mohmand Agency	B.Tech Hons (Civil)	25.10.1968	13.12.1989	13.12.1989
5	Muhammad Yaqoob Khan	Mir Sahib-ur-Rehman	Bannu	B.Tech Hons (Civil)	10.04.1963	27.03.1990	26.02.1990
6	Ishad Mehmood	Sultan Muhammad	Dir Upper	B.Tech Hons (Civil)	20.12.1965	25.09.1993	15.09.1993
7	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain	Abbotabad	B.Tech Hons (Civil)	11.10.1971	25.03.1996	26.02.1995
8	Zahid Hussain Shah	Syed Muzaffar Shah	Manshera	B.Tech Hons (Civil)	27.02.1996	27.02.1996	26.02.1996

Chief Engineer (South)
Public Health Engg. Department
Khyber Pakhtunkhwa, Peshawar.

Ensl. No. 53 - E - 16/PHE - Dated Peshawar the 20 / 8 / 2013

- Copy of the Seniority List is forwarded to the:
- 1 Chief Engineer (North) PHE Department Khyber Pakhtunkhwa Peshawar
 - 2 All Superintending Engineers PHE Department in Khyber Pakhtunkhwa
 - 3 All Executive Engineer PHE Department in Khyber Pakhtunkhwa
 - 4 Section Officer (Estt) PHE Department Khyber Pakhtunkhwa Peshawar

Chief Engineer (South)
Public Health Engg. Department
Khyber Pakhtunkhwa Peshawar.

ATTACHED

Adverts

Annex - E

P-22
Annex B

12

PUBLIC HEALTH ENGINEERING DEPARTMENT

Final Seniority List of B.Tech Hons (Civil) Sub Engineers (BPS-11) as stood on 30.09.2013.

S#	Name	Father's Name	Date of Birth	Home District	Date of Appointment to Present Post	Date of Commencement of Service	Year of acquiring Degree of B-Tech Hons (Civil)	Remarks
1	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain	11.10.1971	Abbottabad	26.02.1996	25.03.1996	2007	Authority for framing Seniority List Minutes of D.P.C meeting held on 27.9.2013
2	Muhammad Yaqoob Khan	Mir Sahib-ur-Rehman	10.04.1963	Bannu	26.03.1990	27.03.1990	2010	
3	Hazrat Muhammad	Shamsi Bahadur	01.05.1965	Dir Lower	29.08.1989	29.08.1989	2011	
4	Riaz Ahmad	Ghulam	01.03.1965	Dir Lower	06.12.1989	06.12.1989	2011	
5	Aurangzeb	Jehanzeb	25.10.1965	Mohmand Agency	13.12.1989	13.12.1989	2011	
6	Irshad Mehmood	Sultan Muhammad	20.12.1965	Dir Upper	16.09.1993	16.09.1993	2011	
7	Zahid Hussain Shah	Syed Muzaffar Shah	01.02.1972	Mansehra	26.02.1996	27.02.1996	2012	
8	Aziz-ur-Rehman	Muhammad Azeem	02.05.1962	Karak	26.03.1983	26.03.1983	2013	

sh
Chief Engineer (South)
Public Health Engg: Department
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 15 /E - 40 / PHE Dated Peshawar, the 09 / 10 / 2013

- Copy of the Seniority List is forwarded to the:-
1. Chief Engineer (North) PHE Department Khyber Pakhtunkhwa, Peshawar.
 2. All Superintending Engineers PHE Department in Khyber Pakhtunkhwa.
 3. All Executive Engineer PHE Department in Khyber Pakhtunkhwa.
 4. Section Officer (Estt) PHE Department Khyber Pakhtunkhwa, Peshawar with reference to his letter No. SO(Estt)/PHED/13-77, dated 03.10.2013.

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A.R. Day
Administrative officer (South)
Public Health Engg: Department
Khyber Pakhtunkhwa, Peshawar.

Adwala
Date of acquiring Degree of 9/10/13

Amma - F
P-23 Amma C

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To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Public Health Engineering Department.

22-10-13

Subject: APPEAL AGAINST FINAL SENIORITY LIST OF B.TECH HONS (CIVIL) SUB ENGINEERS (BPS-11) PHE DEPARTMENT.

Dear Sir,

It is submitted that I joined PHE Department as Sub Engineer (BPS-11) on 26.03.1983 and stand at s.no.17 of the joint seniority list of Sub Engineers of PHE Department. On amendment in the Service Recruitment Rules for the post of Sub Divisional Engineer (BPS-17) of PHE Department, 03% of the posts have been reserved for those Sub Engineers of PHE who have the Degree of B.Tech Hon (Civil). After amendment the aforesaid Service Recruitment Rules, a tentative seniority list was prepared and circulated vide Endst.No.03/E-16/PHE dated 20.08.2013, wherein my name is reflected at s.no.1 of the tentative seniority list. Now vide Endst.No.15/E-40/PHE dated 09.10.2013, the Chief Engineer (South) PHE Department has circulated final seniority list wherein my name has been reflected at s.no.8. This drastic change is not understandable.

Inter-se-seniority of a civil servant is regulated under section-8 of the Civil Servants Act, 1973. In the present case, it is not clear that PHE Department has determined seniority of the undersigned under what rules.

It is therefore, requested that necessary correction may be carried out and my name may be reflected at proper place in the final seniority list of B.Tech Hon (Civil) Sub Engineers of PHE Department i.e. s.no.1. and obliged.

Yours faithfully

(Aziz ur Rehman)
Sub Engineer,
PHE Department
Karak

Copy to:

1. The Secretary Establishment, Khyber Pakhtunkhwa.
2. P.S to Chief Secretary, Khyber Pakhtunkhwa.
3. Chief Engineer (South), PHE Department.

22/10

ATTESTED

(Aziz ur Rehman)
Sub Engineer,
PHE Department
Karak

22/10/2013

22/10

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WORKING PAPER

(26)

Subject: PROMOTION OF SUB ENGINEERS (BPS-11) (B.TECH HONS DEGREE HOLDERS) TO THE POST OF ASSISTANT ENGINEER/ SUB DIVISIONAL OFFICER (BPS-17) ON REGULAR BASIS

There are 72-sanctioned posts of Assistant Engineers / Sub Divisional Officers (BPS-17) in PHE Department (**Annex-I**). Out of these posts, the share of promotion for B.Tech (Hons) Degree Holder Sub Engineers (BPS-11) is 03% as per Service Rules. Total posts meant for B.Tech (Hons) Degree Holders come to 2.16 (say 2-posts), against which no regular Assistant Engineer/ Sub Divisional Officers (B-17) is presently working.

2. According to the existing Service Rules, the method of appointment against the post of SDO (BPS-17) is as under (**Annex-II**):-

- (a) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the direct graduate Sub Engineers, who possess Degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such;
- (b) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the in service graduate Sub Engineers, who possess Degree in B.E/B.Sc Engineering (Civil), from a recognized University with five years service as such;
- (c) three per cent, by promotion, on the basis of seniority-cum-fitness, from amongst Sub Engineers, who possess Degree in B.Tech Hons. (Civil), from a recognized University with five years service as such;
- (d) twenty per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers, who possess Diploma in Civil / Electrical / Mechanical Technology with ten years service as such and have passed the Departmental Examination; and
- (e) sixty-seven per cent by initial recruitment."

3. The Department recommends that 02-posts of Assistant Engineers / Sub Divisional Officers (BPS-17) may be filled-in by way of promotion from amongst the B.Tech (Hons) Degree Holder Sub Engineers (BPS-11) on regular basis, on the basis of seniority-cum-fitness (**Annex-III**) as under:-

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SNo	Name of official	Date of birth	Date appointment to the present post	Year of acquiring Degree of B.Tech Hons (Civil)	Eligibility for promotion/ Remarks
1.	Syed Zahid Hussain Kazmi	11-10-1971	26-02-1996	2007	Fit
2.	Muhammad Yaqoob Khan	10-04-1963	26-03-1990	2010	Fit
3.	Hazrat Muhammad	01-05-1965	29-08-1989	2011	
4.	Riaz Ahmed	01-03-1966	06-12-1989	2011	

4. The synopsis of PERs are attached (**Annex-IV**).

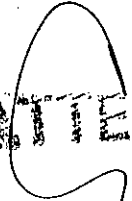
5. It is certified that the officials concerned:-

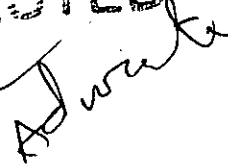
- i) Fulfill the conditions as mentioned in the Establishment Department circular letter No.SOR-VI(E&AD)1-16/2004, dated 20-09-2004 and are otherwise eligible for promotion to the rank of Assistant Engineer / SDO (BPS-17).
- ii) Hold the lower post on regular basis and not on adhoc.
- iii) Have the prescribed minimum length of qualifying service / experience as required under the service / recruitment Rules.
- iv) No Departmental / Judicial enquiry is presently pending against any of the officials.

6. The Departmental Promotion Committee is requested to determine the suitability of 2-Sub Engineers (BPS-11) from the category of B.Tech (Hons) Degree Holder Sub Engineers for promotion to the rank of Assistant Engineer / Sub Divisional Officer (BPS-17) on regular basis.


DEPUTY SECRETARY (ADMN)
PUBLIC HEALTH ENGG DEPARTMENT


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Subject:- **MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 27-09-2013 AT 1030 HRS IN THE OFFICE OF THE SECRETARY PHED**

A meeting of the Departmental Promotion Committee (DPC) was held on September 27, 2013 at 1030 Hours under the chairmanship of Secretary PHE Department in his office to consider promotion of B. Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer / Sub Divisional Officer (BPS-17) in the Public Health Engineering Department in pursuance of the recent amendments in the Promotion/Appointment Rules reserving 3% quota for B Tech Hons Graduate.

2. The following attended the meeting:-

- 1) Engr. Akhtar Ali Khan,
Chief Engineer (North) PHE Peshawar. Member
- 2) Mr. Israr Muhammad,
Additional Secretary Law Department. Member
- 3) Mr. Shaukatullah,
Section Officer (SR-II) Finance Deptt. Member
- 4) Mr. Muhammad Ijaz,
Superintendent (Reg-V) E&A Deptt. Member
- 5) Mr. Hameedullah Shah,
Deputy Secretary (Admn) PHED. Secretary

3. The Chairman welcomed the participants and apprised the forum that there are 72 sanctioned posts of Sub Divisional Officers in the Public Health Engineering Department. As per existing Service Rules, 03% quota is reserved for promotion of B.Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer / Sub Divisional Officer (BPS-17). The total posts meant for B.Tech (Hons) Degree Holder Sub Engineers under 3% quota comes as 2.16 (say 2-posts) against which no official is working as Sub Divisional Officer (BPS-17).

4. The Chair sought advice from the representatives of Law, Finance and Establishment Departments regarding the mechanism of determining the seniority of B.Tech (Hons) Degree Holder Sub Engineers either from the date of acquiring degree or date of initial appointment. It was admitted that as per existing rules and on the analogy of promotions being granted to those who

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acquire B.SE (Civil) Degree during service, the B.Tech Hons have the same rights and seniority should be reckoned on the same analogy. However, the representative(s) of Establishment and Finance Departments pointed out that final seniority list has not been attached with the Working Paper of B.Tech (Hons) Degree holder Sub Engineers which is a pre-condition to the promotion.

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27

5. The Forum further agreed that the concerned authority i.e. Chief Engineer must finalize and issue final seniority list of B.Tech (Hons) Sub Engineers at an early date so as to facilitate promotion of these employees to the next higher rank and final meeting of Departmental Promotion Committee could be convened as soon as possible.

6. The meeting ended with a note of thanks from the chair.

(15)
(ISRAR MUHAMMAD)
Additional Secretary
Law Department (Member)

(Engr. AKHTAR ALI)
Chief Engineer (North)
PHE Peshawar (Member)

(SHAUKATULLAH)
SECITON OFFICER
Finance Deptt. (Member)

(MUHAMMAD IJAZ) Chan
SUPERINTENDENT E&AD
(Member)

(JAMIL AHMAD)
Secretary to Govt. of Khyber Pakhtunkhwa
Public Health Engineering Department
(Chairman)

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attention Ejaz Khan Annex-1
P.S.
P-28

**GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT**

Dated Peshawar, the October 25, 2013

NOTIFICATION

No.SO(Estt)/PHED/1-44/2013. The competent authority, on the recommendations of the Departmental Promotion Committee in its meeting held on 23/10/2013, is pleased to promote the following Sub Engineers (BPS-11) of the Public Health Engineering Department to the post of Assistant Engineer / Sub Divisional Officer (BPS-17) on regular basis, with immediate effect:-

- i) Syed Zahid Hussain Kazmi.
 - ii) Mr.Muhammad Yaqoob Khan.
2. The officers, on promotion, will remain on probation for a period of one year in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.
3. In order to actualize their promotion, the following postings / adjustments are made henceforth:-

SNo	Name	From	To	Remarks
1.	Syed Zahid Hussain Kazmi (BPS-11)	Sub Divisional Officer (OPS), PHE Project Sub Division Abbottabad.	Sub Divisional Officer (BPS-17) PHE Project Sub Division Abbottabad on regular basis.	Against the existing vacancy.
2.	Mr.Muhammad Yaqoob Khan (BPS-11)	Sub Divisional Officer (OPS) PHE Sub Division Battagram.	Sub Divisional Officer (BPS-17) PHE Sub Division Battagram on regular basis.	Against the existing vacancy.

SECRETARY

Endst: No.SO(Estt)/PHED/1-44/2013 Dated Peshawar, the October 25, 2013

Copy forwarded for information and necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Chief Engineer (South/South) PHE Peshawar.
3. Superintending Engineers PHE Circle Abbottabad.
4. Executive Engineer PHE Division Abbottabad / Battagram.
5. District Accounts Officer Abbottabad / Battagram.
6. PS to Minister for PHE Department Khyber Pakhtunkhwa.
7. PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
8. PS to Secretary PHE Department Khyber Pakhtunkhwa.
9. Officers concerned.
10. Office Order File / Personal Files.

[Signature]
SECTION OFFICER (ESTT)

ATTESTED



Shipper's Acc.No.
Reference / Job

History ID : 1113PEWXB577073987

4760386468

GST No. 12-00-9808-002-73

COURIER	
Origin	Destination
PEW	PEW

From (Shipper)
AZIZ UR REHMAN KARAK
Phone# SMS 03135663025

Shipment Detail	Coupons	Discount
Packet Declared Value 0.00		

Pieces	Weight
1	0.50
Dimension of Shipment	
0 0 0	
Service Type	
OVER NIGHT	
Mode of Payment	
CASH	

To (Consignee)
N/A CHIEF SECRETARY KPK CIVIL SECRETARY RISTE PESHAWAR
Phone# PESHAWAR

Receiver's Signature	
	Date 12/11/2013 Time 10:40:41

Charges		Pak. Rupees
Service		69.00
Discount		0.00
Out of Serv		0.00
Handling		0.00
Others		0.00
GST		11.00
Ins. Prem.		0.00
DD Alerts		0

Sender's Authorization
I warrant that I have read the terms and conditions on the reverse of this consignment note and that all details given herein are true and correct. I further declare that the contents of this consignment do not contain any letter. The execution of this consignment note is prime tacit evidence of the conclusions of contract between shipper and TCS (PVT) LTD.
Shipper's Signature

Booking Details	
Staff 57707 ZEHSHAN AHMAD	
Route XB	Date 12/11/2013 Time 10:40:41 AM

Total	80
Shipper Copy	



Shipper's Acc.No.:
Reference / Job

History ID 1113PEWXB577073987



4760386468

GST No. 12-00-9808-002-73

COURIER

Origin Destination

PEW

PEW

From (Shipper)
AZIZ UR REHMAN KARAK Phonc# SMS 03135663025

Shipment Detail	Coupons	Discount
Packet Declared Value 0.00		

Pieces	Weight
1	0.50
Dimension of Shipment	
0 0 0	
Service Type	
OVER NIGHT	
Mode of Payment	
CASH	

To (Consignee)
N/A CHIEF SECRETORY KPK CIVIL SECRETSTRISTE PESHAWAR Phonc# PESHAWAR

Receiver's Signature	
Date	12/11/2013
Time	10:40:41

Charges	Pak. Rupees
Service	69.00
Discount	0.00
Out of Serv	0.00
Handling	0:00
Others	0.00
GST	11.00
Ins. Prem.	0.00
DD Alerts	0

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Shipper's Signature

Booking Details	
Staff	57707 ZESHAN AHMAD
Route	XB Date 12/11/2013 Time 10:40:41AM

Total	80
Shipper Copy	

TCS House, Saqib Hamdani Building,
Iqbal Avenue, Jinnah International Airport, Karachi 75202, Pakistan.
Tel: + 92-21 111 123 456, Web: www.tcs.com.pk

ڈیٹو طء افندی، زیورات اور قیمتی اشیاء قابل قبول نہیں ہیں۔

Annex-J

PS/C.S Khyber Pakhtunkhwa

Diary No. 12266

Date. 12-11-13

P-29

To

The Chief Secretary,
Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

Subject: Departmental appeal under Section-22 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-3 of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 against the impugned Notification dated 25.10.2013 vide Notification No.SO(Estt)/PHED/1-44/2013 whereby Syed Zahid Hussain Kazmi and Mr. Muhammad Yaqoob Khan illegally promoted to the posts of Sub Divisional Officer (BPS-17) on regular basis.

Respected Sir,

The concise facts giving rise to the present departmental appeal are as under:

1. That after obtaining the Diploma of Associate Engineering (Civil) in the year 1983, I joined the Public Health Engineering Department as Sub-Engineer on 26.03.1983 on regular basis. Since then I am serving the department efficiently and having unblemished service record. During the service I also improved my higher qualification and obtained degree of Bachelor of Technology Hons (Civil) in the year 2013.
2. That the Chief Engineer (South) Public Health Engineering Department has circulated a Tentative Seniority List of B.Tech Hons. (Civil) Sub-Engineers (BPS-11) as stood on 31.07.2013 vide Endst: No.63/E-16/PHE dated 20.08.2013 (*Annex:-A*). My name was at Serial No.1 of the said Seniority List.
3. That on 09.10.2013 the same authority issued Final Seniority List of B.Tech Hons. (Civil) Sub-Engineers (BPS-11) as stood on 30.09.2013, therein I was shown most junior and my name placed at Serial No.8 without cogent reasons against which I also filed departmental appeal on 22.10.2013. (Copies of Final Seniority List and Departmental Appeal *Annex:-B & C*)

ATTESTED

4. That the services of officers and officials of the PHE Department are governed by the Rules called the Khyber Pakhtunkhwa Public Health Engineering Department's (Recruitment & Appointment) Rules, 2010, the same was notified on 06.03.2010 vide Endst: No.SO (Estt:)/PHED/1-9/2010. These Rules were further amended vide Notification No.SO(E)PHE/1-9/2009 dated 06.12.2010 and Notification of even Number dated 31.07.2013. In the latter Notification, for the first time a quota of promotion was specified for those Sub-Engineers who possess degree in B.Tech Hons in Civil.
5. That on 23.10.2013 the meeting of the Departmental Promotion Committee was held under the chairmanship of the Secretary Government of Khyber Pakhtunkhwa Public Health Engineering Department therein the above named Officers mentioned in the subject were considered and recommended for promotion to the post of Sub Divisional Officer (BPS-17) on regular basis. Consequently the recommendations of DPC were approved by the Secretary PHE Department Khyber Pakhtunkhwa, Peshawar and Notification of their promotion was issued on 25.10.2013 under the signature of Section Officer (Estt) (Copy of impugned Notification *Annex:-D*).

Hence I, appellant being aggrieved of the impugned notification of promotion dated 25.10.2013 am constrained to file this departmental appeal for your kind consideration and necessary action on the following grounds:-

Grounds:

- A. That I was not treated in accordance with law and rules on subject and malafidely omitted my name from the panel of candidates and deprived me of my right of promotion.
- B. That the juniors most to me were recommended for the promotion to the posts of Assistant Engineer (BPS-17) on the basis of nepotism and favoritism and discriminated me which is

ATTESTED

not warranted under the Constitution of 1973.

- C. That the Final Seniority List therein above named Officers shown senior to me which is also challenged by me before the competent authority, the result is still awaited. The seniority under objection is unlawfully framed in violation of law and rules on subject. The Department has malafidely counted my seniority from the date of acquiring the B.Tech Hons degree. There is no such law and rules on subject regarding counting the seniority from the date of obtaining specific degree.
- D. That the Departmental Selection Committee has unlawfully recommended the above named Officers in view of their senior position which was assigned to them illegally and due to favoritism of the Secretary PHE Department, Peshawar.
- E. That promotion of the above named officers is malafide, illegal and of no legal effect and inoperative on my rights and liable to be set aside.

It is therefore, humbly prayed that on acceptance of this departmental appeal, the impugned notification dated 25.10.2013 thereby Syed Zahid Hussain Kazmi and Mr. Muhammad Yaqoob Khan were promoted to the post of Sub Divisional Officer (BPS-17) on regular basis, may kindly be set aside and the Secretary PHE Department may graciously be directed to revise the Final Seniority List and correct the same in accordance with law and rules on subject in order to consider me for promotion against one of the post of Sub Divisional Officer (BPS-17) on regular basis.

Yours faithfully

(Signature)
 Aziz-ur-Rahman
 Sub-Engineer (BPS-11),
 PHE Department, Karak

Dated: 11 /11/2013

(Signature)
ATTESTED

WAKALAT NAMA

IN THE COURT OF Q. P. Service Tribunal Peshawar

Aziz ur Rehman

Sub Engineer

PHE. Karachi

Appellant(s)/Petitioner(s)

VERSUS

Chief Secretary

+ others

Respondent(s)

I/We Aziz ur Rehman do hereby appoint
Mr. Khush Dil Khan, Advocate in the above mentioned case, to do all or
any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

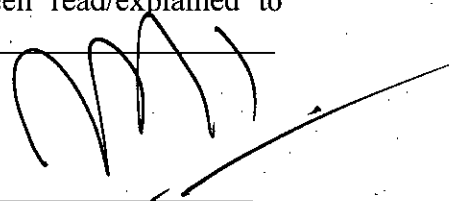
In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by



Khush Dil Khan
Advocate, Supreme Court of Pakistan

Signature of Executants



9-B, Haroon Mansion
Khyber Bazar, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2014

Aziz-ur-RahmanApplicant/Appellant

Versus

The Govt. of Khyber Pakhtunkhwa
through Chief Secretary & othersRespondents.

APPLICATION FOR EARLY HEARING

Respectfully Sheweth,

1. That titled appeal is pending before this Hon'ble Tribunal and is fixed for hearing on 14.04.2014.
2. That matter in question is of urgent nature needs the immediate attention of this Hon'ble Tribunal for earlier disposal being involved a short matter.

It is, therefore, humbly prayed that on acceptance of this application, the appeal may kindly be accelerated to an early date than the date already fixed.

Applicant

Through

**Khush Dil Khan,
Advocate,
Supreme Court of Pakistan.**

Dated: 4 / 03/ 2014

Affidavit

I, Aziz-ur-Rahman S/o Muhammad Azeem, Sub-Engineer (BPS-11), do hereby affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

ATTESTED

Deponent



BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015

In

Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

**APPLICATION FOR IMPLEADMENT OF
APPLICANT IN THE PANEL OF RESPONDENT
AS RESPONDENT NO.7 BEING NECESSARY
PARTY**

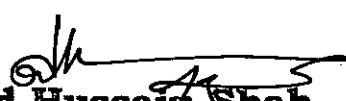
Respectfully Sheweth:-

- 0/10
23.02.15
1. That the captioned service appeal is pending adjudication before this Hon'ble Tribunal and the date of hearing is fixed for today i.e. 23.02.2015.
 2. That the applicant is senior to the appellant as well as respondent No.5 & 6.
 3. That the captioned service appeal can not be decided on merit unless the applicant is arrayed as respondent No.7 in the said appeal.
 4. That the necessary documents shall be produce at the time of argument.

5. That the valuable rights of the applicant are involved.

It is, therefore prayed that the applicant may be impleaded in the panel of respondent as respondent No.7.

Applicant/respondent


Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**

Dated 23.02.2015

Advocate High Court at Abbottabad

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015
In
Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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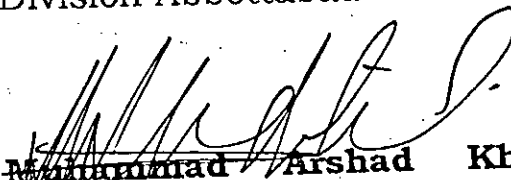
5. That the valuable rights of the applicant are involved.

It is, therefore prayed that the applicant may be impleaded in the panel of respondent as respondent No.7.

Applicant/respondent


Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**
Advocate High Court at Abbottabad

Dated 23.02.2015

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015

In

Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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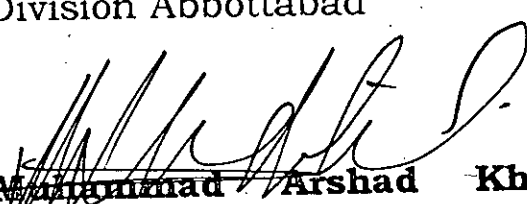
It is, therefore prayed that the applicant may be impleaded in the panel of respondent as respondent No.7.

Applicant/respondent


Zahid Hussain Shah

S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**

Dated 23.02.2015

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BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015
In
Service Appeal No.214/2014

Aziz ur Rehman**Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others.....**Respondents**

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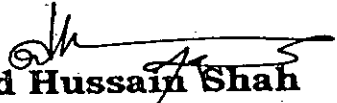
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5. That the valuable rights of the applicant are involved.

It is, therefore prayed that the applicant may be impleaded in the panel of respondent as respondent No.7.

Applicant/respondent


Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


~~Muhammad~~ **Arshad Khan**
Tanoli

Dated 23.02.2015

Advocate High Court at Abbottabad

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015
In
Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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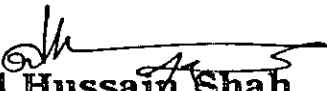
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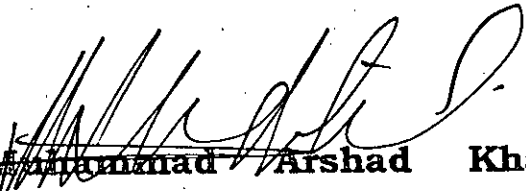
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Applicant/respondent


Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**
Advocate High Court at Abbottabad

Dated 23.02.2015

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015
In
Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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It is, therefore prayed that the applicant may be impleaded in the panel of respondent as respondent No.7.

Applicant/respondent


Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**

Dated 23.02.2015

Advocate High Court at Abbottabad

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

C.M. No. _____/2015
In
Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
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KHYBER PAKHTUNKHWA, PESHAWAR

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In
Service Appeal No.214/2014

Aziz ur Rehman **Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others..... **Respondents**

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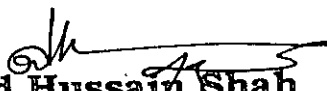
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Zahid Hussain Shah
S/o Syed Muzaffar Shah
Sub-Engineer, Public Health
Engineering Department
Division Abbottabad

Through


**Muhammad Arshad Khan
Tanoli**

Dated 23.02.2015

Advocate High Court at Abbottabad

وکالت نامہ

کورٹ فیس

بعدالت صاحب پر میرا منگ آخیر کس ٹراہکونٹ کپ
عنوان: محمد نواز الرحمن بنام حکومت پاکستان
مخانب: مس سیدہ منٹ 10 Appeal No: 216/14

نوعیت مقدمہ:

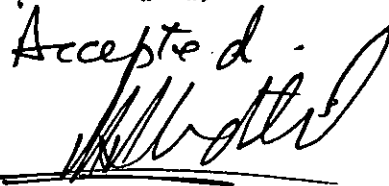
پروویسٹنٹ
باعث تحریر آنکد

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام

محمد ارشد خان منتر ہی امروڈ کسٹ باجی کورٹ

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

Accepte d


بمقام:

المرقوم:

العبد العبد

ذالہجرت ۱۴۳۵ھ
۱۰/۱۰/۲۰۱۴

BEFORE THE HON.BLE SERVICE TRIBUNAL

KHYBER PAKHTUNKHWA PESHAWAR.

Writt petition No 214/2014

Aziz ur Rehman VS Govt: & Others.

PRELIMINARY OBJECTIONS.

1. That appellant has got no locus standi.
2. That appellant has not come to this Hon'able tribunal with clean hands
3. That appellant is estopped due to his own conduct to file the appeal.
4. That his Hon'able tribunal has got no jurisdiction to entertain the appeal.

ON THE FACTS.

- 1). That para No 1 of the appeal is not correct in its present form. There are numerous inquires against him which speaks of the fact that he has not got unblemished record of service.
- 2). That para No 2 of the appeal is correct.
- 3). That para No 3 of appeal is correct however seniority lists of B-Tech Sub Engineer Civil were prepared earlier than 2013 on the basis date of acquiring B-Tech(Hon's) Degree (Copies of Seniority lists are Annexure- 1) as since creation of Department. The promotion from Sub Engineer Civil to Assistant Engineer (Sub Divsional Officer) are on the basis of date of acquiring of degree of B-Tech (Hon's Copy of promotion order/list as Annexure- 2).
- 4). That para No 4 of the appeal is correct to the extent that his name was not included in the panel as only two posts were vacant. The remaining para of being favorite is incorrect denied.
- 5). Specifically, that para No 5 of the appeal is correct to the extent of minutes of DPC dated 27.9.2013 which included nominee of Law Department, Finance Department, Establishment and Public Health Engg: Department, wherein they unanimously concurred that seniority is to be counted from date of acquiring degree and it was ordered to prepare the list. Appellant has not challenged said decision of DPC dated 27.9.2013 which is the basis for preparation of the list, which attained finality and

*A
Aziz ur Rehman*

Thus the matter/issue of preparation of list of acquisition of B-Tech Hon's Degree became past and closed transaction and cannot be re-opened. In other words, is no prayer/appeal for setting aside decision arrived at in meetings of DPC dated 27.9.2013. (Decision of DPC dated 27.9.2013 as annexure- 3).

- 6). That para NO 6 of appeal is correct, strictly as per law/rules and decision of DPC dated 28.9.2013.
- 7) Relates with record.

ON THE GROUND.

- A. That ground "A" of reply is incorrect, misconceived. Denied
- B. That ground "B" of reply is incorrect, misconceived, Denied. There is no malafide on the part of respondent.
- C. That ground "C" of appeal is incorrect, misconceived. Denied
 - i. 20% quota for promotion from Sub Engineer Civil to Assistant Engineer Civil is kept wherein seniority list is maintained as per date of entry into service. 10% quota for promotion is reserved for Sub Engineers which is further split up in two categories.
 - ii. 5% quota for those Civil Servant who are appointed as Sub Engineer, possessing qualification of BSc. Engineering Civil who's seniority list is separately prepared AND.
 - iii. 5% quota for those Civil Servant who are appointed as Sub Engineers without possession degree of BSc. Engineering but improve their qualification i.e B.Sc Engineering during their seniority list is prepared as per date of acquiring Degree and department was consistently following said practice of giving preference to those who acquire qualification, earlier in matter of promotion.
(Copy of promotion order is Annexed as Respondent No 4, Seniority List as Annexure- 5).
 - iv. 67% quota is appointed through initial recruitment on recommendations of Public Service Commission.

2.
Mishra

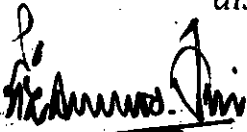
v. 3% quota is reserved for those civil servants, who are appointed as Sub Engineer without possessing B-Tech (Hon's) or BSc Engineering at the time of appointment but acquire degree during service (B-Tech Hon's) who's seniority list is prepared separately on the basis of date of acquiring of degree or qualification (Copy of rules as Annexure-6). Therefore appellant alongwith other Sub Engineers can be considered for promotion to Assistant Engineer amongst 25% quota as per his date of entry into service but for this instant 3% quota list is to be prepared as per date of acquiring of degree or qualification during service which is an incentive/special group to encourage acquiring of higher qualification at the earliest.

D. That para "D" of appeal is incorrect, Denied. Moreover explained in proceeding paras.

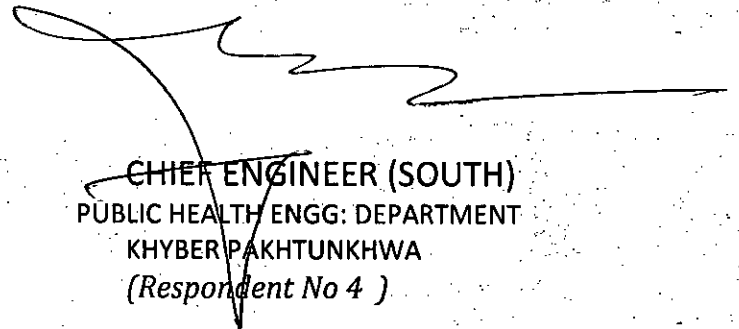
E. That para "E" of appeal is incorrect, Denied. Moreover explained in proceedings paras.

Moreover, as per rules of establishment department (Annexure- 6) the promotion from Class-IV to Junior Clerk is on the basis of date of acquiring of requisite qualification and not date of entry into service.

It is therefore, humbly requested that the appeal may please be dismissed with cost.



SECRETARY
TO GOVT: OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT
(Respondent No 1,2 & 3)



CHIEF ENGINEER (SOUTH)
PUBLIC HEALTH ENGG: DEPARTMENT
KHYBER PAKHTUNKHWA
(Respondent No 4)

**BEFORE THE PESHAWAR HIGH COURT,
KHYBER PAKHTUNKHWA PESHAWAR.**

Service Appeal

No 214 & 216

- Aziz ur Rehman Sub Engineer BPS-11
Public Health Engg: Department Peshawar (Petitioner)

Versus

1. *Chief Secretary to Government of Khyber Pakhtunkhwa
Civil Secreteriate Peshawar*
2. *Secretary to Govt: of Khyber Pakhtunkhwa Public Health Engg:
Department Peshawar.*
3. *The Departmental Promotion Committee through it
Chairman/Seceretary PHE Department Peshawar.*
4. *Chief Engineer(South) Public Health Engg: Department
Govt: of Khyber Pakhtunkhwa Peshawar.*
5. *Syed Zahid Hussain Kzmi S/O Syed Manzoor Hussain, Sub Divisional Officer,
PHE: Project S/Division Abbottabad.*
6. *Muhammad Yaqoob Khan S/O Mir Sahib ur Rehman Sub Divisonal Officer
PHE: S/Division Battagram. (Respondents)*

AFFIDAVIT.

*I, Sanobar Khan, Chief Engineer (South) Public Health Engg: Department
Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm that the contents
of the accompanying written statements are true and correct to the best of
my knowledge and nothing has been concealed from this honourable this
court.*


DEPONENT.

PUBLIC HEALTH ENGINEERING DEPARTMENT

Tentative Seniority List of B.Tech Hons (Civil) Sub Engineers (BPS-11) as stood on 31.07.2013

13/07/2013
P-21
Annex-I

S#	Name	Father's Name	Home District	Qualification	Date of Birth	Date of Commencement of Service	Date of Appointment to Present Post	Remarks
1.	Aziz-ur-Rehman	Muhammad Azeem	Karak	B.Tech Hons (Civil)	02.02.1962	14.04.1983	26.03.1983	
2.	Hazrat Muhammad	Shamsi Bahadar	Dir Lower	B.Tech Hons (Civil)	01.05.1965	05.10.1986	29.03.1989	
3.	Riaz Ahmad	Ghulam	Dir Lower	B.Tech Hons (Civil)	01.03.1966	10.12.1989	06.12.1989	
4.	Aurangzeb	Jehanzeb	Mohmand Agency	B.Tech Hons (Civil)	25.10.1968	13.12.1989	13.12.1989	
5.	Muhammad Yaqoob Khan	Mir Sahib-ur-Rehman	Bannu	B.Tech Hons (Civil)	10.04.1963	27.03.1990	26.03.1990	
6.	Ishad Mehmood	Sultan Muhammad	Dir Upper	B.Tech Hons (Civil)	20.12.1965	23.09.1993	16.09.1993	
7.	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain	Abbottabad	B.Tech Hons (Civil)	11.10.1971	25.03.1996	26.02.1996	
8.	Zahid Hussain Shan	Syed Muzaffar Shah	Mansehra	B.Tech Hons (Civil)	27.02.1996	27.02.1996	26.02.1996	

Chief Engineer (South)
Public Health Engg. Dep
Khyber Pakhtunkhwa, Peshawar

Endst: No. 63 E-16/PHE Dated Peshawar the 20/8/2013

Copy of the Seniority List is forwarded to the:-

- 1 Chief Engineer (North) PHE Department Khyber Pakhtunkhwa, Peshawar
- 2 All Superintending Engineers PHE Department Khyber Pakhtunkhwa
- 3 All Executive Engineer PHE Department in Khyber Pakhtunkhwa
- 4 Section Officer (Estt) PHE Department Khyber Pakhtunkhwa, Peshawar

ATTESTED

Sd/-
Chief Engineer (South)
Public Health Engg. Dep
Khyber Pakhtunkhwa, Peshawar

ATTESTED
(Signature)
Atwal

Annex-II

Annex B P-22
12

PUBLIC HEALTH ENGINEERING DEPARTMENT

Final Seniority List of B.Tech Hons (Civil) Sub Engineers (BPS-11) as stood on 30.09.2013.

S#	Name	Father's Name	Date of Birth	Home District	Date of Appointment to Present Post	Date of Commencement of Service	Year of acquiring Degree of B-Tech Hons (Civil)	Remarks
1	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain	11.10.1971	Abbottabad	26.02.1996	25.03.1996	2007	Authority for framing Seniority List Minutes of D.P.C meeting held on 27.9.2013
2	Muhammad Yaqoob Khan.	Mir Sahib-ur-Rehman	10.04.1963	Bannu	26.03.1990	27.03.1990	2010	
3	Hazrat Muhammad	Shamsi Bahadur	01.05.1965	Dir Lower	29.08.1989	29.08.1989	2011	
4	Riaz Ahmad	Ghulam	01.03.1965	Dir Lower	06.12.1989	05.12.1989	2011	
5	Aurangzeb	Jehanzeb	25.10.1963	Mohmand Agency	13.12.1989	13.12.1989	2011	
6	Irshad Mehmood	Sultan Muhammad	20.12.1965	Dir Upper	16.09.1993	16.09.1993	2011	
7	Zahid Hussain Shah	Syed Muzaffar Shah	01.02.1972	Mardan	26.02.1996	27.02.1996	2012	
8	Aziz-ur-Rehman	Muhammad Azeem	02.05.1962	Karak	26.03.1983	26.03.1983	2013	

Chief Engineer (South)
Public Health Engg: Department
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 15 /E - 40 / PHE Dated Peshawar, the 09 / 10 / 2013

- Copy of the Seniority List is forwarded to the:-
1. Chief Engineer (North) PHE Department Khyber Pakhtunkhwa, Peshawar.
 2. All Superintending Engineers PHE Department in Khyber Pakhtunkhwa.
 3. All Executive Engineer PHE Department in Khyber Pakhtunkhwa.
 4. Section Officer (Estt) PHE Department Khyber Pakhtunkhwa, Peshawar with referendce to his letter No.SO(Estt)/PHED/13-77, dated 03.10.2013.

ATTESTED

Administrative officer (South)
Public Health Engg: Department

Date of Acquiring 09/10/13



GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Annex II
Annex II

Annex III

Annex I - 26

28

Subject: MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 27-09-2013 AT 1030 HRS IN THE OFFICE OF THE SECRETARY PHED

A meeting of the Departmental Promotion Committee (DPC) was held on September 27, 2013 at 1030 Hours under the chairmanship of Secretary PHE Department in his office to consider promotion of B. Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer // Sub-Divisional Officer (BPS-17) in the Public Health Engineering Department in pursuance of the recent amendments in the Promotion/Appointment Rules reserving 3% quota for B.Tech Hons Graduate

2. The following attended the meeting:-

- | | | |
|----|----------------------------------------------------------------|-----------|
| 1) | Engr. Akhtar Ali Khan,
Chief Engineer (North) PHE Peshawar. | Member |
| 2) | Mr. Israr Muhammad,
Additional Secretary Law Department. | Member |
| 3) | Mr. Shaukatullah,
Section Officer (SR-II) Finance Deptt. | Member |
| 4) | Mr. Muhammad Ijaz,
Superintendent (Reg-V) E&A Deptt. | Member |
| 5) | Mr. Hameedullah Shah,
Deputy Secretary (Admn) PHED | Secretary |

3. The Chairman welcomed the participants and apprised the forum that there are 72 sanctioned posts of Sub Divisional Officers in the Public Health Engineering Department. As per existing Service Rules, 03% quota is reserved for promotion of B.Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer // Sub-Divisional Officer (BPS-17). The total posts meant for B.Tech (Hons) Degree Holder Sub Engineers under 3% quota comes as 2.16 (say 2-posts) against which no official is working as Sub Divisional Officer (BPS-17).

4. The Chair sought advice from the representatives of Law, Finance and Establishment Departments regarding the mechanism of determining the seniority of B.Tech (Hons) Degree Holder Sub Engineers either from the date of acquiring degree or date of initial appointment. It was admitted that as per existing rules and on the analogy of promotions being granted to those who

APPROVED
[Signature]

acquire B.SE (Civil) Degree during service, the B.Tech Hons have the same rights and seniority should be reckoned on the same analogy. However, the representative(s) of Establishment and Finance Departments pointed out that final seniority list has not been attached with the Working Paper of B.Tech (Hons) Degree holder Sub Engineers which is a pre-condition to the promotion.

5. The Forum further agreed that the concerned authority i.e. Chief Engineer must finalize and issue final seniority list of B.Tech (Hons) Sub Engineers at an early date so as to facilitate promotion of these employees to the next higher rank and final meeting of Departmental Promotion Committee could be convened as soon as possible.

6. The meeting ended with a note of thanks from the chair.

(15)
(ISRAR MUHAMMAD)
Additional Secretary
Law Department (Member)

(Eng. AKHTAR ALI)
Chief Engineer (North)
PHE Peshawar (Member)

(SHAUKATULLAH)
SECTION OFFICER
Finance Deptt. (Member)

(MUHAMMAD IJAZ) Chan
SUPERINTENDENT E&AD
(Member)

(JAMIL AHMAD)
Secretary to Govt. of Khyber Pakhtunkhwa
Public Health Engineering Department
(Chairman)

ATTESTED

ATTESTED
Ad No. 1000

mm - hv - u o p -

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.214/2014

Aziz-ur-RehmanVersus.Govt. of KPK & others

I N D E X

S.No	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Reply with affidavit		1-6
2.	Copies of seniority list	"R/1"	7-9
3.	Copy of Rules	"R/2"	10-21
4.	Copy of decision of DPC dated 27.09.2013	"R/3"	22-23
5.	Copy of seniority list	"R/4"	24
6.	Copy of Rules	"R/5"	25-26
7.	Copy of rules of Establishment Department	"R/6"	27-30


Respondents No.5 & 6

Through


Amjad Ali Mardan
Advocate, Supreme Court

Dated: 14.05.2015

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.214/2014

Aziz-ur-Rehman Versus. Govt. of KPK & others

REPLY ON BEHALF OF RESPONDENTS NO.5 & 6

Respectfully Sheweth:

Preliminary Objections:

- a. That appellant has got no locus standi.
- b. That appellant has not come to this Honourable Tribunal with clean hands.
- c. That appellant is estopped due to his own conduct.
- d. That this Honourable Tribunal has got no jurisdiction.

ON FACTS:

1. That para No.1 of the appeal is not correct in its present form. There are numerous inquiries against him which speaks of the fact that he has not got unblemished record of service, however, as for as qualification is concerned it is related to record.
2. That para No.2 of appeal is correct.

3. That para No.3 of appeal is correct, however, seniority list of B-Tech Sub-Engineer Civil was firstly issued on 30.01.2012, secondly on 30.06.2012 and thirdly on 28.02.2013, earlier than 30.09.2013 on basis of acquiring B-Tech (Hon's) Degree (copies of seniority list are annexed "R/1") as since creation of Department, the promotion from Sub Engineer Civil to Assistant Engineer (SDO) are on the basis of date of acquiring of degree. (Copy of Rules are annexed R/2").
4. That para No.4 of the appeal is correct to the extent that his name was not included in the final seniority list as only two posts were available for B-Tech Graduate and he was a junior most Sub-Engineer stand at S.No.8. The remaining para of being favorite is incorrect. Denied.
5. Specifically, that para No.5 of the appeal is correct to the extent of minutes of DPC dated 27.09.2013, which included nominee of Law Department, Finance Department, Establishment and Public Health Departments, wherein they unanimously concurred that seniority is to be counted from date of acquiring degree and it was ordered to prepare

the list. Appellant has not challenged said decision of DPC dated 27.09.2013, which is the basis for preparation of the list, which attained finality and thus the matter/issue of preparation of list of acquisition of B-Tech (Hon's) Degree became past and closed transaction and cannot be reopened. In other words, there is no prayer/appeal for setting aside decision arrived at in meetings of DPC dated 27.09.2013. (Decision of DPC dated 27.09.2013 is annexed as "R/3").

6. That para No.6 of appeal is correct, strictly as per law/ rules and decision of DPC dated 27.09.2013.
7. Concerned with record.

GROUNDS:

- A. That ground "A" of reply is incorrect, misconceived.
Denied.
- B. That ground "B" of reply is incorrect, misconceived.
Denied.
- C. That ground "C" of reply is incorrect, misconceived.
Denied.
 - i. 20% quota for promotion from Sub-Engineer Civil to Assistant Engineer Civil is kept wherein

seniority list is maintained as per date of entry into service. 10% quota for promotion is reserved for Sub Engineers which is further split up in two categories:

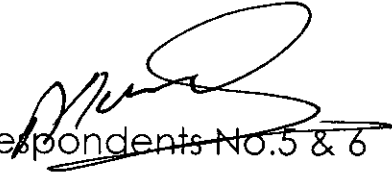
- ii. 5% quota for those Civil Servants, who are appointed as Sub Engineer, possessing qualification of B.Sc Engineering Civil, who's seniority list is separately prepared; AND
- iii. 5% quota for those Civil Servants, who are appointed as Sub Engineers without possession Degree of B.Sc Engineering, but improve their qualification i.e. B.Sc Engineering during their seniority list is prepared as per date of acquiring Degree and Department is consistently following said practice of giving promotion to those who acquire qualification, earlier. (Copy of seniority list is annexed as "R/4").
- iv. 67% quota is appointed through initial recruitment on recommendations of Public Service Commission.
- v. 3% quota is reserved for those Civil Servants, who are appointed as Sub Engineer without possessing B-Tech (Hon's) or B.Sc Engineering at

the time of appointment, but acquire degree during service (B-Tech Hon's) who's seniority list is prepared separately on the basis of date of acquiring of degree or qualification (copy of Rules is annexed "R/5"). Therefore, appellant alongwith other Sub Engineers can be considered as promotion for Sub Engineer to Assistant Engineer amongst 20% quota as per his date of entry into service, but for this instant 3% quota list is to be prepared as per date of acquiring of degree or qualification during service which is an incentive/special group to encourage acquiring of higher qualification at the earliest.

- D. That para "D" of appeal is Incorrect, denied. Moreover, explained preceding paras.
- E. That para "E" of appeal is Incorrect, denied. Moreover, explained preceding paras.

Moreover, as per rules of Establishment Department (copy annexed as "R/6") the promotion from Class-IV to Junior Clerk is on the basis of date of acquiring of requisite qualification and not date of entry into service.

It is, therefore, humbly requested that the appeal may please be dismissed with costs.


Respondents No. 5 & 6

Through


Amjad Ali Mardan
Advocate, Supreme Court

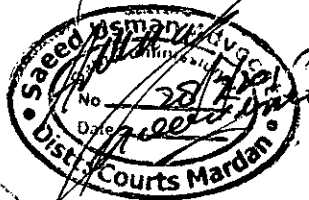
Dated: 14.05.2015

AFFIDAVIT

I, Muhammad Yaqoob Khan Sub-Divisional Officer, Public Health Engineering Department, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Reply** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.


DEPONENT

CNIC: 11101-7037540-1



7

Seniority List of In-Service B.Tech(Hons) Graduate Sub Engineers (BFS-11) as stood on 30-01-2012

S.No	Name	Father's Name	Home District	Qualification	Date of Birth	Date of Commencement of Service	Date of Appointment to Present Post	Remarks
1.	Syed Zahid Hussain Kazmi	Syed Manzoor Hussain Kazmi	Abbottabad	B.Tech (Hons) 2007	11-10-1971	25-03-1996	26-02-1996	
2.	Muhammad Yaqoob Khan	Mir Sahib ur Rehman	Bannu	B.Tech (Hons) 2010	10-04-1963	27-03-1990	26-03-1990	

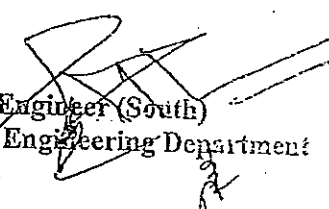
Endst: No.27/E-16/PHE

Copy of the seniority List is forwarded to the:-

- 1) Chief Engineer (North) Public Health Engineering Department Khyber Pakhtunkhwa Peshawar.
- 2) All Superintending Engineers in Public Health Engg. Department Khyber Pakhtunkhwa.
- 3) All Executive Engineers in Public Health Engineering Department Khyber Pakhtunkhwa.
- 4) Section Officer (Estt) Public Health Engg. Department Khyber Pakhtunkhwa Peshawar.


 Chief Engineer (South)
 Public Health Engineering Department

Dated Peshawar the January 30, 2012


 Chief Engineer (South)
 Public Health Engineering Department

PUBLIC HEALTH ENGINEERING DEPARTMENT

PROVINCIAL TENTATIVE Seniority LIST OF IN-SERVICE B.TECH (Hons) Graduate Sub Engineers (BPS-11) as stood on 20-6-2012.

Father's Name	Home District	Qualification	Date of Birth	Date of commencement of service	Date of appointment to present post	Remarks
Syed Manzoor Hussain Kazmi	Abbottabad	B.Tech (Hons) 2007	11-10-1971	25-3-1995	26-02-1995	
Mir Sahib -Ur-Rehman	Bannu	B.Tech (Hons) 2007	10-04-1963	27-03-1990	26-03-1990	
Jehnazeab	Mohmand Agency	B.Tech (Hons) 2007	25-10-1968	13-12-1989	13-12-1989	

CHIEF ENGINEER (SOUTH),
PUBLIC HEALTH ENGG. DEPARTMENT.

This list is forwarded to the
Chief Engineer, Public Health Engg. Department, Peshawar
Chief Engineer, Public Health Engg. Department, Mardan
Chief Engineer, Public Health Engg. Department, Kohat
Chief Engineer, Public Health Engg. Department, Khyber Pakhtunkhwa Peshawar

CHIEF ENGINEER (SOUTH),
PUBLIC HEALTH ENGG. DEPARTMENT.

PUBLIC HEALTH ENGINEERING DEPARTMENT

REVISED TENTATIVE Seniority LIST OF IN-SERVICE B.TECH (Hons) graduate Sub Engineers (BPS-11) as stood on ~~28-2-2013~~

9

Sl. No.	Name	Father's Name	Home District	Qualification	Date of Birth	Date of commencement of service	Date of appointment to present post	Remarks
	Syed Zahid Hussain Kazimi	Syed Manzoor Hussain Kazmi	Abbottabad	B.Tech (Hons) 2007	11-10-1971	25-3-1996	26-02-1996	
2	Muhammad Yaqoob Khan	Mir Sahib-ur-Rehman	Bannu	B.Tech (Hons) 2010	10-04-1963	27-03-1990	26-03-1990	
3	Mr. Aurangzeb	Jehnazeb	Mohmand Agency	B.Tech (Hons) 11/2011	25-10-1968	13-12-1989	13-12-1989	
4.	Zahid Hussain Shah	Syed Muzaffar Shah	Mansehra	B.Tech (Hons) 11/2012	01-02-1972	27-02-1996	26-02-1996	

CHIEF ENGINEER (SOUTH),
PUBLIC HEALTH ENGG: DEPARTMENT

Endst: No. 03 /E-16/PHE

Dated Peshawar the 04/3/2013

Copy of the seniority list is forwarded to the:-
 Chief Engineer (North) Public Health Engg: Department Peshawar.
 All Superintending Engineer, in Public Health Engg: Department Khyber Pakhtunkhwa.
 All Executive Engineer, Public Health Engg: Department Khyber Pakhtunkhwa.
 Section Officer (Estt) Public Health Engg: Department Khyber Pakhtunkhwa Peshawar.

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04.03.2013

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4/3
Asstt. D.

CHIEF ENGINEER (SOUTH),
PUBLIC HEALTH ENGG: DEPARTMENT

THE NORTH WEST FRONTIER PROVINCE IRRIGATION AND PUBLIC HEALTH ENGINEERING DEPARTMENT (RECRUITMENT AND APPOINTMENT) RULES, 1979.

SCHEDULE

IRRIGATION AND PUBLIC HEALTH ENGINEERING DEPARTMENT.

Sl. No.	Nomenclature of posts.	Minimum qualification		Age for initial recruitment.		Method of recruitment.
		by initial recruitment or by transfer	by promotion	Minimum	Maximum	
1	2	3	4	5	6	7

POSTS COMMON TO IRRIGATION AND PUBLIC HEALTH ENGG. DEPARTMENT.

Chief Engineer

By selection on merit from amongst four senior most officers in case of Irrigation Deptt; and three in case of Public Health Engg. Deptt; with at least seventeen years experience as Govt. Servant, seniority being considered only in the case of officers of practically the same standard of merit.

Superintending Engineer.

Degree in Engineering from a recognised University.

By selection on merit from amongst the Executive Engineers or holders of equivalent posts in the Deptt; concerned, in which the vacancy occurs, with at least twelve years service in grade-17 and 18, seniority being considered only in the case of officers of practically the same standard of merit.

Executive Engineer.

By selection on merit with due regard to seniority from amongst Assistant Engineers of the Deptt; concerned in which the vacancy occurs with at least five years service as such.

copy

SCHEDULE-II

Sl.No	Nomenclature of post	Minimum qualifications required for appointment	Age Limit (Years)	Method of recruitment
1	2	3	4	5
I. Engineering Cadre				
	Chief Engineer (ES-20)			By promotion, on the basis of merit, from amongst the Superintending Engineers (ES-19), and holders of equivalent qualification of post in ES-19 as notified by the department in line with cadre of Engineering, with at least 17 (seventeen) years service in ES-17 and above, possessing degree in B.E/B.Sc Engg (Civil), from a recognized University.
	Superintending Engineer / Director Design / Director (P&M)/EDO (ES-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers (ES-18), and holders of equivalent post in ES-18 as notified by the Department in line with cadre of Engineering, with at least 12 (twelve) years of service in ES-17 and above, possessing degree in B.E/B.Sc Engg (Civil) from a recognized University.
3	Executive Engineer / Design Engineer / Technical Officer / Deputy Secretary Tech / DDO (ES-18)			By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Engineers (ES-17), and holders of equivalent post in ES-17 as notified by the department in line with cadre of Engineering, possessing degree in B.E/B.Sc Engg (Civil), from a recognized University with at least 5 (five) years of service as such.
4	Assistant Engineer / Assistant Design Engineer / Sub Divisional Officer / PC/SC(Tech)/ADO (ES-17)	Degree in B.E/B.Sc Engg (Civil) from a recognized University.	21-32	i. 70% by Initial Recruitment; ii. 10% by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers who possessed Degree of B.E/B.Sc Engg (Civil) at the time of their joining service / during service. The seniority for the purpose of promotion as SDO (ES-17) shall be reckoned from the date of acquiring degree of B.E / B.Sc Engg (Civil). iii. 20% by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers who hold a diploma and have passed Departmental Professional Examination with at least 10-years service as such.
5	Sub Engineer (ES-11)	Diploma of Associate Engineering (Civil) / Electrical / Mechanical from a recognized Technical Board.	18-30	i. 90% by Initial Recruitment ii. 10% percent by transfer from amongst the Draftsmen with seven years service as such, having Diploma in Civil / Electrical / Mechanical Technology from a recognized board.

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... from amongst the Sub-Engineers (Civil) from a recognized University on the date of acquiring the degree or date of joining service as such from amongst the Initial Professionals

Rules 2010

APPENDIX

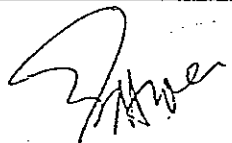
S.No.	Nomenclature of post.	Minimum qualification required for appointment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
I. Engineering Cadre:				
1.	Chief Engineer (BS-20).			By promotion, on the basis of selection on-merit, from amongst the Superintending Engineers/Directors Design/Directors (Planning and Monitoring) with at least seventeen years service in BS-17 and above, possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University.
2.	Superintending Engineer / Director Design / Director (Planning and Monitoring) (BS-19).			By promotion, on the basis of seniority-cum-fitness. from amongst the Executive Engineers/ Design Engineers/Technical Officers with twelve years of service in BS-17 and above, possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University.
3.	Executive Engineer/ Design Engineer/ Technical Officer (BS-18).			By promotion, on the basis of seniority-cum-fitness. from amongst Assistant Engineers/Assistant Design Engineers/Sub Divisional Officers possessing degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such.

4.	Assistant Engineer/ Assistant Design Engineer/Sub Divisional Officer (BS-17).	Degree in B.E/B.Sc Engineering (Civil) from a recognized University.	21 to 32 years	<p>(a) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers who possessed Degree of B.E/B.Sc Engineering (Civil) from a recognized University;</p> <p>Note: The seniority for the purpose of promotion shall be reckoned from the date of acquiring degree of B.E/B.Sc Engineering (Civil) from a recognized University or date of appointment, whichever ever is later.</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers who hold a diploma and have passed Departmental Professional Examination with at least ten years service as such; and</p> <p>(c) seventy per cent by initial recruitment.</p>
5.	Sub Engineer (BS-11).	Diploma of Associate Engineering (Civil) / Electrical / Mechanical from a recognized Technical Board.	18 to 30 years	<p>(a) Ten per cent by transfer, from amongst the Draftsmen with seven years service as such, having Diploma in Civil/Electrical/Mechanical Technology from a recognized Board; and</p> <p>(b) ninety per cent by initial recruitment;</p>

II. Ministerial Establishment:

6.	Budget and Accounts Officer/Administrative Officer (BS-17).			By promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with five years service as such.
7.	Superintendent (BS-16).			<p>(a) Seventy per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with five years service as such; and</p> <p>(b) thirty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with five years service as such.</p>

8.	Senior Scale Stenographers (BS-15).	(a) Second Class Bachelor's Degree or equivalent qualification from a recognized University; and (b) a speed of 100 words per minute in English shorthand and 40 words per minute in English typing.	18 to 30 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers BS-12 with five years service as such: Provided that if no suitable candidate is available for promotion, then by initial recruitment.
9.	Junior Scale Stenographer (BS-12).	(a) Second Class Intermediate/ D.Com or equivalent qualification from a recognized Board; and (b) a speed of 50 words per minute in English shorthand and 35 words per minute in English typing.	18 to 30 years	By initial recruitment.



10.	Assistant/Head Clerk (BS-14).	Second Class Bachelor's Degree from a recognized University.	21 to 32 years	<p>(a) Twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Clerks, having graduation with five years service as such;</p> <p>(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Clerk other than Graduates, with five years service as such:</p> <p style="text-align: center;">Provided that if qualified persons are not available for promotion, against the quota at (a), then the vacancy shall be filled in by way prescribed at (b); and</p> <p>(c) Twenty-five per cent by initial recruitment.</p>
11.	Accounts Clerk (BS-11).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with five years service as such.
12.	Senior Clerk (BS-09).	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with three years service as such.
13.	Junior Clerk (BS-07).	<p>(a) Second Division Intermediate or equivalent qualification from a recognized Board; and</p> <p>(b) a speed of 30 words per minute in English typewriting.</p>	18 to 28 years	<p>(a) Twenty per cent by promotion, from amongst the Daftari, Record Lifter, Daffadar, Barkandaz, Naib Qasids and Chowkidars, who have passed Secondary School Examination and are under 45 years of age and have at least two years service as such; and</p> <p><u>Note:</u> For the purpose of promotion, the department shall maintain a joint seniority list of Daftari, Naib Qasids, Chowkidars, Record Lifter, Daffadar and Barkandaz based on the date of regular appointment to the post or that of acquiring the SSC whichever is later, provided that if two dates are the same the person older in age or having longer service, whichever is more beneficial to him, shall rank senior; and</p> <p>(b) eighty per cent by initial recruitment.</p>



14.	Daftari/Record Lifter/ Daffadar/Barkandaz (BS-02).	Preferably literate, preference will be given to Ex-Service Man.	18 to 35 years	By promotion, from amongst the Naib Qasids/Chowkidars having Middle ' Standard qualification: Provided that if no suitable candidate is available for promotion, then by initial recruitment.
15.	Naib Qasid (BS-01).	Middle Standard qualification.	18 to 40 years	By initial recruitment.
16.	Driver (BS-04).	Possessing a valid LTV/ HTV Driving License with five years experience, having Middle Standard qualifications from a recognized Board.	18 to 45 years	By initial recruitment.
17.	Chowkidar (BS-01).	Literate.	18 to 45 years	By initial recruitment.
18.	Sweeper (BS-01).		18 to 45 years	By initial recruitment.
19.	Data Entry Operator / Computer Aided Design, Computer Operator (BS-11).	Second Class Intermediate Certificate or equivalent qualification from a recognized Board and one year Diploma in Information Technology or Computer Science from a recognized Board.	18 to 30 years	By initial recruitment.

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III. Drawing Branch Establishment:

20. Chief Draftsman (BS-17).			By promotion, on the basis of seniority-cum-fitness, from amongst the Circle Head Draftsmen with five years service as such.
21. Circle Head Draftsman (BS-16).			By promotion, on the basis of seniority-cum-fitness, from amongst the Head Draftsman/ Divisional Head Draftsman with five years service as such.
22. Head Draftsman / Divisional Head Draftsman (BS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst the Draftsman with five years service as such.
23. Draftsman (BS-11).	<p>(a) Second Division Secondary School Certificate from a recognized Board; and</p> <p>(b) two years duration Certificate Course in Civil Draftsmanship from a recognized Board of Technical Education.</p>	18 to 30 years	<p>(a) Twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers having Certificate of Civil Draftsman Course of two years duration from recognized Board of Technical Education with three years service as such;</p> <p>(b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers who have qualified the prescribed Departmental Examination of Draftsman, and having three years service as such:</p> <p>Provided that if no suitable candidates are available for promotion against the quota at (a) then the vacancy shall be filled in by way prescribed at (b) and vice versa; and</p> <p>(c) fifty per cent by initial recruitment.</p>

24.	Tracer (BS-05).	(a) Second Class Secondary School Certificate from a recognized Board; and (b) Survey course of at least 6-9 months duration.	18 to 30 years	(a) Twenty-five by promotion, from amongst the Ferro-Printer/Ferro Khalasi having Secondary School Certificate with two years service as such; and (b) seventy-five per cent by initial recruitment.
25.	Ferro- Printer/ Ferro Khalasi (BS-02).	Middle Standard Qualification.	18 to 30 years	By initial recruitment.

IV. Water Quality (WQ) Laboratory's Technical Staff:

26.	Water Scientist / Senior Research Officer (WQ) (BS-18).	Second Division M.Sc (Micro-biology or Chemistry) from a recognized University.		By promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Research Officer (Water Quality) BS-17 with five years service as such.
27.	Research Officer (WQ) (BS-17).	Second Division M.Sc (Micro-biology or Chemistry), from a recognized University.	21 to 32 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Assistant Research Officer (Water Quality) with three years service as such; and (b) fifty per cent by initial recruitment; and
28.	Assistant Research Officer (WQ) (BS-16).	Second Division B.Sc (Microbiology or Chemistry) from a recognized University.	21 to 30 years	By initial recruitment.

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29.	Laboratory Technician (BS-06).	Second Division Secondary School Certificate or equivalent qualification from a recognized Board and relevant Laboratory Technician Course from a recognized Technical Board/Institute.	18 to 30 years	By initial recruitment.
30.	Laboratory Attendant (BS-01).	Literate.	18 to 45 years	By initial recruitment.

V. Hydrogeology/Resistivity Survey Staff:

31.	Research Officer/ Hydro-Geologist (BS-17).	Second Division M.Sc (Hydro-Geology) or B.Sc (Civil/Agriculture Engineering) with two years relevant experiences or Second Division M.Sc. (Water Resources/ Civil Engineering) from a recognized University.	21 to 32 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the members of service holding the post of Assistant Research Officer (Resistivity Survey) with three years service as such; and (b) fifty per cent by initial recruitment.
32.	Assistant Research Officer (R/Survey) (BS-16).	Second Division M.Sc. (Hydro-Geology) or B.Sc (Civil/Agriculture Engineering) or Second Division M.Sc. (Water Resources/ Civil Engineering) from a recognized University.	21 to 30 years	By initial recruitment.

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33.	Technician (BS-06).	Second Class Secondary School Certificate or equivalent qualification from a recognized Board and relevant Technician Course from a recognized Technical Board/Institute.	18 to 30 years	By initial recruitment.
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VI. Community Development/Health Hygiene Promotion Staff:

34.	Assistant Social Organizer (BS-16).	Second Class Master's Degree in Social Sciences from a recognized University.	21 to 30 years	By initial recruitment.
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VII. EIA/Environment Section Staff:

35.	Environmentalist (BS-17).	Second Class Master's Degree in Environmental Sciences/Environmental Engineering from a recognized University.	21 to 30 years	By initial recruitment or by deputation from Environmental Protection Agency North-West Frontier Province.
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SECRETARY TO GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE
PUBLIC HEALTH ENGINEERING DEPARTMENT.

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Subject:- MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 27-09-2013 AT 1030 HRS IN THE OFFICE OF THE SECRETARY PHED

A meeting of the Departmental Promotion Committee (DPC) was held on September ~~27, 2013~~ at 1030 Hours under the chairmanship of Secretary PHE Department in his office to consider promotion of B. Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer / Sub Divisional Officer (BPS-17) in the Public Health Engineering Department in pursuance of the recent amendments in the Promotion/Appointment Rules reserving 3% quota for B Tech Hons Graduate.

2. The following attended the meeting:-

- 1) Engr. Akhtar Ali Khan,
Chief Engineer (North) PHE Peshawar. Member
- 2) Mr. Israr Muhammad,
Additional Secretary Law Department. Member
- 3) Mr. Shaukatullah,
Section Officer (SR-II) Finance Deptt. Member
- 4) Mr. Muhammad Ijaz,
Superintendent (Reg-V) E&A Deptt. Member
- 5) Mr. Hameedullah Shah,
Deputy Secretary (Admn) PHED. Secretary

3. The Chairman welcomed the participants and apprised the forum that there are 72 sanctioned posts of Sub Divisional Officers in the Public Health Engineering Department. As per existing Service Rules, 03% quota is reserved for promotion of B.Tech (Hons) Degree Holder Sub Engineers (BPS-11) to the rank of Assistant Engineer / Sub Divisional Officer (BPS-17). The total posts meant for B.Tech (Hons) Degree Holder Sub Engineers under 3% quota comes as 2.16 (say 2-posts) against which no official is working as Sub Divisional Officer (BPS-17).

4. The Chair sought advice from the representatives of Law, Finance and Establishment Departments regarding the mechanism of determining the seniority of B.Tech (Hons) Degree Holder Sub Engineers either from the date of acquiring degree or date of initial appointment. It was admitted that as per existing rules and on the analogy of promotions being granted to those who

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acquire B.SE (Civil) Degree during service, the B.Tech (Hons) have the same rights and seniority should be reckoned on the same analogy. However, the representative(s) of Establishment and Finance Departments pointed out that final seniority list has not been attached with the Working Paper of B.Tech (Hons) Degree holder Sub Engineers which is a pre-condition to the promotion.

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5. The Forum further agreed that the concerned authority i.e. Chief Engineer must finalize and issue final seniority list of B.Tech (Hons) Sub Engineers at an early date so as to facilitate promotion of these employees to the next higher rank and final meeting of Departmental Promotion Committee could be convened as soon as possible.

6. The meeting ended with a note of thanks from the chair.

(15)
(ISRAR MUHAMMAD)
Additional Secretary
Law Department (Member)

(Eng. AKHTAR ALI)
Chief Engineer (North)
PHE Peshawar (Member)

(SHAUKATULLAH)
SECTION OFFICER
Finance Deptt. (Member)

(MUHAMMAD IJAZ) Chairman
SUPERINTENDENT E&AD
(Member)

(JAMIL AHMAD)
Secretary to Govt. of Khyber Pakhtunkhwa
Public Health Engineering Department
(Chairman)

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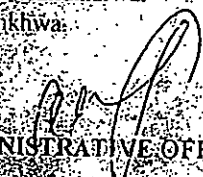
Public Health Engineering Department

Seniority List of Sub Engineers (BPS-11) Graduate as stood on 30/06/2010

No	Name of Official	Father's Name	Home District	Qualification	Date of Birth	Date of Appointment to P.W.	Date of Appointment to Class	Remarks
	Noor ul B. Sar	Rahmat Gul	Haligi	B.Sc (C) 1987	13.08.1959	21.11.1997	21.11.1992	
	Abdur Rahim II	Ghaffar Khan	Bannu	B.Sc (C) 1990	25.08.1965	16.09.1997	16.09.1993	
	Kifana Muhammad Khan	Sharif Khan	N/A	B.Sc (C) 1991	02.04.1968	16.09.1997	16.09.1993	
	Kifayatullah Khan	Sebrullah Jan	Bannu	B.Sc (C) 1992	14.02.1969	16.09.1997	16.09.1993	
	Yousaf Khifri	Asaf Khan	Swat	B.Sc (C) 1992	01.03.1969	22.09.1997	22.09.1993	
	Barkatullah	Lal Saleh Din	N/A	B.Sc (C) 1998	07.03.1961	18.12.1985	18.12.1985	
	Mir Adan	Sher Ahmad Khan	FR Bannu	B.Sc (C) 1999	25.02.1966	17.10.1987	17.10.1987	
	Ifekhar Ahmad	Hashim Ali Khan	Peshawar	B.Sc (C) 2007	04.02.1966	29.12.1985	31.01.2009	

Estt. No. 07 /E-16/PHE
 Dated Pesh. the 30 /06/2010

- 1) Copy to the
- 2) Section Officer (Estt.) PHE Department, Peshawar.
- 3) All Superintending Engineers PHED in Khyber Pakhtunkhwa.
- 4) All Executive Engineers PHED Khyber Pakhtunkhwa.


 ADMINISTRATIVE OFFICER



Dated Peshawar, the July 31, 2013

25

NOTIFICATION

No.SO(E)PHE/1-9/2009. In pursuance of the provisions contained in rule(2) of rule 3 of the North-West Frontier Province Civil Servants (Appoint, Promotion and Transfer) Rules, 1989, the Government of the Pakhtunkhwa is pleased to direct that in the Public Health Engineering Department's (Recruitment and Appointment) Rules, 2010, the following amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- i) Against serial No.3, in column No.5, for the existing entry, the following shall be substituted, namely:

"By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Engineers, Assistant Design Engineers and Sub Divisional Officers, who possess Degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such and have passed Departmental Professional Examination."

- ii) Against serial No.4, in column No.5, for the existing entry, the following shall be substituted, namely;

(a) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the direct graduate Sub Engineers who possess Degree in B.E/B.Sc Engineering (Civil) from a recognized University with five years service as such;

(b) five per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the in service graduate Sub Engineers who possess Degree in B.E/B.Sc Engineering (Civil), from a recognized University with five years service as such;

~~(c) three per cent, by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers, who possess Degree in B.Tech-Hons. (Civil), from a recognized University with five years service as such;~~

(d) twenty per cent, by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers, who possess Diploma in Civil / Electrical / Mechanical Technology with five years service as such and have passed the Departmental Professional Examination;

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ENDST: No. SO(E)PHE/1-9/2009 Dated Peshawar, the July 31, 2013

Copy forwarded to the:-

1. All Administrative Secretaries to the Govt. of Khyber Pakhtunkhwa Province.
2. Secretary to Governor Khyber Pakhtunkhwa Province.
3. Principal Secretary to Chief Minister Khyber Pakhtunkhwa Province.
4. PS to Chief Secretary Khyber Pakhtunkhwa Province.
5. Accountant General Khyber Pakhtunkhwa Province Peshawar.
6. Additional Accountant General (PR), Pakistan Revenue Sub Office Peshawar.
7. Chief Engineer (South) PHE Department.
8. Chief Engineer (North) PHE Department.
9. Chief Engineer (FATA) Communication & Works Department.
10. Secretary Public Service Commission Khyber Pakhtunkhwa.
11. Registrar Supreme Court of Pakistan / Peshawar High Court / Service Tribunal Peshawar.
12. All Superintending Engineers PHE Circles / Executive Engineers PHE Divisions / Sub Divisional Officers PHE Khyber Pakhtunkhwa.
13. Manager Government Stationary & Printing Department.
14. PS to Minister for PHE Department.
15. PS to Secretary PHE Department.
16. Office Order File

Muhammad Yunas
31/7/13

O/L

(MUHAMMAD YUNAS)
SECTION OFFICER (ESTT)

Computer File No. E:\ORDERS - Notifications \ Notification - PHE Service Rules 2010

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08-2013



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(ESTABLISHMENT WING)

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NOTIFICATION

Peshawar, dated the 6th December 2012.

No SOE.IV(E&AD)/1-35/2012:- 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 previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with 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 posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

APPENDIX

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Superintendent.			By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant with atleast five years service as such.

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S.No.	Nomenclature of posts.	Minimum appointment initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
2.	Assistant.	Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks with atleast five years service as Junior and Senior Clerk. (b) twenty-five per cent by initial recruitment.
3.	Senior Clerk.	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerk with atleast two years service as such.
4.	Junior Clerk.	(i) Matriculation with second division or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty-three per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C Examination; and (b) sixty-seven per cent by initial recruitment. <u>Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc., with reference to the dates of their acquiring the Secondary School Certificate.</u>

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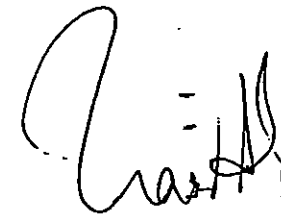
S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
				<p>Provided that-</p> <ul style="list-style-type: none">(a) if two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;(b) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA.

30
R-1
Endst: No. SOE-IV(E&AD)/1-35/2012, dated 6th December, 2012

Copy forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa. Civil Secretariat, Khyber Pakhtunkhwa. Peshawar.
2. The Addl: Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
4. The Senior Member of Board of Revenue.
5. Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. The Chairman to Khyber Pakhtunkhwa Service Tribunal Peshawar.
9. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
10. The Private Secretary to Secretary Establishment Department,
11. The P.A to Special Secretary (Estt), Establishment Department.
12. The P.A to Addl: Secretary (Estt/ Reg), Establishment Department.
13. The PA to Addl: Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette.



(NASIR AMAN)
SECTION OFFICER (E.IV)