

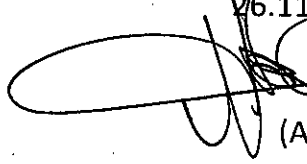
Service Appeal No. 999/2014

26.11.2018

Appellant Muhammad Iqbal alongwith his counsel Mr. Muhammad Anwar Awan, Advocate present. Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant stated at the bar that he want to withdraw his service appeal. In this regard signature of learned counsel for the appellant was obtained at the margin of order sheet as a token of proof. Accordingly the present service appeal is dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

26.11.2018

Anwar


(Ahmad Hassan)
Member
Camp Court D.I.Khan



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

DFA

Muhammad Iqbal (1)

26.11.2018

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ANNOUNCED

26.11.2018

(Ahmad Hassan)
Member
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(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Industrial Training center khasihgi Bala Nowshera, Dar Ul Aman Mardan, rehabilitation center for Drug Addicts Peshawar and Swat and Industrial Training center Dagai Qadeem District Nowshera. These were the projects brought to the Revenue side by converting from the ADP to current budget and there employees were regularized. While the petitioners are going to be retreated with different yardstick which is height of discrimination. The employees of all the aforesaid projects were regularized, but petitioners are being asked to go through fresh process of test and interview after advertisement and compete with others and their age factor shall be considered in accordance with rules. The petitioners who have spent best blood of their life in the project shall be thrown out if do not qualify their criteria. We have noticed with pain and against that every now and then we are confronted with numerous such like cases in which projects are launched, youth searching for jobs are recruited and after few years they are kicked out and thrown astray. The courts also cannot help them, being contract employees of the project

Attested

25.05.2018

Due to retirement of the worthy Chairman, the Tribunal is non-functional. To come up for the same on 21-6-18. Notices be issued to the parties accordingly.


Member

21.06.2018

Appellant Muhammad Iqbal alongwith counsel Mr. Muhammad Mohsin, Advocate present. Mr. Arshad Nadim, Supdt. alongwith Mr. Usman Ghani District Attorney on behalf of the respondents present.

Seniority list not submitted by the respondents and again made a request for adjournment. Granted. Respondents are directed to submit seniority list dated 31.12.2015 on the next date positively. Case to come up for arguments on 28.08.2018 before the D.B at camp court, D.I.Khan.


Member


Chairman
Camp Court, D.I.Khan


28.8.18

*clerk to counsel for the appellant present.
Arshad Nadim Supdt. for respondent present
Tern is hereby cancelled, therefore, the case
is adjourned for the same on 12.9.18
at camp court D.I. Khan.*


Reader

12.09.2018


12th September has been declared as public holiday on account of 1st Muharram therefore, the case is adjourned for the same on 26.11.2018 before D.B at Camp Court D.I.Khan.



Reader
Camp Court D.I.Khan

Service Appeal No. 999/2014

22.01.2018

Counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Attaullah, Superintendent for the respondents also present. Record mentioned in previous order sheet dated 28.11.2017 not produced by the respondents. Learned District Attorney for the respondents requested for further time for production of record. Adjourned. To come up for record and arguments on 20.02.2018 before D.B. at Camp Court D.I.Khan.



(Ahmad Hassan)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

20.02.2018

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Dr. Samiullah, M.O for respondents present. Appellant seeks adjournment as his counsel is not in attendance. Adjourned. To come up for arguments on 14.03.2018 before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER
Camp Court D.I.Khan

14.03.2018

None for the appellant present. Addl. AG for the respondents present. Adjourned. To come up for arguments on 24.4.2018 before the D.B at camp court, D.I.Khan.


Member


Chairman
Camp court, D.I.Khan

23.10.2017

Bench incomplete. Adjourned. To come up on 25.10.2017 before D.B at camp Court D.I.Khan.

Reader

25.10.2017

Appellant in person and Mr. Farhaj Sikandar, District Attorney for respondents present. Representative of the respondents are not present. Notice be issued to Managing Director KP Tevta Chanar Road University Town Peshawar. Appellant is also directed to submit member copy of the instant appeal. Adjourned. To come up for arguments on 28.11.2017 before D.B.




Member
(Executive)




Member
(Judicial)
Camp Court D.I.Khan

28.11.2017

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Atta ullah, Superintendent for official respondent also present. Counsel for the appellant stated at the bar that he has challenged the seniority list pertaining to the year 2014 of the Store Keeper Government Technical Vocation Centre. He further stated that the department has prepared the tentative seniority list of the said department on 31.12.2015 wherein the mistake has been rectified by the department but final seniority list has not been furnished so far, therefore the respondent department is directed to furnish final seniority list on the next date. To come up for such record/arguments on 22.01.2018 before D.B at Camp Court D.I.Khan.




(Gul Zeb Khan)
Member



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

22.02.2017

Appellant in person and Mr. Attaullah, Superintendent alongwith Mr. Farhaj Sikandar, Government Pleader for respondents present. Appellant submitted rejoinder which is placed on file. To come up for arguments on 25.04.2017 before S.B at Camp Court D.I.Khan.


(ASHFAQUR TAJ)
MEMBER
Camp Court D.I.Khan


25.4.17

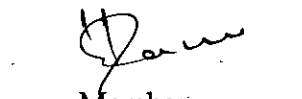
Since Taus is hereby cancelled, therefore, the case is adjourned for the same on 25.9.2017.


Sikandar

25.09.2017

Appellant in person and Mr. Farhaj Sikandar, District Attorney for the respondents present. Appellant seeks adjournments as his counsel is not available. Last opportunity granted. To come up for arguments on 23/10/2017 before DB at Camp Court D.I.Khan.


Member
(Executive)


Member
(Judicial)
Camp Court D.I.Khan

26.01.2016

Counsel for the appellant and Mr. Farhaj Sikandar, GP present. None is available as representative on behalf of the respondents. Fresh notices be issued to them through registered post and case to come up for written reply positively on 24.5.16 at camp court, D.I.Khan.


MEMBER
Camp Court, D.I.Khan

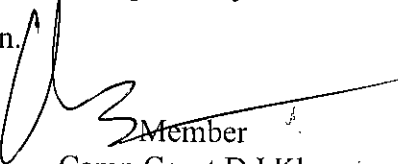
24.05.2016

Appellant in person and Mr. Gul Badshah, Assistant alongwith Farkhaj Sikandar, GP for respondents present. Written reply submitted. To come up for rejoinder on 25.10.2016 at camp court D.I. Khan.


Member
Camp Court D.I.Khan

25.10.2016

Mr. Muhammad Sadiq, Junior to counsel for the appellant and Mr. Attaullah Khan, Superintendent alongwith Mr. Farhaj Sikandar, Government Pleader for the respondents present. Rejoinder not submitted. Junior to counsel for the appellant requested for further time for submission of rejoinder. Request accepted. To come up for rejoinder on 21.02.2017 before S.B at Camp Court D.I.Khan.


Member
Camp Court D.I.Khan

31-1-17

999/14

30.3.2015

Counsel for the appellant and Minhaj Sikander GP for the respondents present. Counsel for the appellant submitted, that post of the appellant was upgraded from BPS-5 to 9 and when the seniority list was issued for the first time, appellant's seniority was reckoned from the date of up gradation and not from his initial appointment. That some junior officials have been illegally placed senior to the appellant. Points raised at the Bar need consideration. This appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issue to the respondents. To come up for written reply on 28.9.15

Appellant Deposited
Security & Process Fee



MEMBER
Camp Court, D.I.Khan

28.09.2015

Counsel for the appellant and Mr. Farhaj Sikandar, GP present. Fresh notices be issued to the respondents and case to come up for written reply on 23-11-15 at camp court, D.I.Khan.



MEMBER
Camp court, D.I.Khan

24.11.2015


Counsel for the appellant and Mr. Farhaj Sikandar, GP for the respondents present. The learned GP is directed to contact the respondents. To come up for written reply positively on 26-1-16 at camp court, D.I.Khan.



MEMBER
Camp Court, D.I.Khan

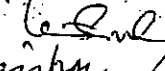
25.11.2014

Since the Tribunal is incomplete therefore, this case is adjourned to
30.12.2014 for preliminary hearing at camp court D.I. Khan.


Registrar
Camp Court, D.I. Khan


29-12-14-

Appellant in person present. Case
adjourned to 26-1-2015 for preliminary
hearing at Camp Court, D.I. Khan.


Registrar
Camp Court, D.I. Khan.



26-1-2015

Appellant with counsel present and
heard partly. The s/counsel contended that
appellant has not been treated in accordance
with Law & rules and deprived from his due place
in seniority. Pre-admission ^{notices} be issued to respondents
and G.P. for further preliminary hearing on 30-3-15
at Camp Court, D.I. Khan.


Member
Camp Court, D.I. Khan.

Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 999/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05/08/2014 2 3-11-2014	<p>The appeal of Mr. Muhammad Iqbal resubmitted today by Mr. Muhammad Anwar Awan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up there on <u>25-11-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Iqbal Store Keeper Govt. Technical and Vocational Centre D.I.Khan received today i.e. on 03.07.2014 is incomplete on the following scores which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Law under which appeal is filed is not mentioned.
- 2- Address of respondent No.4 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal m rules 1974.
- 3- Annexures-A and B of the appeal are illegible which may be replaced by legible/better one.
- 4- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules-1974 requires that every civil servant to whom the relief claimed may affect, shall be shown as respondent.

No. 1030 /S.T,

Dt. 03/7 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M. Anwar Awan Adv. D.I.Khan.

Respected Sir,

This appeal is filed u/s 4 of service tribunal Act 1974.

The respondent 4 departmental selection committee consist of respondent No 2 & 3 . Eligible copies are annexed with the appeal. The Serial No 4, 6 to 14 and 16 to 67 of Annexure D are junior to the appellatant and they may be treated as respondents.


Adv.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR CAMP DIKHAN.

Appeal no. 999 of 2014.

Muhammad Iqbal

VS

Govt; of KPK and others

INDEX

No.	Particulars	Annexure	Pages
1	Copy of Appeal		1-5
2	Copy Of Judgment dated 19-07-2005	A	6-9
3	Copy of Rules	B	10-15
4	Copy of Writ & Judgment	C	16-19
5	Copy of Seniority List	D	20-38
6	Copy of departmental appeal & Receipt	E	39-49
	Copy of	Annexure	
7	Wakalat Nama	H	43

Your Humble Petitioners

Muhammad Iqbal

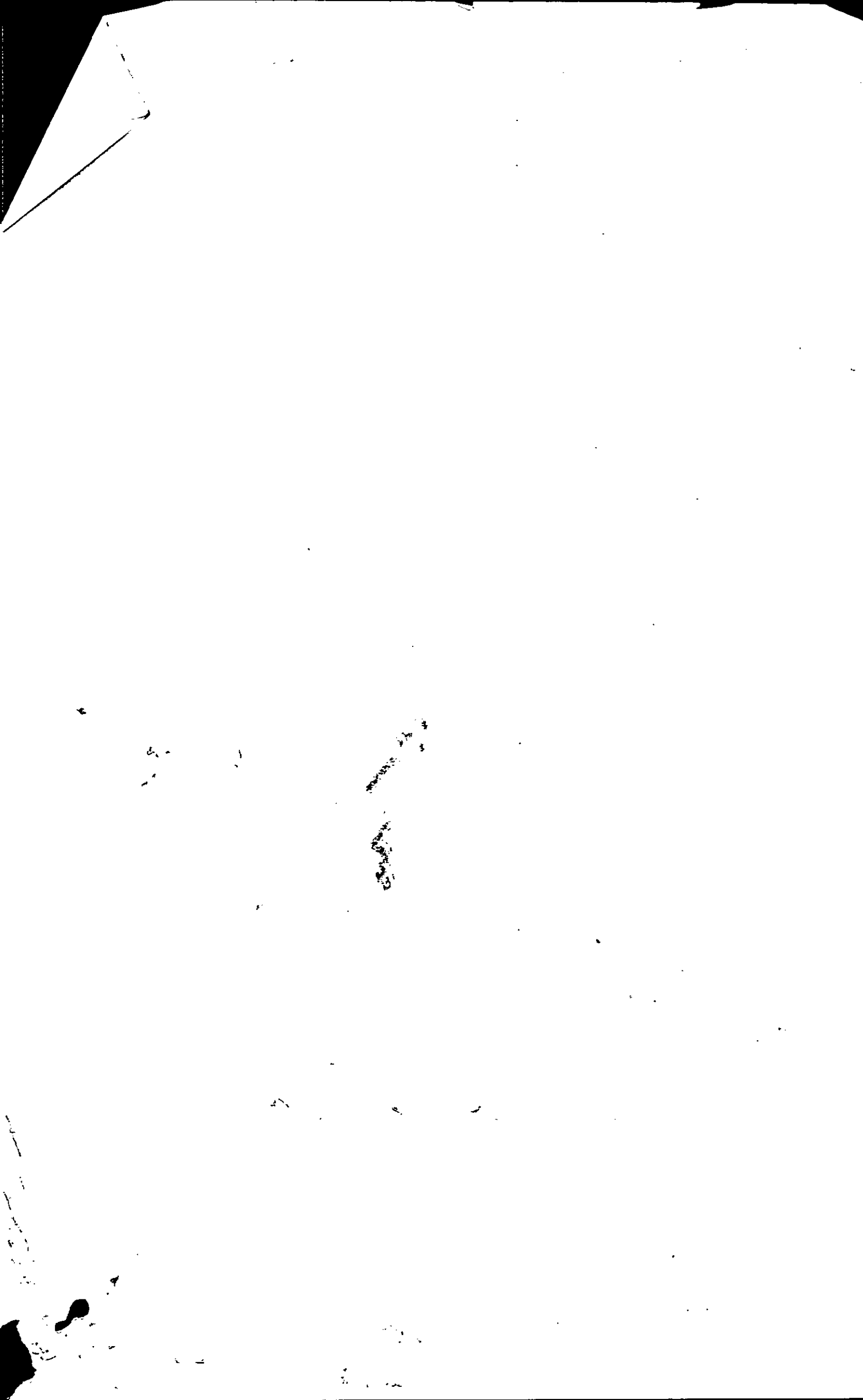
Through Counsel

Muhammad Anwar Awan

Muhammad Anwar Awan

Advocate Supreme Court

Dated; 25-11-2013.



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR CAMP DIKHAN.

Appeal no... 999 ... of 2014.

Mohammad Iqbal Store Keeper Government technical and vocational center
for boys D.I.Khan.

VERSUS

937
03/7/2014

1. Government of KPK through secretary Industrial, Commerce & Technical Education Deptt: Peshawar.
2. Secretary Establishment Department Government of KPK.
3. Director General Technical Education & Manpower Training Peshawar.
4. The Departmental Promotion Committee for Technical Education & Manpower Training Peshawar.

**APPEAL AGAINST ILLEGAL AND AGAINST LAW AND
FACT SENIORITY LIST DATED 03.03.2014**

Respectfully Sheweth:

The facts leading rise to present writ petition in brief are: -

1. That the petitioners are serving in the Technical Education & Manpower Training department as store keeper ^{since} ~~on~~ 25.04.1984.
2. That two department namely Directorate of technical education and Directorate of Man power N.W.F.P were merged with each other vide notification in 2002 and department is renamed as Directorate of Technical education and Man power training N.W.F.P. After the mergers of department, some of the affectees of department are aggrieved from the

3/7/14
5/8/14

submitted to
and filed.

promotion of other employees, challenged the order through Service Appeal no-386/2004 before Service Tribunal KPK. The Service Tribunal vide judgment dated 19-07-2005 decided the appeal of affectees by holding that " The promotion made by on the basis of separate seniority list of the two directorates in event of merger of the two with each other is violation of relevant law". The tribunal further directed the respondents to draw combined seniority list of the two directorates and then to make promotion in accordance with law. Copy of Judgment is Annexure A.

3. That the respondents in compliance with the judgment drafted the rules regarding criteria for the promotion of employees of the department. Copy of rules is Annexure B.

4. That the department after receiving the copies of the judgment, complied the direction of Service Tribunal by preparing the provisional seniority list of Superintendents, Head Clerks and Accountant of the department but failed to comply the direction of Service Tribunal regarding other posts including Store Keepers.

5. That the petitioner time and again requested the respondent through applications to comply with the direction of Service Tribunal and prepare the seniority list of Store Keepers but they failed to do so and petitioner are waiting for their promotion for 8/9 years due to non preparation of their seniority list, so feeling aggrieved the appellant filed writ petition before Peshawar High Court Peshawar Bench D.I.Khan in which direction was issued.

Copy of writ and judgment is Annexure C.

6. The department on the direction issued by the Hon'ble High Court, prepared seniority list on 03.03.2014 in which appellant is placed at serial number ⁶⁸ by promotion/^{up-gradation} and not on the basis of initial recruitment. The copy of seniority list is Annexure D.
7. That after communication of seniority list, feeling aggrieved of the above action in violation of law and principal of natural justice, the appellant filed departmental appeal dated 20-03-2014. After the lapse of requisite period, the appellant is constrained to file this appeal. Copies of departmental appeal and receipts are Annexure E.
8. That feeling aggrieved from above said action appellants are constrained to approaches this honorable court on the following amongst other:-

Answer

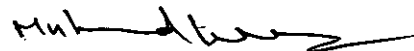
GROUND:

1. That the action of respondents is against facts and law, ultra virus and without any Jurisdiction.
2. That on 25.08.2009 the post of store keeper was up-graded from BPS-06 to BPS-09 and on this date the appellant was not promoted to any higher rank but the respondent No-3 placed the appellant on serial number ⁶⁸ on the basis of such up-gradation which is against law and rules and also against the natural justice.
3. That it is settled law that seniority list is prepared on the basis of initial/promotion appointment and not from the up-gradation of scale.

4. That the above said action of respondent regarding promotion of some of the categories' of department by initial recruitment while appellant was placed in the seniority list on the basis of up-gradation which is against equity.

In wake of above submissions, it is respectfully prayed that on acceptance of instant appeal, the seniority list may please be set aside/modified and appellant may graciously be promoted in BPS-09 to BPS- 14 since 2006 with all back/ future benefits.

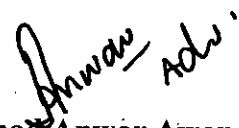
Your Humble Petitioners.



Muhammad Iqbal

THROUGH COUNSEL

Dated; 30-06-2014.



Muhammad Anwar Awan

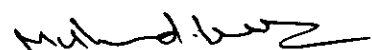
Advocate Supreme Court.

OATH COMMISSIONER
Shakeel Ahmadi
RO & A.C
Advocate High Court D.I. Khan
Adm
1-7-14

AFFIDAVIT

Muhammad Iqbal do hereby solemnly affirm and declare on OATH that the contents of the same are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable court.

Deponent.



(A)

6

*President
NTECH, Nwfp*

Director, Services to Industry, Peshawar

Service Appeal No. 200/2004

Date of institution ... 26.5.2004

Date of decision ... 19.7.2005

19-7-2005

Tech.

Farven Ahmad Rahi, Superintendent,
Govt. Post-graduate College of Commerce,
G.T. Road, Peshawar. *Lab Main Power*
.. Appellant

VERSUS:

1. The Secretary to Govt. of NWFP, Industries, Commerce, Mineral Dev: Labour, Technical Education & Manpower Deptt: Civil Sectt: Peshawar.
2. The Chief Secretary Govt. of NWFP, Civil Sectt: Peshawar.
3. The Director, Technical Education & Manpower Training, NWFP, Benevolent Fund Building, Peshawar Cantt:
4. The Secretary to the Govt. of NWFP, Finance Department, Civil Sectt: Peshawar.
5. The Secretary to the Govt. of NWFP, Establishment & Administration Deptt: Civil Sectt: Peshawar.
6. The Departmental Promotion Committee of the Govt. through the Secretary, Industries, Commerce, Mineral Dev: Labour, Technical Education & Manpower Deptt: Civil Sectt: Peshawar:
7. Mr. Muhammad Taib, Assistant Director, Directorate of Technical Education & Manpower Training, NWFP, Benevolent Fund-Building, Peshawar Cantt: *Tech. Educati*
8. Mr. Jamil Ahmad, Registrar Examination, Govt. College of Technology, Kohat Road, Peshawar. *Tech Edu*
.. Respondents

LAW

*ATTESTED
By
Registrar*

APPEAL AGAINST THE IMPUGNED ORDERS OF PROMOTION OF RESPONDENTS NO. 7 & 8 ISSUED BY RESPONDENT NO. 1 VIDE NOTIFICATION BEARING NO. SO-III(IND)TE/4-8/104 DATED 4.3.2004 AND THE APPELLATE ORDER OF RESPONDENT NO. 3 BEARING NO. DTE/TE/4-1/1207-10 DATED 27.4.2004, THROUGH WHICH THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED.

*M. ANWAR AWAN
Advocate*

Prayer: Setting aside the impugned orders, Respondent No. 1 to 6 may kindly be ordered to consider the appellant for promotion to BPS-17 through DYC from 4.3.2004.

Mr. Ijaz Anwar,
Advocate.

Mr. Hoor Zaman Khan,
Addl. Govt. Pleader.

Respondents No. 7 & 8 in person.

Mr. Abdul Sattar Khan,
Mr. Azmat Hanif Orakzai.

For appellant,
For respondents,
department.

Chairman
Members

JUDGMENT

ABDUL SATTAR KHAN, CHAIRMAN: Appellant named

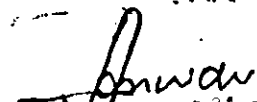
Parvez Ahmad Kahi and private respondents namely Muhammad Taib and Jamil Ahmad were serving as Superintendents (BS-16) in the defunct Directorate of Manpower and Technical Education Department. Vide notification dated 9.2.2002, the Directorate of Technical Education, HAFEP and Directorate of Manpower & Training merged with each other, with immediate effect by the competent authority and renamed as Directorate of Technical Education and Manpower (Training) which was re-named Directorate of Technical Education and Manpower Training (will be an attached Department of the Industries, Commerce, Labour, Minerals Development and Technical Education Department. HAFEP. Appellant above named claims seniority over private respondents. The cravamen of his claim is that he was ignored and instead private respondents No. 7 & 8, who are juniors to him, were promoted as Assistant Director and Registrar (BPS-17) respectively vide Notification dated 4.3.2004. It is further alleged that a final combined seniority list

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updated upto 31.5.2003, was drawn in which the appellant figured at S.No.1, whereas private respondents are shown at S.No. 2 & 3, which was later on withdrawn on the direction of the Finance Department. The appellant had time and again requested for promotion and inclusion of his name in the working paper for promotion by the DPC, but of no avail. Finally aggrieved by the promotion of private respondents No. 7 & 8, he filed a departmental appeal which was rejected. Now the appellant has approached this Tribunal for the redressal of his grievance.

2. Notices were issued to the respondent department and private respondents. They turned up, contested the appeal by filing separate written replies. The respondent department in its reply has averred that it is correct to the extent that the same seniority list was withdrawn later on vide office order No.DTES/MT/3711(1-7) dated 17.7.2003(Annexure-A). It is further submitted to depict a vivid scenario of the case that the Directorate of Technical Education and the Directorate of Manpower Training were merged on 9.2.2002. Obviously the seniorities of the employees having identical cadres were to be merged as per rules. In view of this fact, most of the seniorities of both the Directorates Employees, having similar cadres were combined and issued. It is added that after the merging, the need of fresh Service Rules was realized. During the process of framing proposed draft of Service Rules and combining the seniorities of identical cadres, certain anomalies came forth. As such the framing of fresh rules took a quite long time


M. ANWAR AWAN
Advocate

for finding a suitable solution for its finalization. The Govt. of NSEP Finance Department has also advised this office that there is no need of fresh service rules and the promotion of both the wings may be carried out in accordance with the existing criteria/rules (Annexure-B). Hence, in the meantime it was decided to fill the vacant post of promotion quota of both the defunct Directorates as per practice in vogue before the merger of the Directorates. Private respondents No. 7 & 8 in their joint written reply stated that in the light of instructions contained in Finance Department letter No. BOVIII/PD/2-4/B/2002-2003 dated 12.3.2003 conveyed vide Administrative Department letter No. SOIII(IND)TF/Misc:32/2003 dated 1.7.2003 (copy attached as Annex-I) the seniority list issued on 7.6.2003 (quoted by the appellant) was withdrawn vide order No. DTEEST/33797(1-7) dated 17.7.2003 (copy attached as Annex-II). Consequently, separate seniority lists of Supdt: of both the wings were issued (copies attached as Annex-III & IV) to which the appellant has made no objection so far. Further since the merger of both the wings, about hundred of promotion cases of different categories have been considered and cleared on the basis of separate seniority lists and separate service rules. The appellant was informed by the Directorate Office vide letter No. DTEEST/Estt:/PF/4450 dated 2.12.2003 (copy attached as Annex-V) that in pursuance of Finance Department letter quoted above, both the former Directorates are maintaining separate seniority lists of all the cadres. Promotion cases are processed on the basis of separate seniority lists and separate service rules. As the appellant belongs to the Manpower and Training Wing, therefore, he has no place in the seniority list of

SWH

ATTESTED
[Signature]
[Signature]

8

Technical Education wing. His case for promotion can be considered only on the basis of seniority-cum-fitness as per seniority list of Manpower and Training Wing. In rebuttal, replication was also filed by the appellant.

3. Arguments heard and record perused.

4. Learned counsel for the appellant argued that the appellant is senior to private respondents No. 7 & 8 but he was ignored and even his name was not included in the working paper for promotion; that in accordance with the seniority list, the name of the appellant figures at S.No.1 above private respondents No. 7 & 8; that though the Directorate of Technical Education, HMP and Directorate of Manpower and Training (HMP) were merged vide Notification dated 9.2.2002, even then the final seniority list was withdrawn in spite of the fact that the merger notification is intact. Therefore, the impugned order is liable to be set aside with direction to the respondent department to consider the appellant for promotion to BPS-17 through D.C. v.o.f 4.3.2004.

5. In reply the learned AGP for respondent deptt. and private respondents argued that since no rules were framed after merger, therefore, on the advice of the Finance Department separate seniority list was maintained for employees of each cadre and which has attained finality as it was not challenged by the appellant, therefore, the promotions made on the basis of separate seniority list cannot be challenged now.

4/11
CITESTER
[Handwritten signature]

Anwar
M. ANWAR AWAN
Advocate

6. Admittedly, the competent authority vide Notification dated 9.2.2002 has ordered the merger of the Directorate of Technical Education H.P. and Directorate of Manpower Training H.P. with each other, merged into a single entity, and re-named as Directorate of Technical Education and Manpower Training H.P. The existing Directorates of Technical Education H.P. and Directorate of Manpower and Training H.P. will cease to exist forthwith. Necessary amendments in the H.P. Government Rules of Business 1985 will be made separately. The above merger order is still intact. The grievance of the appellant's claim is that the respondent department was bound under the newly added sub-rule(3) of Rule-17 of the H.P. Civil Servants (Appointment, Promotion and Transfer) Rules, 1985, to draw a combined seniority list of the superintendants, which was drawn, but later on withdrawn. Sub-rule(3) of Rule-17 reads as under:

"On the event of merger/consolidation of the Departments, Attached departments or sub-ordinate Offices, the inter-seniority of civil servants affected by the merger/consolidation as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post."

The promotion made on the basis of separate seniority lists of the two Directorates in event of merger of the two with each other is violative of the relevant law/rule. The respondent department has committed a patent illegality which is not sustainable. Accordingly, the impugned promotion order of private respondents dated 4.10.2011 is set aside. The respondent department is directed to draw a combined seniority list of the two defunct Directorates and then to make promotion in accordance with the relevant law criteria/rules. The

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- 2 -

instant appeal stands disposed of in the above terms.
No order as to costs. File be consigned to the record.

ANNOUNCED
19.07.2005

(ABDUL HAKIM KHAN)
CHIEF JUSTICE
HIGH COURT
PESHAWAR.

(ABDUL HANIF QURESHI)
MEMBER

certified to be true copy
[Signature]
CHIEF JUSTICE
HIGH COURT
PESHAWAR.

2800 19/7/05
16-00
16-00
Memo of
Date of 22/7/05 22/7/05
22/7/05 22/7/05

[Signature]
M. ANWAR
Advocate



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

(REGULATION WING)

No. SOR-VI/E&AD/8-25/2011

Dated Peshawar, the 08th January, 2013

B 10

119
9/11/13

To

1. The Secretary to Govt of Khyber Pakhtunkhwa, Industries, Commerce & Technical Education Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa Law & Parliamentary Affairs Department.
4. The Director General, Technical Education & Manpower Training, Khyber Pakhtunkhwa.
5. The Chairman Khyber Pakhtunkhwa Public Service Commission.

Subject:

MINUTES OF THE MEETING OF SSRC ON THE DRAFT RULES OF MANAGEMENT CADRE STAFF AND TEACHING CADRE STAFF OF THE DIRECTORATE GENERAL, TECHNICAL & MANPOWER TRAINING KHYBER PAKHTUNKHWA HELD ON 20-11-2012.

Dear Sir,

I am directed to refer to the subject noted above and to forwarded herewith copy of minutes of the SSRC meeting held on 20-11-2012, under the Chairmanship of Mr. Shahrukh Arbab (Secretary Establishment) duly approved and signed by the Chairman and members for information and further necessary action.

SS
AS-B

9/11

Yours faithfully,

Majid
(NAJ-MUJ-SARAR)
SECTION OFFICER (REG-VI)

END OF EVEN NO. & DATE:-

Copy forwarded to:-

- 1) Private Secretary to Secretary Establishment Department.
- 2) Private Secretary to Special Secretary Establishment Department.
- 3) P.A to Addl: Secretary Establishment Department.

SECTION OFFICER (REG-VI)

Anwar
M. ANWAR AWAN
Advocate

1

5

Name of the post.	Minimum qualification and experience required for initial recruitment		Age Limit.		Existing method of recruitment (05-12-2008 notified Rules).	Proposed amendments	Remarks
	Existing	Proposed	E	P			
Deputy Director (BPS-18)					<p>(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Assistant Directors, Administration / Budget and Accounts / Industries / Employment Exchange / Trade Testing Board / Apprenticeship / AD cum Research cum Economist / Registrar (Examination) / Research Officer (BPS-17), having Bachelor's Degree from a recognized university with five years service.</p> <p>(b) Fifty per cent by transfer from amongst the holders of the post of Assistant Professors (BPS-18) in Govt. College of Technology / Polytechnic Institute / College of Management Sciences / Commerce Colleges / Govt. Commercial Training Institute / Principals, Technical & Vocational Centers having the qualification of Engineering Degree or having a Master Degree in Commerce or Business Administration.</p>	<p>(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Assistant Directors (BPS-17), having Bachelor's Degree from a recognized university with five years service.</p> <p>(b) Fifty per cent by transfer on merit from amongst the holders of the post of Assistant Professors (BPS-18) / Principals, Govt. Technical & Vocational Training Centers. Preference may be given to those having relevant experience.</p>	To include the post of Assistant Director Technical (BPS-17) for promotion to the post of Deputy Director (BPS-18)

M. Anwar
M. ANWAR AWAN
 Advocate

M. Anwar

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Sl. No.	Designation of the post.	Minimum qualification and experience required for initial recruitment		Age Limit.		Method of recruitment.		Remarks
		Existing	Proposed	E	P	Existing method of recruitment (05-12-2008 notified Rules).	Proposed amendments	
6	Assistant Director / (BPS-17)	Bachelor's Degree in Engineering or LL.B or Master's Degree from a recognized University.	Bachelor's Degree in Engineering or LL.B or MBA / BBA (Hons) or Master's Degree in Economics / Statistics / Commerce from a recognized University	25 to 35 years	22 - 32 year	By promotion, on the basis of seniority-cum-fitness from amongst the holders of the post of Superintendents / Marketing Officers / Managers Employment Exchanges / Apprenticeship Officers (BPS-16), with five years service as such.	<p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Managers Employment Exchanges / Marketing Officers / Superintendents / Apprenticeship Officers / Senior Scale Stenographer (BPS-16), having five years service as such; and</p> <p>(b) Fifty percent by initial recruitment.</p> <p>Note: A joint seniority list of the Managers Employment Exchanges / Marketing Officers / Superintendents Apprenticeship officers and Senior Scale Stenographer shall be maintained for the purpose of promotion.</p>	

M. Anwar
M. ANWAR AWAN
 Advocate

M. Anwar

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Marketing Officer (BPS-16)		2 nd Class Bachelors Degree in Marketing/BBA (Hons) from a recognized University.	21 to 30 years	---	By initial recruitment.	
Superintendent (BPS-16)					By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Head Clerks / Assistants / Senior Scales Stenographers / Computer Operator cum Assistants with five years service as such.	By promotion on the basis of seniority-cum-fitness, from amongst the Head Clerks / Assistants / Store supervisor / Senior Scale Stenographer (BPS-14) having five years Service as such

M. Anwar
M. ANWAR AWAN
Advocate

M. Anwar

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Name of the post	Signature of the		Minimum qualification and experience required for initial recruitment		Age Limit.		Method of recruitment.		Remarks
	Existing	Proposed	E	P	Existing method of recruitment (05-12-2008 notified Rules).	Proposed amendments			
Head Clerk / Assistant / Store Supervisor (BPS-14).	Bachelor's Degree or equivalent qualification from any recognized University.	No change	18 to 25 years	—	(a) twenty-five per cent by initial recruitment and (b) Seventy five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post Senior Clerks with at least three years service as such.	(a) Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks (BPS-09) / Storekeeper (BPS-09) and Computer Operator (BPS-12) having three years service as such. (b) twenty five per cent by initial recruitment. <u>Note:</u> A joint seniority list of the Senior Clerks / Storekeeper (BPS-09) and Computer Operator (BPS-11) and Store Keeper (BPS-11) shall be maintained for the purpose of promotion.			

M. Nawar Awan
M. NAWAR AWAN
 Associate

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Nom. No. of the post	Signature of the	Minimum qualification and experience required for initial recruitment		Age Limit		Method of recruitment.		Remarks
		Existing	Proposed	E	P	Existing method of recruitment (05-12-2008 notified Rules).	Proposed amendments	
3				18 to 30 years		By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant Store-Keepers (BPS-05) with at least two years service as such	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Store-Keepers (BPS-06) having three years service as such.	Only to include the revised scales of Storekeeper and Assistant Storekeeper
3				18 to 28 years		(a) Eighty per cent by initial recruitment and (b) Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Daftaries and Naib Qasids having Secondary School Certificate with two years service as such		No change
0				18 to 28 years	18 to 30 year	By initial recruitment.		No Change

M. ANWAR AWAN
Advocate

C-16



BEFORE PESHAWAR HIGH COURT BENCH AT D.I.KHAN.

Writ No. 538 of 2013.

1. Pirzada Asim Govt; College Of Technology D.I.Khan.
2. Mohammad Iqbal Govt; Technical & Vocational Centre For Boys D.I.Khan.

VERSUS

1. Government of KPK through secretary Industrial, Commerce & Technical Education Deptt: Peshawar.
2. Director General Technical Education & Manpower Training Peshawar
3. The Departmental Promotion Committee for Technical Education & Manpower Training Peshawar.

PETITION UNDER ARTICLE 199 OF CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Respectfully Sheweth.

The facts leading rise to present writ petition in brief are:--

1. That the petitioners are serving in the Technical Education & Manpower Training department as Store Keepers.
2. That two department namely Directorate of technical education and Directorate of Man power N.W.F.P were merged with each other vide notification in 2002 and department is renamed as Directorate of Technical education and Man power training N.W.F.P. After the mergers of

TESTED
EXAMINED

Peshawar High Court
D.I. Khan Bench

18/2

M. ANWAR AWAN
Advocate

department, some of the affectees of department are aggrieved from the promotion of other employees, challenged the order through Service Appeal no-386/2004 before Service Tribunal KPK. The Service Tribunal vide judgment dated 19-07-2005 decided the appeal of affectees by holding that " The promotion made by on the basis of separate seniority list of the two directorates in event of merger of the two with each other is violation of relevant law". The tribunal further directed the respondents to draw combined seniority list of the two directorates and then to make promotion in accordance with law. Copy of Judgment is Annexure A.

3. That the respondents in compliance with the judgment drafted the rules regarding criteria for the promotion of employees of the department. Copy of rules is Annexure B.
4. That the department after receiving the copies of the judgment, complied the direction of Service Tribunal by preparing the provisional seniority list of Superintendents, Head Clerks and Accountant of the department but failed to comply the direction of Service Tribunal regarding other posts including Store Keepers. Copy of Seniority list is Annexure C.
5. That the petitioner time and again requested the respondent through applications to comply with the direction of Service Tribunal and prepare the seniority list of Store Keepers but they failed to do so and petitioner are waiting for their promotion for 4/5 years due to non preparation of their seniority list. A copy of application is Annexure D.
6. That feeling aggrieved from above said action petitioners are constrained to approaches this honorable court inter-alia on the following grounds:

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GROUNDS;

1. That the action of respondents is against facts and law, ultra virus and without any Jurisdiction.
2. That if service tribunal, or supreme court decided a point which covers

ATTESTED

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EXAMINER

High Court
D-I Khan Bench

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Anwar

M. ANWAR AWAN
Advocate

not only the civil servants who litigated but also of the other civil servants who may not taken legal action, in such cases the benefit of the judgment could be extended to other civil servant.

3. That the above said action of respondent regarding promotion of some of the categories of department by ignoring the others is discriminatory and against constitution.

In wake of above submission it is respectfully prayed that on acceptance of this writ Petition may kindly be accepted by directing the respondents to prepare the seniority list of the petitioners in compliance with the judgment of Service Tribunal with effect from 2005. It is also prayed that any other relief which this honorable court deem fit in the circumstances of the case may kindly be granted

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Your Humble Petitioners.

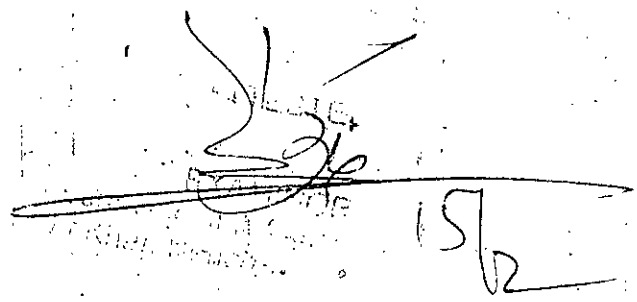
Pirzada Asim & Others

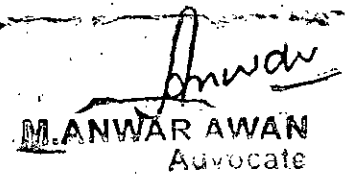
THROUGH COUNSEL

Anwar

Muhammad Anwar Awan
Advocate Supreme Court.

Dated; 30-11-2013.




MANWAR AWAN
Advocate

PESHAWAR HIGH COURT D.I.KHAN BENCH

FORM OF ORDER SHEET

Date of order or other proceedings	Order or other proceedings with signature of Judge(s)
18/12/2013.	<p>WP No. 538/2013.</p> <p>Present: Mr. Muhammad Anwar Khan Awan advocate for the petitioner.</p> <p>-----</p> <p>ABDUL LATIF KHAN J. Learned counsel for the petitioner stated at the bar that he will be satisfied if directions are issued to the respondents to treat the petitioner in accordance with law and at par with those persons who are similarly placed.</p> <p>2. The writ petition is disposed off in the above terms.</p> <p style="text-align: right;"><i>[Signature]</i> JUDGE</p> <p style="text-align: right;"><i>[Signature]</i> JUDGE</p> <p style="text-align: right;"><i>[Signature]</i> ANWAR KHAN Advocate</p> <p style="text-align: center;">TESTED EXAMINED FILED 15/12/13</p>

18/12/13

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FILED
15/12/13

D-20-

PROVISIONAL SENIORITY LIST OF SENIOR CLERKS / STORE KEEPERS (BPS-09)/COMPUTER OPERATOR (BS-12) IN THE DEPARTMENT OF TECHNICAL EDUCATION AND MANPOWER TRAINING AS STOOD ON 28-02-2014.

S.No.	Name of Incumbents with academic qualification.	Date of Birth with Domicile	Date of 1st entry into Govt. Service	Date of Regular appointment / Promotion / Up-gradation to the present post & Scale.	Method of Recruitment.	Remarks
1.	Abdul Aziz Mughal Matric/ C. Com	2-05-1954 DIK	7-09-1976	08-11-1978	By Initial	Computer Operator
2.	Abdur Rashid C.Com.	18-04-1955 Peshawar	22-1-976	01-01-1986	By initial	Computer Operator
3.	Asadullah D.Com	25-04-1970 Bannu	26-10-1982	1-12-1988	By initial	Computer Operator
4.	Muhammad Islam B.A.	4-05-1961 Mardan	14-01-191	31-07-1993	By initial	Computer Operator
5.	Samandar Khan F.A.	5-5-1960 Peshawar	18-1-1984	31-07-1993	By initial	Computer Operator
6.	Saifullah KLhan B.A.	16-04-1961 Karak	10-10-1987	24-10-1995	By Promotion	Senior Clerk
7.	Muhammad Usman D.Com	25-10-1967 Bannu.	21-09-1988	13-03-1998	By Promotion	Senior Clerk
8.	Mr. Hafeez-ur-Rehman D. com.	15-02-1966 Mansehra.	18-10-1988	09-05-2000	By Promotion	Senior Clerk
9.	Mr. Taj Muhammad B.A.	21-03-1964 Mohmand Agency.	19-10-1988	09-05-2000	By Promotion	Senior Clerk

M. ANWAR ADAN
Advocate

(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower Training
Khyber Pakhtunkhwa, Peshawar

10.	Mr. Amir Mumtaz D.Com.	18-07-1967 Bannu.	21-09-1988	09-05-2000	By Promotion	Senior Clerk
11.	Muhammad Ayaz, B.A.	10-03-1963 Peshawar	19-06-1984	01-11-2001	By initial	Computer Operator
12.	Mr. Arshad Hussain, F.A.	02-01-1957 Peshawar	22-07-1979	2-11-2001	By initial	Computer Operator
13.	Mr. Maula Dad Matric	03-04-1964 Peshawar	01-01-1986	23-01-2002	By Promotion	Senior Clerk
14.	Mr. Mazhar Ahmad Matric	04-05-1964 Peshawar	01-01-1986	23-01-2002	By Promotion	Senior Clerk
15.	Mr. Gohar Shah Matric	05-9-1958 Nowshera	17-2-1977	01-3-2003	By Adjustment from Surplus Pool.	Senior Clerk
16.	S. Iqtidar Hussain Shah B.A.	02-04-1964 D.I. Khan	26-04-1986	31-07-2003	By Promotion	Senior Clerk
17.	Mr. Bahadar Khan. Matric.	01-05-1958 Bannu.	14-03-1978	29-10-2003	By Promotion	Senior Clerk
18.	Muhammad Iqbal B.A.	15-04-1968 Bannu.	17-10-1988	29-10-2003	By Promotion.	Senior Clerk
19.	Mr. Gul Dad D.Com.	07-02-1971 Peshawar.	02-12-1989	29-10-2003	By Promotion.	Senior Clerk
20.	Mr. Adnan, D. Com.	12-06-1983 Peshawar	10-11-2003	10-11-2003	By initial	Computer Operator
21.	Mr. Nisar Ahmad Matric	01-06-1960 Peshawar	01-01-1986	20-01-2004	By Promotion	Senior Clerk
22.	Mr. Yaqoob Khan Matric	17-03-1961 Peshawar	16-03-1986	20-01-2004	By Promotion	Senior Clerk
23.	Mr. Kiramatullah B.A.	14-4-1968 Peshawar	14-4-1988	20-01-2004	By Promotion	Senior Clerk

Anwar
M. ANWAR AWAN
 Advocate

(Muhammad Asad) ²
 Assistant Director (Liaison)
 Technical Education & Manpower
 Khyber Pakhtunkhwa, Peshawar

24.	Mr. Gul Badshah M.A.	01-09-1966 Peshawar	29-05-1988	20-01-2004	By Promotion.	Senior Clerk
25.	Muhammad Yaseen MA (Islamiat) / DIT.	10-02-1967 D.I. Khan.	06-12-1989	01-01-2005	By Promotion.	Senior Clerk
26.	Mr. Fazle Subhan MA (Pashto) D.Com.	01-12-1965 Mardan.	02-12-1989	01-01-2005	By Promotion.	Senior Clerk
27.	Mr. Ijaz Butt B.A.	27-05-1966 Peshawar	13-09-1990	01-01-2005	By Promotion.	Senior Clerk
28.	Mr. Janifullah F.A	14-8-1973 Peshawar	28-07-1996	01-01-2005	By Promotion.	Senior Clerk
29.	Mr. Fazal Ghani Matric	01-03-1969 Swabi	02-12-1989	01-06-2005	By Promotion.	Senior Clerk
30.	Muhammad Nisar Khan Matric	02-03-1969 Bannu	02-12-1989	01-06-2005	By Promotion.	Senior Clerk
31.	Muhammad Ayub D.Com	01-04-1964 D.I. Khan	02-12-1989	22-05-2007	By Promotion	Senior Clerk
32.	Mr. Altaf ur Rehman D.Com	01-05-1967 Mansehra	15-02-1986	22-05-2007	By Promotion	Senior Clerk
33.	Mr. Fazli Rahim D.Com. B.A DIT.	16-03-1968 Dir	02-12-1989	22-05-2007	By Promotion	Senior Clerk
34.	Mr. Saleh Jan B.A	15-12-1967 Peshawar	05-12-1989	22-05-2007	By Promotion	Senior Clerk
35.	Muhammad Naeem D.Com	01-12-1965 D.I. Khan	06-12-1989	28-05-2007	By Promotion	Senior Clerk
36.	Muhammad Islam F.A	09-02-1961 Swabi.	09-12-1989	28-05-2007	By Promotion	Senior Clerk

Anwar
M. ANWAR AWAN
Advocate

Muhammad Rasool
(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower
Khyber Pakhtunkhwa, Peshawar

37.	Mr. Noor-ul-Bashar F.A.	09-05-1968 Nowshera.	12-12-1989	28-05-2007	By Promotion	Senior Clerk
38.	Mr. Niamat Ullah Shah D.Com	10-01-1967 Bannu.	11-01-1990	28-05-2007	By Promotion	Senior Clerk
39.	Mrs. Robina Rauf Matric	27-04-1961 Peshawar	14-05-1988	28-05-2007	By Promotion	Senior Clerk
40.	Mr. Gul Bashir FA	12-02-1965 Peshawar	14-05-1988	28-05-2007	By Promotion	Senior Clerk
41.	Syed Tilawat Shah Matric	05-03-1970 Mardan	22.5.1988	28-05-2007	By Promotion	Senior Clerk
42.	Mr. Sher Zamin FA	14-04-1969 Mardan	25-05-1988	28-05-2007	By Promotion	Senior Clerk
43.	Mr. Ismail M.A (Islamiat)	16-09-1971 Peshawar	31-03-1990	28-05-2007	By Promotion	Senior Clerk
44.	Mr. Noor ul Islam Matric	31-01-1970 Bannu.	01-04-1990	28-05-2007	By Promotion	Senior Clerk
45.	Mr. Javed Iqbal Matric	01-03-1971 Swabi	08-09-1990	28-05-2007	By Promotion	Senior Clerk
46.	Mr. Raziq Nawaz D.Com	13-09-1971 Bannu.	08-09-1990	28-05-2007	By Promotion	Senior Clerk
47.	Mr. Azam Jan Matric	28-03-1969 Peshawar	09-09-1990	28-05-2007	By Promotion	Senior Clerk

M. Anwar Dwan
M. ANWAR DWAN
Advocate

Muhammed Rasool
(Muhammed Rasool)
Assistant Director (Liaison)
Technical Education & Manpower Dept.
Khyber Pakhtunkhwa, Peshawar

48.	Muhammad Jamil M.Com	18-03-1971 Malakand.	09-09-1990	28-05-2007	By Promotion	Senior Clerk
49.	Mr. Abdul Hamid Shah D.Com	25-05-1969 Bannu	09-09-1990	28-05-2007	By Promotion	Senior Clerk
50.	Mr. Aleem Jan Matric	01-01-1965 Mohmand Agy.	10-09-1990	28-05-2007	By Promotion	Senior Clerk
51.	Mr. Ikram Ullah F.A	04-09-1967 D.I.Khan.	15-09-1990	28-05-2007	By Promotion	Senior Clerk
52.	Mr. Sajjad Ali Khan Matric	20-02-1970 Karak	31-01-1991	28-05-2007	By Promotion	Senior Clerk
53.	Mr. Sardar Muhammad Matric	05-05-1957 Swat.	01-09-1986	28-05-2007	By Promotion	Senior Clerk
54.	Muhammad Aslam Matric	02-11-1963 Mansehra	07-08-1986	05-06-2007	By Promotion	Senior Clerk
55.	Muhammad Ali Jan Matric	05-02-1967 Swat	19-10-1988	05-11-2008	By Promotion	Senior Clerk
56.	Mr. Javid FA	01-01-1966 Swat	11-12-1988	05-11-2008	By Promotion	Senior Clerk
57.	Mr. Sher Nawaz Khan Matric	01-06-1964 Lakki	16-08-1989	05-11-2008	By Promotion	Senior Clerk
58.	Muhammad Ajmal Matric	07-05-1967 Lakki Marwat	13-04-1991	05-11-2008	By Promotion	Senior Clerk
59.	Mr. Falak Naz Matric	20-05-1966 Lakki Marwat	07-05-1991	05-11-2008	By Promotion	Senior Clerk
60.	Muhammad Ilyas Matric	10-04-1970 Peshawar	31-08-1989	05-11-2008	By Promotion	Senior Clerk

M. Anwar
M. ANWAR AWAN
Advocate

Muhammad Masood

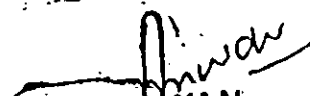
(Muhammad Masood)
Assistant Director (5-Region)
Technical Education & Manpower Training
Hyder Road, Peshawar

[Signature]

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	Mr. Abdul Salam Matric	27-09-1970 D.I.Khan	02-09-1989	05-11-2008	By Promotion	Senior Clerk
62.	Mr. Saeed ur Rehman Matric	15-03-1970 Charsadda	14-09-1989	05-11-2008	By Promotion	Senior Clerk
63.	Muhammad Fayaz FA	15-02-1968 Peshawar	16-09-1989	05-11-2008	By Promotion	Senior Clerk
64.	Mr. Fayaz Khan B.A.	02-05-1969 Peshawar	01-10-1989	05-11-2008	By Promotion	Senior Clerk
65.	Mr. Maluk Zada Matric	12-09-1954 Mardan	13-09-1982	25-08-2009	By initial	Store Keeper
66.	Mr. Nazir Ahmad, Matric / DAE (Mech)	03-03-1960 Mansehra	15-06-1981	25-08-2009	By initial	Store Keeper
67.	Mr. Rawaz Khan Matric	07-10-1958 Bannu	01-11-1982	25-08-2009	By initial	Store Keeper
68.	Muhammad Iqbal Matric / D.Com	15-08-1960 D.I.Khan	25-04-1984	25-08-2009	By initial	Store Keeper
69.	Mr. Zahir Shah FA	20-12-1958 Swat	26-02-1984	25-08-2009	By initial	Store Keeper
70.	Muhammad Tariq FA	01-06-1959 Mardan	26-04-1988	25-08-2009	By initial	Store Keeper
71.	Mr. Liaqat Ali DAE (R/E)	02-04-1957 Peshawar	18-09-1988	25-08-2009	By initial	Store Keeper
72.	Mr. Irshad Nabi BA	04-12-1964 M.Agency	04-09-1988	25-08-2009	By initial	Store Keeper
73.	Muhammad Iqbal Matric	05-05-1952 Mardan	19-04-1988	25-08-2009	By initial	Store Keeper
74.	Muhammad Zahid Matric	01-01-1968 Mardan	23-04-1988	25-08-2009	By initial	Store Keeper


M. ANWAR AWAN
Advocate

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75.	Mr. Dost Muhammad Matric	01-01-1966 Abbottabad	01-01-1986	25-08-2009	By promotion	Senior Clerk
76.	Mr. Zahoor ul Islam Matric	09-04-1956 Mansehra	01-01-1986	25-08-2009	By initial	Store Keeper
77.	Mr. Noshad Matric	02-03-1958 Peshawar	04-08-1990	25-08-2009	By initial	Store Keeper
78.	Mr. Nazar Muhammad Matric	13-03-1963 Abbottabad	17-09-1988	25-08-2009	By promotion	Senior Clerk
79.	Muhammad Tariq Matric	15-03-1961 Swabi	26-04-1988	25-08-2009	By initial	Store Keeper
80.	Mr. Amirullah Khan Matric	03-04-1964 Bannu	22-04-1990	25-08-2009	By initial	Store Keeper
81.	Mr. Inamullah Khan Matric	12-12-1968 Peshawar	21-04-1990	25-08-2009	By initial	Store Keeper
82.	Mr. Ijaz Ahmad Matric / D.Com	25-01-1966 Peshawar	26-08-1984	25-08-2009	By promotion	Senior Clerk
83.	Mr. Fazli Rahman Matric	03-03-1965 Peshawar	21-01-1991	25-08-2009	By initial	Store Keeper
84.	Mr. Gohar Ali F.A	09-04-1968 Charsadda	22-01-1991	25-08-2009	By initial	Store Keeper
85.	Mr. Darya Khan B.A / MA Pashto	03-11-1966 NWA	25-11-1990	25-08-2009	By promotion	Store Keeper
86.	Mr. Waqif Khan Matric	03-09-1967	24-02-1991	25-08-2009	By promotion	Store Keeper
87.	Muhammad Iftikhar MA, Islamiat	05-07-1973 Peshawar	27-04-1993	25-08-2009	By initial	Store Keeper
88.	Mr. Shaukat Hussain Matric	10-06-1966	24-04-1993	25-08-2009	By initial	Store Keeper

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M. ANWAR AWAN
Advocate

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89.	Mr. Salim Ullah F.A	18-05-1974 FR D.I.Khan	24-04-1993	25-08-2009	By initial	Store Keeper
90.	Mr. Jehanzaib F.A	08-01-1968 Bajaur Agency	08-05-1993	25-08-2009	By initial	Store Keeper
91.	Mr. Mumtaz Hussain Matric	24-04-1962 Peshawar	22-05-1988	25-08-2009	By Promotion	Senior Clerk
92.	Mr. Pirzada Asim B.A	09-08-1960	01-07-1985	25-08-2009	By Promotion	Senior Clerk
93.	Mr. Inayatullah Matric	01-04-1961	01-08-1985	25-08-2009	By Promotion	Senior Clerk
94.	Mr. Waqar Ahmad Matric	05-11-1964 Peshawar	19-03-1986	25-08-2009	By Promotion	Senior Clerk
95.	Muhammad Hayat Matric	23-03-1965 Bannu	03-04-1985	25-08-2009	By Promotion	Senior Clerk
96.	Mr. Haq Nawaz Matric	01-05-1963 Mansehra	17-09-1985	25-08-2009	Surplus pool	Senior Clerk
97.	Miss. Shakira Taj B.A	15-02-1969 Peshawar	03-11-1990	25-08-2009	By initial	Store Keeper
98.	Mr. Khushdil Khan i) F.A.	18-09-1967 Bannu.	24-8-1991	07-02-2011	By Promotion	Senior Clerk
99.	Muhammad Nazir i) Matric.	22-4-1967 A/Abad.	20-3-1990	07-02-2011	By Promotion	Senior Clerk
100.	Mr. Gul Sarwar i) Matric	20-1-1970 DIK	17-0-9-190	07-02-2011	By Promotion	Senior Clerk
101.	Mr. Mir Ajab i) Matric	25-9-1967 Chitral	22-10-1988	07-02-2011	By Promotion	Senior Clerk
102.	Mr. Sohail Ahmad i) F.A.	20-3-1970 Mardan	1-9-1990	07-02-2011	By Promotion	Senior Clerk

M. ANWAR
AWAN
Advocate

(Signature)
(Signature)
(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower
Khyber Pakhtunkhwa, Peshawar.

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103.	Muhammad Zahid i) B.A.LLB.	1-1-1958 Swabi.	03-10-1983	07-02-2011	By Promotion	Senior Clerk
104.	Mrs. Shaheen Tilla i) Matric.	1-9-1960 Peshawar	23-05-1984	07-02-2011	By Promotion	Senior Clerk
105.	Mrs. Bahreen Bibi i) F.A.	7-2-1962 Peshawar	19-05-1987	07-02-2011	By Promotion	Senior Clerk
106.	Mr. Nazir Ahmad i) Matric	1-10-1968 Malakand	06-02-1991	07-02-2011	By Promotion	Senior Clerk
107.	Mr. Aqil Ahmad i) B.A.	11-12-1973 Swabi.	01-02-1993	07-02-2011	By Promotion	Senior Clerk
108.	Mr. Wajid Ali i) Matric.	11-2-1973 Malakand	03-02-1993	07-02-2011	By Promotion	Senior Clerk
109.	Mr. Shamsher Ali i) B.A.	1-3-1965 Swat.	07-02-1993	07-02-2011	By Promotion	Senior Clerk
110.	Muhammad Mustafa i) Matric	01-09-1970 D.I. Khan	07-02-1993	07-02-2011	By Promotion	Senior Clerk
111.	Zahid Mehmood Sherwani i) Matric.	3-2-1970 Peshawar.	14-3-1993	07-02-2011	By Promotion	Senior Clerk
112.	Muhammad Israr Ullah Matric	11-4-1964 Peshawar	24-5-1988	01-02-2012	By Promotion	Senior Clerk
113.	Mr. Bakht Zamin Matric	06-12-1955	04-12-1991	01-02-2012	By Promotion	Senior Clerk
114.	Mr. Johar Iqbal Matric	20-1-1970 Peshawar	01-02-1993	01-02-2012	By Promotion	Senior Clerk
115.	Mr. Aurang Zeb Matric	15-07-1970 Peshawar	09-02-1993	01-02-2012	By Promotion	Senior Clerk
116.	Mr. Muhammad Akram M.A (Islamiat)	19-08-1971 D.I. Khan	15-03-1993	01-02-2012	By Promotion	Senior Clerk

M. ANWAR AWAN
Advocate

(Muhammad Nabeel)
Assistant Director (Litigation)
Technical Education & Manpower Training
Khyber Pakhtunkhwa, Peshawar

117.	Mr. Zakir Hussain, B.A	05-03-1972 Kuram Agency	15-03-1993	01-02-2012	By Promotion	Senior Clerk
118.	Mr. Muhammad Shafi B.A	28-07-1965 Bannu	17-03-1993	01-02-2012	By Promotion	Senior Clerk
119.	Mr. Fazal Rehman B.A	01-01-1963 Khar	12-10-1993	01-02-2012	By Promotion	Senior Clerk
120.	Mr. Muhammad Rahim Matric	10-11-1963 Khar	23-10-1993	01-02-2012	By Promotion	Senior Clerk
121.	Mr. Muhammad Latif Khan. D.Com	02-01-1969 Chitral	23-10-1993	01-02-2012	By Promotion	Senior Clerk
122.	Mr. Zulfiqar Ali D.Com B.A.	05-04-1972 Abbottabad.	23-10-1993	01-02-2012	By Promotion	Senior Clerk
123.	Muhammad Laiq Matric	08-05-1965 Swat	08-11-1988	2012	By promotion	Senior Clerk
124.	Mr. Siraj Muhammad FA	22-07-1992 Swabi	10-01-1991	31-07-2013	By promotion	Senior Clerk
125.	Mr. Aslam Khan Matric	13-03-1966 Lakki Marwat	27-01-1991	31-07-2013	By promotion	Senior Clerk
126.	Mr. Nadir Khan Matric	04-03-1970 Lakki Marwat	09-02-1991	31-07-2013	By promotion	Senior Clerk
127.	Mr. Misal Khan Matric	01-01-1959 Lakki Marwat	20-04-1991	31-07-2013	By promotion	Senior Clerk
128.	Mr. Shoukat Zardad Matric	01-05-1970 Mansehra	28-08-1991	31-07-2013	By promotion	Senior Clerk
129.	Muhammad Ibrahim Matric	07-01-1967 Swat	14-01-1992	31-07-2013	By promotion	Senior Clerk
130.	Mr. Sajid Majeed, Matric	18-02-1968 D.I.Khan	19-08-1992	31-07-2013	By promotion	Senior Clerk

M. ANWAR AWAN
Advocate

(Muhammad Ferooz)
Assistant Director (Litigation)
Technical Education & Manpower Dept
Khyber Pakhtunkhwa, Peshawar

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131.	Mr. Nadir Khan FA	10-01-1963 Lakki	23-08-1992	31-07-2013	By promotion	Senior Clerk
132.	Muhammad Qasim, FA	02-07-1968 Lakki Marwat	01-02-1993	31-07-2013	By promotion	Senior Clerk
133.	Mr. Ashfaq Hussain Matric	21-09-1974 Peshawar	01-04-1993	31-07-2013	By promotion	Senior Clerk
134.	Mr. Nawab Gul Matric	13-04-1969 Peshawar	13-09-1988	31-07-2013	By promotion	Senior Clerk
135.	Mr. Mehmood Shah D.Com	09-08-1969 Bannu	26-09-1995	31-07-2013	By promotion	Senior Clerk
136.	Mr. Bashir Khan Matric	08-03-1973 Peshawar	27-09-1995	31-07-2013	By promotion	Senior Clerk
137.	Mr. Fakh-e-Alam B.A	15-11-1968 Charsadda.	14-02-1996	31-07-2013	By promotion	Senior Clerk
138.	Mr. Fayaz Ullah D.Com	02-01-1970 Peshawar	16-10-1996	31-07-2013	By promotion	Senior Clerk

(Handwritten signature)
(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower
Khuzdar Peshawar

(Handwritten signature)
(MUNIR GUL)
DEPUTY DIRECTOR (ADMN).

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M. ANWAR AWAN
Advocate

PROVISIONAL SENIORITY LIST OF HEAD CLERKS / ASSISTANT STORE SUPERVISOR / JUNIOR SCALE STENOGRAPHERS (BPS-14) IN THE TECHNICAL EDUCATION & MANPOWER TRAINING DEPARTMENT AS STOOD ON 28-02-2014

S.No.	Name of Incumbents with academic qualification.	Date of Birth with Domicile	Date of 1st entry into Govt. Service	Date of Regular appointment / Promotion / Up-gradation to the present post & Scale (BPS-14)	Method of Recruitment.
1.	Muhammad Fiaz i) M.B.A.	23-06-1966 Mansehra.	11-08-1984	28-07-2003	By Promotion HC/Assistant.
2.	Mr. Abdur Rahman M.A (Urdu).	11-09-1957 D.I.Khan.	01-07-1982	31-05-2004	By Promotion HC/Assistant.
3.	Mr. Jamil Ahmad D.Com	08-03-1962 Thana.	23-02-1986	31-05-2004	By Promotion HC/Assistant.
4.	Mr. Farman Ali. F.A	01-11-1957 Swabi.	01-06-1982	01-01-2005	By Promotion HC/Assistant
5.	Mr. Tariq Ali, F.A.	04-06-1957 Peshawar	01-01-1986	01-01-2005	By promotion HC/Assistant.
6.	Mr. Tariq Sher, Matric	12-12-1960 Peshawar	01-01-1986	01-01-2005	By promotion HC/Assistant.
7.	Mr. Naeem Gul M.A. (Urdu). M.A. (Political Science).	02-04-1976 Peshawar	18-12-1994	04-11-2006	By initial HC/Assistant
8.	Muhammad Shahid M.A. (Political Science).	04-04-1979 Abbottabad	24-9-1996	01-04-2007	By initial HC/Assistant
9.	Mr. Hamish Gul, Matric	03-04-1956 Swabi	16-10-1978	27-05-2007	By Promotion HC./Assistant

M. ANWAR AWAN
Advocate

(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower
Khyber Pakhtunkhwa, Peshawa

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10.	Mr. Momin Khan, Matric	30-11-1960 Bannu	01-01-1986	28-05-2007	By Promotion HC/Assistant
11.	Mr. Amanullah, Matric	10-03-1963 DIK	02-07-1981	28-05-2007	By Promotion HC/Assistant
12.	Muhammad Ilays, B.A	31-03-1964 Mardan	01-01-1986	28-05-2007	By Promotion HC/Assistant
13.	Mr. Hazrat Rehman, D.Com	08-04-1964 Bannu.	17-01-1982	22-05-2007	By Promotion HC/Assistant
14.	Muhammad Ramzan, Matric	10-04-1965 D.I.Khan	05-02-1984	22-05-2007	By Promotion HC/Assistant
15.	Mr. Abdur Rashid, Matric.	16-02-1964 D.I.Khan.	22-12-1980	22-05-2007	By Promotion HC/Assistant
16.	Mr. Ruhul Amin, B.A.	10-10-1964 Swabi.	12-04-1982	22-05-2007	By Promotion HC/Assistant
17.	Muhammad Ishaq, B.A./D.Com	15-03-1964 Lakki.	01-03-1983	22-05-2007	By Promotion HC/Assistant
18.	Mr. Khan Sar Khan, B.A	10-04-1965 Bannu	24-04-1983	22-05-2007	By Promotion HC/Assistant
19.	Mr. Zahir Shah, Matric	28-07-1958 Thana	12-03-1983	22-05-2007	By Promotion HC/Assistant
20.	Mr. Ghulam Shabir, D.Com.	03-08-1957 D.I.Khan.	16-03-1985	22-05-2007	By Promotion HC/Assistant
21.	Mr. Abid Ahmad, Matric	12-03-1965 Swabi	21-03-1982	22-05-2007	By Promotion HC/Assistant
22.	Mr. Kamal Shah, Matric.	04-01-1964 Thana	01-01-1984	22-05-2007	By Promotion HC/Assistant

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M. ANWAR AWAN
Advocate

Asst. Dir.
Technical Education & Manpower

(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower
Khairpur District, District Office

23.	Muhammad Zahid, Matric	20-12-1958 Peshawar.	11-12-1983	22-05-2007	By Promotion HC/Assistant
24.	Mr. Aenul Haq, Matric	10-05-1964 Peshawar.	24-01-1984	22-05-2007	By Promotion HC/Assistant
25.	Mr. Laghal Khan, Matric.	15-01-1962 Chitral.	14-01-1982	22-05-2007	By Promotion HC/Assistant
26.	Mr. Shoukat Hussain, B.A	12-03-1962 Peshawar	17-01-1986	22-05-2007	By Promotion HC/Assistant
27.	Mr. Tahir Farooq, D.Com	09-01-1963 D.I.Khan.	23-11-1985	22-05-2007	By Promotion HC/Assistant
28.	Mr. Ahmad Ali, B.A.	06-06-1968 Bannu.	26-02-1987	22-05-2007	By Promotion HC/Assistant
29.	Mr. Zar Khan, Matric	12-02-1964 karak	01-03-1987	22-05-2007	By Promotion HC/Assistant
30.	Mr. Junaid ur Rehman FA	07-01-1965 Peshawar	28-04-1984	22-05-2007	By Promotion HC/Assistant
31.	Mr. Mir Salam Khan Matric	11-04-1961 Bannu	30-04-1984	22-05-2007	By Promotion HC/Assistant
32.	Mr. Shoukat Ali Matric	03-03-1961 Charsadda	19-03-1986	22-05-2007	By Promotion HC/Assistant
33.	Mr. Faqir Hussain Matric	29-01-1959 Peshawar	13-10-1985	22-05-2007	By Promotion HC/Assistant

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ANWAR AWAN
Advocate

advice
Muhammad Rasool
(Muhammad Rasool)
Assistant Director (Litigation,
Technical Education & Manpower
Khyber Pakhtunkhwa, Peshawar

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34.	Mr. Suleman Shah, M.A	03-05-1965 Bannu	28-11-1986	22-05-2007	By Promotion HC/Assistant
35.	Mr. Laiq Hussain, B.A.	18-02-1967 Kurram Agency.	19-05-1986	22-05-2007	By Promotion HC/Assistant
36.	Mrs. Shaheen Tabassum Matric.	01-12-1957 Peshawar.	01-12-1981	15-09-2007	By Promotion HC/Assistant
37.	Mr. Samin Jan, Matric.	18-08-1956 Peshawar.	23-07-1983	15-09-2007	By Promotion HC/Assistant
38.	Mr. Alam Khan, Matric.	04-01-1964 Karak.	24-02-1987	15-09-2007	By Promotion HC/Assistant
39.	Mr. Zehayat ur Rehman Matric.	28-09-1961 Peshawar.	15-10-1985	15-09-2007	By Promotion HC/Assistant
40.	Mr. Wajid Ali, Matric.	03-02-1958 Mardan.	03-12-1980	15-09-2007	By Promotion HC/Assistant
41.	Syed Laiq Ghawas, Matric.	21-04-1966 Mardan.	19-3-1984	15-09-2007	By Promotion HC/Assistant
42.	Mr. Maqsood Khan, M.A (Pashto).	12-04-1968 Peshawar.	10-02-1986	15-09-2007	By Promotion HC/Assistant
43.	Mr. Ihsanullah, F.A	16-09-1961 Peshawar.	17-08-1987	15-09-2007	By Promotion HC/Assistant
44.	Mr. Ibni Amin, B.A	01-03-1964 Swabi.	27-01-1985	15-09-2007	By Promotion HC/Assistant
45.	Muhammad Yamin, M.A (Islamiat)	08-08-1964 D.I.Khan.	10-10-1988	15-09-2007	By Promotion HC/Assistant
46.	Mr. Saqib Ullah, D.Com	25-02-1965 Mardan.	18-10-1988	15-09-2007	By Promotion HC/Assistant
47.	Muhammad Israr, M.A (Islamiat)	10-04-1969 Mardan.	16-10-1988	15-09-2007	By Promotion HC/Assistant

M. ANWAR
Advocate
M. Anwar

(Muhammad Rasool)
Assistant Director (Litigation)
Technical Education & Manpower Trg.
Khyber Pakhtunkhwa, Peshawar

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48.	Muhammad Zahid Khan, D.Com.	13-03-1962 Peshawar.	12-08-1986	15-09-2007	By Promotion HC/Assistant
49.	Mr. Zahid Ullah, F.A	05-04-1965 Peshawar.	14-03-1983	15-09-2007	By Promotion HC/Assistant
50.	Mr. Rashid Ullah, B.A	12-03-1960 Thana	26-10-1980	19-09-2007	By Promotion HC/Assistant
51.	Mr. Jehanzeb Khan Matric	01-11-1959 Mardan.	11-08-1985	25-11-2009	By Promotion HC/Assistant
52.	Muhammad Ibrahim Matric	20-11-1962 Peshawar.	26-07-1987	25-11-2009	By Promotion HC/Assistant
53.	Mr. Abdyl Rashid Matric.	11-03-1963 Haripur.	16-08-1983	25-11-2009	By Promotion HC/Assistant
54.	Muhammad Jamil B.A.	08-11-1964 D.I. Khan	18-07-1987	25-11-2009	By Promotion HC/Assistant
55.	Muhammad Israr F.A.	07-01-1966 Dir.	04-07-1987	25-11-2009	By Promotion HC/Assistant
56.	Mr. Ikram Ullah Matric.	11-03-1966 Peshawar.	16-02-1987	25-11-2009	By Promotion HC/Assistant
57.	Mr. Khairullah Shah B.A.	9-03-1957 Bannu.	12-7-1982	26-11-2009	By promotion Stores supervisor
58.	Miss. Rizwana Aman, M.A (Islamiat) C.T	05-05-1985 Lakki	15-03-2010	15-03-2010	By Initial HC/Assistant
59.	Muhammad Irfan Shah M.A (Polit. Science-II)	05-05-1985 SWA	26-10-2010	26-10-2010	By Initial HC/Assistant
60.	Mr. Amin Ullah M.Sc (Physics)	16-11-1986 Mardan	14-10-2010	14-10-2010	By Initial HC/Assistant

M. Anwar Awam
M. ANWAR AWAM
Advocate

Muhammad Reza
(Muhammad Reza)
Assistant Director (Litigation)
Technical Education & Manpower Training
Khuzdar District

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74.	Zulfiqar Ali Shah M:A (Pol.Sc./D.Com)	2-08-1980	24-08-2006	23-12-2011	By initial Stenographer.
75.	Mr. Zulkifal Shah, Matric.	03-03-1964 Mardan	12-12-1983	01-02-2013	By promotion
76.	Mr. Shakeel Ahmad, Matric.	12-04-1968 Peshawar	21-09-1988	01-02-2013	By promotion HC/Assistant
77.	Mr. Nasrullah Khan, B.A.	19-04-1969 Mardan	17-10-1988	01-02-2013	By promotion HC/Assistant
78.	Muhammad Tariq, Matric.	02-01-1965 Peshawar	15-10-1988	01-02-2013	By promotion HC/Assistant
79.	Mr. Fazli Wahab, Matric.	1-8-1962 Peshawar	17-10-1988	01-02-2013	By promotion HC/Assistant
80.	Mr. Iftikhar Ali, BBA (Hons)	01-04-1990 Swat	01-08-2013	01-08-2013	By initial HC/Assistant.
81.	Mr. Asad Munir i) B.Sc(Hons)	Peshawar 25-09-1989	29-01-2014	29-01-2014	By initial HC/Assistant
82.	Mr. Fazal Ghaffar i) M.Sc(P/Studies)	Swat 16-08-1988	01-02-2014	01-02-2014	By initial HC/Assistant
83.	Mr. Asif Kamran i) B.A.	S.W.A. 03-08-1985	01-01-2014	01-01-2014	By initial HC/Assistant
84.	Mr. Nauman Faisal i) BBA (Hons).	Peshawar 08-04-1988	31-01-2014	31-1-2014	By initial HC/Assistant.

M. Anwar Awan
M. ANWAR AWAN
Advocate

(Munir Gul)
(MUNIR GUL)
DEPUTY DIRECTOR (ADMN).

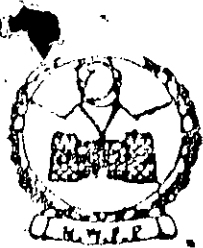
(Muhammad Rasool)
Assistant Director (L.Sydney)
Technical Education & Peshawar Tg
Khyber Pakhtunkhwa

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61.	Mr. Zia-ud-Din B.A.II	06-05-1982 Chitral	18-10-2010	18-10-2010	By Initial HC/Assistant
62.	Mr. Anwar Sadaat M.A. (English/B.Ed.	01-02-1984 Karak	18-10-2010	18-10-2010	By Initial HC/Assistant
63.	Mr. Kamran Khan Afridi M.A. (I.R.)/M.Phil.	28-03-1979 FR Kohat	01-11-2010	01-11-2010	By Initial HC/Assistant
64.	Mr. Abdul Nasir Jamal M.Sc. (Economics-I/DIT MBA (Management)	02-04-1984 Peshawar	14-10-2010	14-10-2010	By Initial HC/Assistant
65.	Mr. Amjid Ali B.Sc /B.Ed-I	12-04-1983 Swat	01-11-2010	01-11-2010	By Initial HC/Assistant
66.	Mr. Shehzad Ali Shah B.Com-II	16-04-1987 Mansehra	01-11-2010	01-11-2010	By Initial HC/Assistant
67.	Muhammad Ayub Shah, B.A	11-10-1956 Abbottabad	27-09-1978	23-12-2011	By Initial HC/Assistant
68.	Mr. Safdar Hussain, D. Com.	01-11-1966 Peshawar.	11-10-1988	23-12-2011	By Initial Stenographer
69.	Mr. Abdul Majeed, B. Com.	03-06-1964 Peshawar.	12-10-1988	23-12-2011	By Initial Stenographer
70.	Mr. Farid Ullah, B.A.	20-04-1968 Peshawar.	20-11-1989	23-12-2011	By Initial Stenographer
71.	Mr. Sakhawat Shah, M.A (Pashto).	01-01-1966 Nowshera	03-05-1988	23-12-2011	By Initial Stenographer
72.	Muhammad Siraj Khan, B.A.	02-04-1971 Peshawar	01-11-1992	23-12-2011	By Initial Stenographer
73.	Mr. Hizbur Rehman i) B.A./DIT ii) D.Com	03-04-1964 Mardan	26-10-1982	23-12-2011	By Initial Stenographer

Anwar
M. ANWAR AWAN
Advocate

*Technical Education Department
Khyber Pakhtunkhwa, Peshawar*



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Government of N.W.F.P.
Industries, Commerce, Labour
& Tech. Edu. Department.

NOTIFICATION

No. SO-III(IND)TE/4-13/Store Keepers/2007. The Provincial Government in the Finance Department and Industries Department is pleased to accord sanction to the upgradation of the following posts in the Directorate General of Technical Education & Manpower Training, NWFP:

S.No.	Name of Posts	From	To	Total
1	Assistant Store Keeper	BPS-05	BPS-06	05
2	Store Keeper	BPS-06	BPS-09	40
3	Store Supervisor	BPS-11	BPS-14	01
Net Total:				46

2. Essential amendments shall be made in the service and recruitment rules separately.

Secretary to Govt. of NWFP,
Industries, Commerce, Labour &
Tech. Edu. Department.

Endst. No. SO-III(IND)TE/4-13/Store Keepers/2007, Dated Pesh: the Aug. 15, 2009.

Copy is forwarded to:

1. The Accountant General, NWFP
2. All District Accounts Officers in NWFP.
3. All Agency Accounts Officers.

Section Officer (F/G)
Finance Department.

Endst. No. SO-III(IND)TE/4-13/Store Keepers/2007, Dated Pesh: the Aug. 15, 2009.

Copy is forwarded to:

- 1) The Director General, Tech. Edu. and Manpower Training, NWFP.
- 2) The S.O(FR) Govt of NWFP, Finance Dept. w/r to his letter No. KC/ED/SO(FR) 7-1/2009 dated August 10, 2009.
- 3) All the Principals in the Directorate General of TE&MT.
- 4) O/O file.

SECTION OFFICER-II

M. ANWAR AWAN
Advocate

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OFFICE OF THE PRINCIPAL
GOVT. TECHNICAL & VOCATIONAL CENTER
(BOYS), DERA ISMAIL KAHN

No. GTVC/ B / DIK / 227
Dated 20-03 / 2014

To,

The Director General
Technical Education & Manpower Training
Khyber Pakhtunkhwa, Peshawar.

Subject:

OBJECTION / DEPARTMENTAL APPEAL AGAINST
SENIORITY LIST OF JOINT CADERS DATED 03-03-2014

Enclosed please find herewith an appeal submitted by Mr. Muhammad Iqbal Store Keeper is sent here with sympathetically consideration please.

[Signature]
(Saif-ur-Rehman Khan)
Principal
Technical & Vocational Center (Boys)
Dera Ismail Khan.

[Signature]
M. ANWAR AWAN
Advocate

objection seniority list 2014

If insured.

Received & registered
addressed to

For Insurance Notices see reverse
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgment is due.

Write here: "letter", "postcard", "packet" or "parcel"
Insured for Rs. (in figures) *1000/-*

Insurance fee Rs. *Rs. 200/-* (in words)

Name and address of sender

Weight

Quits

No. 428

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The Director General,
Technical Education & Manpower Training,
Khyber Pakhtunkhwa
Peshawar

- 40 -

Through: Proper Channel.

Subject: OBJECTION / DEPARTMENTAL APPEAL AGAINST SENIORITY LIST OF JOINT
CADERS DATED 03-03-2014


Respected Sir,

The appellatant humbly submits as under:

1. That the appellatant is appointed as store keeper in BPS-6 in the department of Technical Education N.W.F.P on 25-04-1984.
2. That during the period the department namely Manpower Training was merged into the parent Department of appellatant i.e. Technical Education.
3. That the Govt; of KPK has revised the grade of different post including store keeper and post was upgraded in BPS-9.
4. That the Department has prepared joint seniority list of the department after merger on 03-03-2014 in which appellatant was place at serial No.68. The Seniority list is prepared according to the date of promotion of Civil servant which is against law and rules. According to the rules that the time of preparing seniority list the date of initial appointment is to be considered and not the date of up gradation / promotion, but it was totally ignored by the department at the time of preparation of seniority list and most of the civil servant which are junior to the appellatant are shown senior in the list.

In wake of above submission, it is respectfully prayed that on acceptance of instant appeal, the seniority list dated 03-03-2014 may please be set aside / revised and the appellatant be placed in the list according to his initial date of appointment i.e. 25-04-1984.

Your appellatant

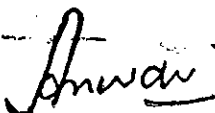

(Muhammad Iqbal)

Store Keeper

Govt; technical & Vocational Center (B)

Dera Ismail Khan.

Dated: 20 March 2014


M. ANWAR AWAN
Advocate

-48-

No.SOIII(IND)4-76/2013 4801

GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT

25th March, 2014

Dated Peshawar, 25/3/14

To

The Director General,
Technical Education & Manpower Training,
Khyber Pakhtunkhwa, Peshawar.

Subject: -

OBJECTION/DEPARTMENTAL APPEAL AGAINST SENIORITY LIST
OF JOINT CADERS DATED 03.03.2014.

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith an appeal submitted by Muhammad Iqbal, Store Keeper, Govt; Technical & Vocational Center (B), D.I.Khan received through the concerned principal with the request that necessary action may kindly be taken as per rules/policy, please.

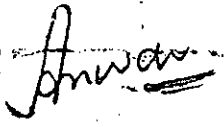
Yours faithfully,

(Encl: as above)

(FARIQ AH KHAN)
SECTION OFFICER-III

Copy forwarded to the Principal, Govt; Technical & Vocational Center (B) D.I.Khan w/r this letter No.GTVC/B/DIK/227 dated 20th March, 2014 for information.

SECTION OFFICER-III


M.ANWAR AWAN
Advocate

-42-

No.SOIII(INI)4-7/2014 5441

2nd April, 2014

To
The Director General,
Technical Education & Manpower Training,
Khyber Pakhtunkhwa, Peshawar.

Subject: - OBJECTION/PROVISIONAL SENIORITY LISTS OF JOINT CADRES.

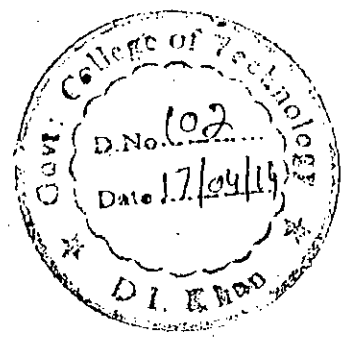
Dear Sir,

I am directed to refer to the Principal Govt; College of Technology, D.I.Khan letter No.GCT/DIK/PE/163 dated 21st March, 2014 addressed to you and copy thereof endorsed to this Department on the subject noted above in respect of Mr.Pirzada Asim, Store Keeper, and to state that further necessary action may kindly be taken as per rules/policy, please.

Yours faithfully,

[Signature]
(TARIQ ALI KHAN)
SECTION OFFICER-III

Copy forwarded to the Principal Govt; College of Technology, D.I.Khan w/r to his letter referred above, for information.



[Signature]
SECTION OFFICER-III

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[Signature]
M. ANWAR AWAN
Advocate

(A)

~~B~~

(C)

*President
ATTC/PA, Nurpur*

Service Appeal No. 2004/1000

Base of institution ... 26.5.2004
Date of decision ... 19.7.2005

19-7-2005

Tech

Farves Ahmad Robi, Superintendent,
Govt. Post-graduate College of Commerce,
G.T. Road, Peshawar. *2nd main position*

VERSUS

1. The Secretary to Govt. of NWFP, Industries, Commerce, Mineral Dev: Labour, Technical Education & Manpower Deptt: Civil Sectt: Peshawar.
2. The Chief Secretary, Govt. of NWFP, Civil Sectt: Peshawar.
3. The Director, Technical Education & Manpower Training, NWFP, Benevolent Fund Building, Peshawar Cantt:
4. The Secretary to the Govt. of NWFP, Finance Department, Civil Sectt: Peshawar.
5. The Secretary to the Govt. of NWFP, Establishment & Administration Deptt: Civil Sectt: Peshawar.
6. The Departmental Promotion Committee of the Govt. through the Secretary, Industries, Commerce, Mineral Dev: Labour, Technical Education & Manpower Deptt: Civil Sectt: Peshawar.
7. Mr. Muhammad Taib, Assistant Director, Directorate of Technical Education & Manpower Training, NWFP, Benevolent Fund-Building Peshawar Cantt: *Tech Educ*
8. Mr. Jamil Ahmad, Registrar Examination, Govt. College of Technology, Kohat Road, Peshawar. *Tech Ed*

*Alleged
Answer Adv*

Tech Educ

Tech Ed

Respondents

APPEAL AGAINST THE INFURGED ORDERS OF PROMOTION OF RESPONDENTS NO. 7 & 8 ISSUED BY RESPONDENT NO. 1 VIDE NOTIFICATION BEARING NO. 90-LI(CUD)TE/4-B/100 DATED 1.3.2004 AND THE APPELLATE ORDER OF RESPONDENT NO. 3 BEARING NO. DEENT/ET/4-1/1207-10 DATED 27.4.2004, THROUGH WHICH THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED.

Law
ATTC/PA
19-7-2005

Prayer: Setting aside the impugned orders, Respondents No. 1 to 6 may kindly be ordered to consider the appellant for promotion to BPS-17 through DPC from 4.3.2004.

Mr. Ijaz Anwar,
Advocate.

For appellant

Mr. Hoor Zaman Khan,
Addl. Govt. Pleader.

For respondent
department.

Respondents No. 7 & 8 in person.

Mr. Abdul Sattar Khan,
Mr. Azmat Hanif Orakzai.

Chairman
Member

JUDGMENT

ABDUL SATTAR KHAN, CHAIRMAN: Appellant namely

Parvez Ahmad Rahi and private respondents namely Muhammad Taib and Jamil Ahmad were serving as Superintendents (BS-16) in the defunct Directorate of Manpower and Technical Education Department. Vide Notification dated 9.7.2002, the Directorate of Technical Education HAF and Directorate of Manpower & Training HAF were merged with each other, with immediate effect, by the competent authority and renamed as Directorate of Technical Education and Manpower Training, HAF. The re-named Directorate of Technical Education and Manpower Training HAF will be an attached Department of the Industries, Commerce, Labour, Mineral Development and Technical Education Department HAF. Appellant above named claims seniority over private respondents. The gravamen of his claim is that he was ignored and instead private respondents No. 7 & 8, who are juniors to him, were promoted as Assistant Director and Registrar (BUN-17) respectively vide Notification dated 4.3.2004. It is further alleged that a final combined seniority list

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updated upto 31.5.2003, was drawn in which the appellant figured at S.No.1, whereas private respondents are shown at S.No. 2 & 3, which was later on withdrawn on the direction of the Finance Department. The appellant had time and again requested for promotion and inclusion of his name in the working paper for promotion by the DPC, but of no avail. Finally aggrieved by the promotion of private respondents No. 7 & 8, he filed a departmental appeal which was rejected. Now the appellant has approached this Tribunal for the redressal of his grievance.

2. Notices were issued to the respondent department and private respondents. They turned up, contested the appeal by filing separate written replies. The respondent department in its reply has averred that it is correct to the extent that the same seniority list was withdrawn later on vide office order No.DTE&MT/3711(1-7) dated 17.7.2003(Annexure-A). It is further submitted to depict a vivid scenario of the case that the Directorate of Technical Education and the Directorate of Manpower Training were merged on 9.2.2002. Obviously the seniorities of the employees having identical cadres were to be merged as per rules. In view of this fact, most of the seniorities of both the Directorates employees, having similar cadres were combined and issued. It is added that after the merging, the need of Fresh Service Rules was realized. During the process of framing proposed draft of Service Rules and combining the seniorities of identical cadres; certain anomalies came forth. As such the framing of fresh rules took a quite long time

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for finding a suitable solution for its finalization. The Govt. of HWP Finance Department has also advised this office that there is no need of fresh service rules and the promotion of both the wings may be carried out in accordance with the existing criteria/rules (Annexure-B). Hence, in the meantime it was decided to fill the vacant post of promotion quota of both the defunct Directorates as per practice in vogue before the merger of the Directorates. Private respondents No. 7 & 8 in their joint written reply stated that in the light of instructions contained in Finance Department letter No. BOVIII/PD/2-4/B/2002-2003 dated 12.3.2003 conveyed vide Administrative Department letter No. SOIII(IND)TR/Misc:32/2003 dated 1.7.2003 (copy attached as Annex-I) the seniority list issued on 7.6.2003 (quoted by the appellant) was withdrawn vide order No. DTEMT/33797(1-2) dated 17.7.2003 (copy attached as Annex-II). Consequently, separate seniority lists of Supdt: of both the wings were issued (copies attached as Annex-III & IV) to which the appellant has made no objection so far. Further since the merger of both the wings, about hundred of promotion cases of different categories have been considered and cleared on the basis of separate seniority lists and separate service rules. The appellant was informed by the Directorate Office vide letter No. DTEMT/Estt:PF/4450 dated 2.12.2003 (copy attached as Annex-V) that in pursuance of Finance Department letter quoted above, both the former Directorates are maintaining separate seniority lists of all the cadres. Promotion cases are processed on the basis of separate seniority lists and separate service rules. As the appellant belongs to the Manpower and Training Wing, therefore, he has no place in the seniority list of

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Technical Education wing. His case for promotion can be considered only on the basis of seniority-cum-fitness **as per seniority** list of Manpower and Training Wing. In rebuttal, replication was also filed by the appellant.

3. **Arguments heard and record perused.**

4. Learned counsel for the appellant argued that the appellant is senior to private respondents No. 7 & 8 but he was ignored and even his name was not included in the working paper for promotion; that in accordance with the seniority list, the name of the appellant figures at S.No.1 above private respondents No. 7 & 8; that though the Directorate of Technical Education, HPP and Directorate of Manpower and Training (HPT) were merged vide Notification dated 9.2.2002, even then the final seniority list was withdrawn inspite of the fact that the merger notification is intact. **Therefore,** the impugned order is liable to be set aside with direction to the respondent department to consider the appellant for promotion to BPS-17 through DFC w.e.f 4.3.2004.

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5. In reply the learned AGP for respondent deptt. and private respondents argued that since no rules were framed after merger, therefore, on the advice of the Finance Department separate seniority list was maintained for employees of each cadre and which has attained finality as it was not challenged **by the** appellant, therefore, the promotions made on the **basis** of separate seniority list cannot be challenged now.

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G. Admittedly, the competent authority vide Notification dated 9.2.2002, has ordered the merger of the Directorate of Technical Education NWFP and Directorate of Manpower & Training, NWFP with each other, with immediate effect, and re-named as Directorate of Technical Education and Manpower Training NWFP. The existing Directorate of Technical Education NWFP and Directorate of Manpower and Training, NWFP will cease hence-forth. Necessary amendments in the NWFP Service Rules of Business 1985 will be made separately. The above merger order is still intact. The gravamen of the appellant's claim is that the respondent department was bound under the newly added sub-rule(3) of Rule-17 of the NWFP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989, to draw a combined seniority list of the Superintendents, which was drawn, but later on withdrawn. Sub-rule(3) of Rule-17 reads as under:

"(3) In the event of merger/restructuring of the Departments, Attached Departments or Subordinate Offices, the inter-se-seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in accordance with the date of their regular appointment to a cadre or post."

The promotion made on the basis of separate seniority lists of the two Directorates in event of merger of the two with each other is violative of the relevant law/rules. The respondent department has committed a patent illegality which is not sustainable. Accordingly, the impugned promotion order of private respondents dated 4.3.04 is set aside. The respondent department is directed to draw combined seniority list of the two defunct Directorates and then to make promotion in accordance with the laid down criteria/rules. The

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6/12/2011

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10/12/2011