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GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

DISCIPLINARY ACTION

I, Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa as Competent Authority, am of the opinion that Mr. Asadullah ex-District Revenue Officer, Malakand now working as Additional Commissioner, Malakand rendered himself liable to be proceeded against, as he committed the following acts/omissions within the meaning of section-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

- a) An amount of Rs.43.44 million was provided by the District Coordination Officer Malakand through cross cheque No.7364201 dated 11/7/2011 for distribution and payment of mitigation amount of the Provincial Government to the Flood Affected Land/Crop Owners of District Malakand (2010 Flood), wherein amounting to Rs.10565712/ distributed among the flood affectees was found verified by the DG Agriculture Extension. The DCO Malakand returned an amount of Rs.8983734/- to the Director General, Agriculture Extension, Khyber Pakhtunkhwa while the remaining amount i.e Rs.23890554/- was found un-verified/embezzled.
- b) Despite clear instructions that the payment should be made through cross cheque and not in cash, you made payment in cash, which is gross violation of laid down procedure.
- c) Most of the recorded recipients of the Mitigation Package were either fake or had not received the amount disbursed. The process adopted by you was not in accordance with the approved mechanism.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an Inquiry Officer/Committee, consisting of the following, is constituted under rule 10(1)(a) of the ibid rules:

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- i. Mr. Asmatullah Shah (P.A. & A.S. BS-19)
- ii. Mr. Akhtar Masood, Director

3. The inquiry officer/committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/Committee.

Pervez Khattak
(PERVEZ KHATTAK)

11/5/15

CHIEF MINISTER,
KHYBER PAKHTUNKHWA

(COMPETENT AUTHORITY)

Aux R/4 (13)

ENQUIRY REPORT

in response to the Section Officer (Agriculture), Government of Khyber Pakhtunkhwa Agriculture Livestock & Cooperative Department Endst: No. SOAII (AD)4-950/2012/Vol.IV dated 20.05.2015, an inquiry was conducted in light of the Charge Sheet/statement of allegations approved by Mr. Pervez Khattak, Chief Minister, Khyber Pakhtunkhwa, the competent authority against MR.ASDAULLAH, EX-DISTRICT OFFICER REVENUE, MALAKAND, presently working as SECTION OFFICER, LABOR DEPARTMENT PESHAWAR to probe the alleged irregularities committed by him during the payment of mitigation package amounting to Rs.43.44 million, to the 2010 flood affectees of Malakand, while he was posted as District Officer Revenue Malakand.

Background:

Director General Agril. Extension placed an amount of Rs.43.44 million vide cross cheque No. 6114800 dated 4.4.2011 at the disposal of DCO Malakand vide No.5728-32 dated 4.4.2011 for the distribution of mitigation package amongst the flood affected farmers enlisted with District Officer Agriculture with the direction that the amount should be disbursed amongst the enlisted beneficiaries considering the methodology/mechanism described in the PC-1 (copy of which is enclosed) and minutes of the meeting bearing No. 5531-38 dated 1.4.2011 (copy attached). The package is based on the area as mentioned in the approved PC-1 @Rs.2400/- per acre. Meanwhile, the Executive District Officer Agril., Malakand submitted the list of 3392 farmers to the DCO Malakand in response of his telephonic directive on 12.5.2011 for the payment of mitigation package to flood affectees vide his letter No. 556-53/EDO Agril. dated 12.5.2011. The DCO Malakand sent the amount of Rs. 43.44 million through a cross cheque No. 7304201 dated 11.7.2011 to the District Officer Revenue & Estate Malakand along with the copy of PC-1 and original verified flood affectees list. DOR&E Malakand disbursed Rs.1,05,65,712/- through cheques up to 1.11.2011 while the remaining amount of Rs.3,27,74,288/- was sent to Tehsildar Batkhela through cross cheque No. 8956403 dated 2.11.2011 along with original verified affected farmers list and PC-1 for further payment to the affectees through cheques with the directives to strictly follow the instructions contained in PC-1 and

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submit the acquaintance roll after payments. The EDO, Agril. Malakand in reference to DGA letter No. 3319-30/DGA (E) dated 28.2.2012 requested the DCO Malakand vide No. 70-72/EDO Agril. Malakand dated 12.3.2012 that he should direct the concerned authorities to submit the progress of flood mitigation package on prescribed proforma. DOR&E submitted the progress of flood mitigation package to DCO Malakand with the detail that he received a total of Rs.4,34,40,000/- and he distributed Rs.1,05,89,250/- through cheques in accordance with PC-1 and rest of amount was sent to Tehsildar Batkhela. The DOR&E further informed the DCO Malakand that the Tehsildar had distributed Rs.2,35,56,234/- amongst the flood affectees through cross cheques in accordance with PC-1 while distribution of Rs. 34,10,425/- was still under process. The Tehsildar had shown an amount of Rs. 58,84,091/- as saving which would be sent to the Department concerned later on. The same was intimated to EDO, Agriculture in response to his letter No.70-72 dated 12.3.2012 for information by the DOR&E.

The DGA (E) vide endorsement No.15263-80 requested the DCO Malakand to return the balance amount through cross cheque to settle the observation of Audit on unspent amount of mitigation package. In response the DCO Malakand mentioned that the DOR&E Malakand has made the payment to the concerned and an amount of Rs.89,83,734/- remained as balance which was sent back to DGA (E) through cross cheque bearing No.233830 dated 9.10.2012 the copy of the same i.e. No.7889-91/PS/DM/MKD dated 15.10.2012 was forwarded to DOR&E for information with reference to his letter No. 9/2/Acct dated 21.4.2012 and No.2023 dated 12.9.2012, the beneficiaries list, PC-1, original acquaintance roll of payment made by his office along with original counterfoil and copies of CNIC and other relevant record may be kept safe for audit purpose. The copies of the same letters were also sent to EDO Agriculture and District Officer Agriculture for information.

TORs of the cash package distribution (PC-1)

- The DCO of the concerned District will be overall incharge of cash packages distribution process to the identified beneficiaries of the district.
- The cash to be released by the federal Govt./Provincial Govt will be transferred to the designated account of DGA (E) KPK who will further release the due share of the concerned Distt. In the account of DCO concerned. The DCO will not only disbursed and distribute the cash amongst the identified farmers/flood affectees through a committee mentioned in PC-1

but will also keep the records of its accounts with the help of District Officer Agril. for audit.

- The payment of the package to the identified beneficiaries will be made through cheques and to maintain the record of the cash flow transparently.
- The unspent/undisbursed amount if any will be surrendered to the Government.
- The DOR of concerned district will verify the list of identified beneficiaries through their revenue network.
- The EDO will monitor the rehabilitation activities and will assist the DCO in distribution process.
- The DOR of the respective district will be responsible for transparent distribution of the package amongst the identified flood affectees after verifying their eligibility for the package. The payment to the beneficiaries/identified affectees will be made through cheque from the account of DCO of the concerned district.
- The DOA will assist the chairman and will maintain all the record of transactions along with record of identified beneficiaries.

Besides above the following distribution mechanism was recommended in a meeting on April 1, 2011 which was also circulated to the districts.

- The representative of revenue may be taken on board so that he may confirm the beneficiaries with his revenue record.
- The Revenue Department will confirm the entry of the beneficiary in Khana-e-kasht as per settlement of the area.
- Copy of CNIC of beneficiary should be taken and kept safe for record.
- The payment should be made through cheque and not in cash and counterfoil of the cheque may be kept for record by DOA concerned.
- Signature/thumb impression of the recipient should be affixed before his name duly signed by the committee member.
- No one other than listed beneficiary should be taken in to account.
- Transparency in all the process should be ensured by the DCO.
- The DOA is supposed to provide assistance in shape of record/list etc. in the process while distribution of package is sole responsibility of the DCO concerned/Revenue Department.

He further stated that due to work load of the office, he authorized Mr. Muhammad Diyar, the then Tehsildar Batkhella to distribute the remaining amount of the mitigation package to the affectees. He issued a Cheque of Rs. 32774288/- bearing No 8956403 dated 02.11.2011 to Tehsildar Batkhella and provided a verified list of affectees for further distribution.

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Findings

After thorough investigation and going through the record available as well as the personal hearing of the officer concerned the committee found

That,

The lists of the flood affectees/ beneficiaries were prepared by the Agriculture Extension Department Malakand and the same were sent to Revenue Department by the EDO Agriculture.

The lists submitted by the Agriculture Department were verified/ countersigned by the DOR &E/ or his staff for further payment of mitigation package.

Although there is no settlement of the area in Malakand but a complete set-up/ structure of Revenue Department exists, which verified the lists.

All the transactions right from DCA (E) to DCO, DOR&E, Tehsildar and upto the end beneficiary, had been made through cheques and not in cash.

DOR&E and Tehsildar made the payments to those beneficiaries whose name already existed in the original lists prepared by the Agriculture Department and verified by the Revenue Department.

The signature/ thumb impressions of the payees were got affixed on the original acquaintance roll and on the back side of counterfoil of the cheque issued by DOR&E and Tehsildar.

The original acquaintance roll, original lists of the beneficiaries, CNIC copies and counterfoil of the cheques issued to the beneficiaries were kept as record by the DOR & E and Tehsildar which were then sent to DCO Malakand who was the overall Incharge and was responsible to look after the activity/ distribution of package.

Charge sheet

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That you Mr. Asadullah, while posted as District Officer Revenue District, Malakand committed the following irregularities:-

- a) A amount of Rs 43.44 million was provided by the District Coordination Officer, Malakand through cross cheque No 7364201 dated 11.07.2011 for distribution and payment of mitigation amount of the Provincial Govt to the flood affected land/ crop owners of District Malakand (2010 Flood), wherein amounting to Rs. 10565712/= distributed among the flood affectees was found verified by the DG Agriculture Extension. The DCO Malakand returned an amount of Rs. 8983734/= to the Director General, Agricultural Extension, Khyber Pukhtunkhwa while the remaining amount i-e Rs. 23890554/= was found un-verified/ embezzled.
- b) Despite clear instructions that the payment should be made through cross cheque and not in cash, you made payment in cash, which is gross violation of laid down procedure.
- c) Most of the recorded recipients of the mitigation package were either fake or had not received the amount disbursed. The process adopted by you was not in accordance with the approve mechanism.

Statement of Mr. Asadullah, Ex DOR Malakand.

Mr. Asadullah appeared before the inquiry committee on June 5th 2015 and submitted an application to the inquiry officers with the opinion that he has not officially received the charge sheet so far, the copy of which was provided to him. He has submitted no written reply as he told that he has no record available at present but he stated verbally in person that he received the lists of affectees from EDO Agriculture and got it verified from the Revenue Staff Malakand.

He was made responsible by the DCO Malakand for the disbursement of mitigation package to flood affectees.

He made payment of Rs. 10565712/= among the flood affectees through cheque to the verified farmers, no cash payment has been made.


Though the laid down procedure/ mechanism for the distribution of package that the chairman i.e. DCO alongwith all other team DOR&E and DO Agriculture will be present and will verify each and every payment/ signature or thumb impression of the payee, but practically it looked impossible that each payment should have been made in front of all the members as they had to run the daily routine business of their offices too. So apparently, it looks no lapse or slackness on the part of both the departments in the payments of mitigation package.

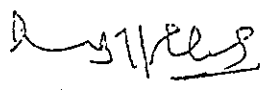
Conclusion

The Ex-DOR Malakand received a cross cheque amounting to Rs. 43.44 million through a cross cheque No. 7364201 dated 11.07.2011 from DCO Malakand. He distributed an amount of Rs. 10565712/- through cross cheque amongst the affectees up to 01.11.2011. This amount has already been verified by DG Agriculture Extension as mentioned in the charge sheet. The committee also checked the distributed amount on acquaintance roll counterfoil of cheques and verified lists of affectees, apparently all the documents are found correct. The Tehsildar in his written statement acknowledged the receipt of a cheque bearing No 8956403 dated 02.11.2011 amounting to Rs. 32774288/- for further distribution. The record reveals that all the payments have been made through cheques and no transaction has been made in cash and all the payments have been made to already enlisted recipients. Apparently there seems no embezzlement, fake payment and violation of the laid down procedure in the payment of mitigation package.

Recommendations

The committee in the light of above mentioned findings and conclusion drawn, recommends that the officer, Mr. Asadullah may be acquitted from the charges and allegations framed against him.


(Akhtar Nawaz)
Director, ARS Swabi,
Inquiry Officer


(Asmatullah Shah)
Additional Secretary P&D Deptt
Inquiry Officer

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DIRECTORATE OF TRANSPORT & MASS TRANSIT
GOVERNMENT OF KHYBER PAKHTUNKHWA

Ground Floor, Benevolent Fund Building, Peshawar Cantt
Tel: 091-9214185

No: Dir/TpU 255-62
Dated: February 02, 2016.

To

1. Mr. Asadullah Ex-District Revenue Officer Malakand
now working as Section Officer, Labor Department.

2. Mr. Muhammad Diyar Ex-Tehsildar, Btkhela
now working as Tehsildar, Takhtbai.

Subject: CHARGE SHEET/DISCIPLINARY ACTION.

Reference: Endst: No. SOAIII (AD) 4 (50)/2012/Vol-IV. Dated 4th August 2015

As part of the inquiry proceedings you are required to appear before the Inquiry Committee along with your written statements for the charges leveled against you.

Therefore you are directed to report to the Inquiry Committee on 09/02/2016 at 10:00 AM in the office of the undersigned.

(Signature)
(MANZOOR AHMAD)

Inquiry Officer/Director Transport & Mass Transit
Khyber Pakhtunkhwa

Endst: of even no and date:

A copy is forwarded for information to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture Department.
2. Secretary to Govt of Khyber Pakhtunkhwa, Transport & Mass Transit Department.
3. DG Agriculture Extension Khyber Pakhtunkhwa.
4. PSO to Chief Minister Khyber Pakhtunkhwa.
5. Deputy Commissioner Mardan with the request to direct the officer to appear before the inquiry committee on date and time fixed for hearing.
6. Deputy Commissioner Malakand.

(MANZOOR AHMAD)

Inquiry Officer/Director Transport & Mass Transit
Khyber Pakhtunkhwa

(Signature)
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SUPREME COURT

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A. Background Summary

To mitigate the floods 2010 damages, the Agriculture Department of KPK announced a Mitigation Package in 12 districts of the province under which the affected farmers were to be paid an amount of Rs. 2400 per acre with the maximum limit of 12.5 acres. The list of affectees was to be prepared by Agriculture Department and further verification of the same was the responsibility of Revenue Department. The payment was to be made to the affected farmers as per verified list by a Distribution Committee under the chairmanship of DCO following an elaborated mechanism (PC-1).

District Malakand received a sum of Rs. 43.44 million in April, 2011 from Agriculture Department (Annexure-1) for distribution amongst the affected farmers. The DCO assigned the task to DOR Malakand who disbursed an amount of Rs. 3,44,56,266/-. The remaining amount of Rs. 89,83,734/- was returned by the DCO Malakand to Agriculture Department on 15.10.2012 (Annexure-2).

At a stage, the verification of the distribution process was solicited, for which a 3-members fact finding inquiry committee of the District administration was constituted. The committee found that as per available office record payments were made to the farmers through bank cheques and proper record was maintained, however, from a discrete survey of some selected farmers conducted through Malakand Levie in Decemeber, 2014, an inference was drawn that most of the recorded recipients of the mitigation package were either to be fake or they had not received any such amount nor the same process was in accordance with the approved formula as detailed in the prescribed mechanism. The committee concluded that the offices of the DOR Malakand, Tehsildar Batkhela and DO Agriculture were responsible for the mass negligence. Moreover, it proposed an inquiry through the Accountability Department of the government (Annexure-3).

Hence, the following four officers were separately charge sheeted by the provincial government with apportioned allegations;

1. Mr. Muhammad Iqbal (BS-18), DO Agriculture Malakand (17.08.2011 to 17.01.2013)
2. Mr. Haji Muhammad (BS-18), DO Agriculture Malakand (18.02.2011 to 05.06.2011)
3. Mr. Asadullah (BS-17), DOR&E Malakand
4. Mr. Muhammad Diyar, Tehsildar Batkhela

In the same vein, the following inquiry committee was constituted for the purpose which submitted separate reports (Annexure-4, 5, 6 and 7) to the competent authority for all the four officers;

1. Mr. Asmatullah Shah, Additional Secretary P & D Department
2. Mr. Akhtar Nawaz, Director Agriculture Research Station, Swabi

The nutshell of these reports is that all the four accused officers were recommended to be acquitted from the charges and allegations framed against them on the basis of the findings and conclusion of the inquiry conducted by the Inquiry Committee. The competent authority, however, did not agree to the same and ordered (Annexure-8, 9, 10, & 11) inquiry through the instant committee comprising of;

1. Mr. Manzoor Ahmad, Director Transport, Transport Department, Government of KPK
2. Mr. Asad Ali, Senior Instructor, Agricultural Training Institute, Peshawar

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Asmatullah Shah
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B. Proceedings of the Inquiry

In order to get a deep insight into the matter before going into the personal hearing and physical verification in the field, certain documents of crucial importance needed to be collected from concerned offices for detailed review and analysis which include but not limited to the following;

- Background of the mitigation package, PC-I of the scheme
- The beneficiary selection process
- The package distribution mechanism
- The overall implementation process (qualitative and quantitative aspects)
- The fact finding inquiry report conducted by District Administration
- The formal inquiry conducted by a committee headed by Additional Secretary P&D
- The beneficiaries' lists prepared by Agriculture Department
- The Actual Payees' Receipts (APRs)
- Counterfoils of the cheques disbursed
- The Bank Statements of the accounts of DOR and Tehsildar
- Field Visits

The required documents were collected partly from the Directorate General of Agriculture Extension Khyber Pakhtunkhwa, Section Officer (Agr) of the Agriculture Department, Additional Deputy Commissioner Malakand and UBL Batkhela. Individual farmers / beneficiaries were also contacted in the field and their feedback / statements were recorded and made part of the report. Accused officers were given the opportunity of personal hearing and questionnaires were also served upon them.

The analysis of the above record is presented in the following sections in a chronological order;

B(1). The Mitigation Package

In order to mitigate the losses caused by the devastating floods in 2010 to the agriculture sector the Government of Khyber Pakhtunkhwa, with the collaboration of Federal Government, announced a mitigation package worth Rs. 480 million for the severely hit 12 districts of Khyber Pakhtunkhwa in 2011. These districts include Peshawar, Charsadda, Nowshera, Kohistan, Swat, Shangla, Dir Lower, Dir Upper, Chitral, D.I. Khan, Tank and Malakand. Under this package a sum of Rs. 2400/- per acre (subject to a maximum of 12.5 acres) was to be paid to the affected farmers for the purchase of seed and fertilizer to rehabilitate and restore livelihood and ensure food security. A sum of Rs. 43.44 million was allocated to the District Malakand for distribution amongst the 3392 affected farmers of the district (PC-I).

B(2). Preparation of Beneficiaries' Lists, Verification and Dissemination

Soon after the floods of July, 2010, the field staff of Agriculture Department was mobilized to assess the damages done to the agriculture (crop) sector and enlist the farmers whose crops / lands were damaged. The District Officer Agriculture, Malakand, submitted a report to the Directorate General Agriculture Extension on 14.10.2010 reflecting a total number of 3392 farmers whose lands / crops were affected by the floods (Annexure-12).


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Similarly, the DOA Malakand communicated the same report to the District Coordination Officer, Malakand vide his No. 566/D-33/DO Agriculture dated 30.04.2011 (Annexure-13). This figure was also reflected in a provincial level list and made part of the minutes of the meeting dated 01.04.2011, which is duly shared with all concerned DCOs while sending them the cheques for mitigation package (Annexure-14). The same data when asked for was communicated by the Executive District Officer (Agriculture) to the District Officer, Revenue and Estate, Malakand vide No. 555/EDO Agril. dated 12.05.2011 (Annexure-15). The DCO Malakand, while sending the cheque of mitigation package to the DOR Malakand also annexed the original list of beneficiaries after its verification as confirmed by both the earlier inquires conducted in the matter. Hence, it is evident that the list of affectees was prepared by the field staff of DO Agriculture and shared with all concerned much before distribution of mitigation package. Though no proper settlement has been carried out in District Malakand, the list of affectees was verified by the DCO through the revenue staff in accordance with the PC-I.

B(3). The Mitigation Package's Implementation and Distribution Mechanism as Devised

The following Implementation strategy was envisaged in the PC-I of the project (Page No. 45 of PC-I);

- The Government of Khyber Pakhtunkhwa, Finance Department will release the funds to Agriculture Department.
- The Director General Agriculture Extension will keep the released amount in his designated account and it will be further released to the respective District Coordination Officer as per their due share of identified beneficiaries.
- The DCO of the concerned project district will further disburse the amount to individual beneficiary with the assistance of notified distribution committee through cheque.
- Counter foil of the cheque book will also be filled in to maintain each individual payment record along with getting a photo copy of the CNIC of the beneficiary.

B(3)a. Distribution Committee

The following Cash Package Distribution Committee was constituted (Page No. 6 of PC-I).

1	District Coordination Officer	Chairman
2	Executive District Officer (Agriculture)	Member
3	District Officer Agriculture	Secretary / Member
4	President, Model Farm Services Centre	Member
5	Representative of Revenue Department	Member
6	Agriculture Officer concerned	Member
7	Agriculture Inspector / Field Assistant	Member
8	An MPA or his farmer representative of the concerned flood affected district	Member

B(3)b. TORs of the Distribution Committee

The following TORs were tailored for the committee which are available as an addendum to the PC-I at page No. 44. The same is reproduced hereunder;

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1. The DCO of the concerned district will be overall incharge of cash package distribution process to the identified beneficiaries of the district.
2. The cash to be released by the Federal / Provincial Government will be transferred in to the designated account of Director General Agriculture (Extension) Khyber Pakhtunkhwa, who will further release the due share of the concerned district in the account of the DCO concerned. The DCO will not only disburse / distribute the cash amongst the identified farmers / flood affectees through a committee already notified and mentioned in the PC-I but also will keep the record of its account with the help of District Officer Agriculture for audit.
3. The payment of the package to the identified beneficiaries will be made through cheques so as to maintain the record of the cash flow transparently;
4. The unspent / un-disbursed amount if any will be surrendered to the government;
5. The District Officer Revenue of concerned district will verify the list of identified beneficiaries through their revenue network;
6. The Executive District Officer (Agriculture) will monitor the rehabilitation activities and will assist the DCO in distribution process.
7. The District Officer Revenue of the respective district will be responsible for transparent distribution of the package amongst the Identified flood affectees after verifying their eligibility for the package. The payment, to the beneficiary / identified affectees will be made through a cheque to be disbursed from the account of the DCO of the concerned District;
8. The District Officer Agriculture will assist the Chairman of the Committee and will maintain all the record of transaction along with record of identified beneficiaries;
9. An MPA or his farmer representative of the concerned district committee will oversee the whole process in order to make it more transparent;
10. The committee will ensure media coverage to make whole process transparent.

B(3)c. Further Guidance to the District Administration

Besides the above, further guidance was also provided to the District Administration along with the cheques regarding the distribution mechanism to be adopted, which is reproduced hereunder;

1. The representative of revenue may be taken on board so that he may confirm the beneficiary with his revenue record;
2. The revenue department representative will confirm the entry of the beneficiary in KHANA-E-KASHT as per settlement of the area;
3. Copy of the CNIC of the beneficiary should be taken and kept safe for record / audit;

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5874091/- on 03.03.2012 and 11.09.2012 respectively. The distribution process which was appraised to be completed by the mid of April, 2011 was carried over till September, 2012.

At the end of the distribution process, the District Coordination Officer Malakand, after collecting from the DOR and Tehsildar, returned the balance amount of Rs. 8983734/- to the Director General Agriculture Extension through a cross bank cheque bearing No. 238890 dated 09.10.2012 vide No. 7888/PS/DM/MKD dated 15.10.2012 (Annexure-2).

D. Maintenance of Record and Information Sharing

The above quoted letter of the DCO dated 15.10.2012 (Annexure-2) was also endorsed to DOR Malakand with the advice to keep safe for audit purpose the beneficiary list, PC-I, original acquaintance roll of payment made by his office along with original counterfoils and copies of CNIC and other relevant record. This memo was endorsed to EDO Agriculture and DO Agriculture for Information as well.

Meanwhile, the record of the District Director Agriculture Malakand was audited in May, 2012 and the Audit Party raised an audit para regarding the payment under Mitigation Package. As a matter of fact, the DDA office had no record of payments at that time. Therefore, the DD Agriculture requested the DOR Malakand for provision of "Final Progress of Mitigation Package" vide No. 703 dated 13.09.2012 (Annexure-18), No. 451 dated 02.10.2012 (Annexure-19) and 815 dated 10.10.2012 (Annexure-20). The latter two references were also endorsed to the DCO and DG Agriculture Extension, Director Audit and Tehsildar Batkhela respectively. The Agriculture Officer Batkhela was also directed to pursue the case.

The District Officer Agriculture Malakand who was the Secretary of the Distribution Committee as per PC-I and was supposed to assist the Chairman of the committee (DCO) and maintain all the record of transaction along with record of identified beneficiaries as per TORs, was never given access to the payment details despite several requests, observation of the audit party, and even after discussion of the said audit para in DAC on 19.09.2012. Consequently, the audit para was taken to PAC and its settlement was made conditional to the provision of the latest position of the amount.

As the DO Agriculture was required to produce payment record to the audit authorities and also to the Directorate General of Agriculture Extension, he after lapse of sometime again conveyed the audit para to the DOR Malakand vide his No. 666 dated 19.06.2013 (Annexure-21) and No. 874 dated 23.08.2013 (Annexure-22) with the request to furnish the detail of payments made under Mitigation Package. Copies these letters were also endorsed to Deputy Commissioner Malakand and Deputy Director Audit Mardan but in vain, however, due to abolition of District Government set up the fate of the audit para is not known whereas the record of the mitigation package is lying in the office of Additional Deputy Commissioner Malakand office.

After lapse of another one year, the Deputy Commissioner Malakand was requested by the Secretary Agriculture vide letter No. SOAII(AD)4(50)/2012/Vol-IV dated 20.08.2014 (Annexure-23) to direct the Revenue and Estate Officer Malakand to intimate the Directorate General Agriculture Extension Khyber Pakhtunkhwa about the progress of mitigation package and to provide the paid list of farmers within

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two weeks positively to update his record. In compliance of the same, the Additional Deputy Commissioner Malakand submitted the attested copies of Actual Payees' Receipts / Paid lists of Farmers in respect of Flood Mitigation Package containing 316 pages vide No. 1658 dated 01.09.2014 (Annexure-24). It is worth mentioning over here that the Agriculture Department was given access to the payment record after two years of actual payment.

E. Verification of Beneficiaries' Lists

Here the actual story begins. The lists of farmers received from Additional Deputy Commissioner Malakand were forwarded by the DGAE to the District Director Agriculture for verification purpose (Annexure-25). In response, the District Director Agriculture Malakand submitted (Annexure-26) that page No. 1 – 130 with total payment of Rs. 1,05,65,712/- was verified and found correct. These were the payments made by the DOR upto 01.11.2011, however, the other part of the list at page No. 1 – 186 could not be verified due to lack of addresses of the farmers. This part of the list contained data regarding the payments made by Tehsildar, Batkhela. He was further directed to approach the concerned office for providing the complete addresses of the farmers to whom payments were made.

At this very stage, the Directorate General Agriculture Extension KPK approached the Secretary Agriculture on 14.11.2014 (Annexure-27) with the request to constitute a high level committee to investigate the disbursement of un-verified amount due to deficiency in farmer addresses. As such this memo can be considered as a complaint and the complainant being the Agriculture Extension wing of Agriculture Department. However, the DC office was once again asked by the Secretary Agriculture (Annexure-28) on 28.11.2014 for directing the concerned to provide complete record of the payment and verify the list to the Director General Agriculture Extension within a fortnight otherwise the case will be sent to high ups to enquire the matter.

As per report of the DD Agriculture Malakand (Annexure-29) the Deputy Commissioner Malakand, in a meeting dated 05.12.2014 also attended by him, directed the ADC Batkhela and Revenue Department Tehsil Batkhela, to fulfill the deficiency in regard of beneficiaries' addresses etc to verify the amount.

E. The Fact Finding Inquiry

Apart from the above directives, the DC Malakand also constituted the following committee vide his letter No. 9115/PS/DC/MKD dated 12.12.2014 to probe into the matter.

1. Additional Deputy Commissioner, Malakand
2. Assistant Commissioner, Batkhela
3. Tehsildar, Batkhela

As per Fact Finding Inquiry Report (Annexure-3), the committee found that the record was apparently correct and all the payments were made to the farmers through cheques, however, through a discrete survey, conducted through Post Commanders of Malakand Levis, the committee drew the inference that most of the recorded recipients of the Mitigation Package were either to be fake or they had not received any such amount nor the same process was in accordance with the approved formula as detailed in the prescribed mechanism. The committee concluded that both the offices i.e. District

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Agriculture and Revenue along with Tehsildar office concerned seem responsible for the mass negligence and non adoption of a transparent manner which was deviation from the laid down procedure. The committee further proposed that in the subject matter an inquiry be conducted through Accountability Department of the Government.

While forwarding the above fact finding inquiry report, the DCO Malakand referring to the contents of the report further stated that the DO Agriculture did not cooperate with the district administration and that the committee had to rely on the record available in the office of defunct DOR (Annexure-30). It is worth mentioning over here that nobody took the account and in fact Agriculture Department had never been given access to the record of payment so how could they produce the same.

G. The Formal Inquiry

Consequently, the following officers, reportedly being the holders of the key posts of the accused offices during the period of distribution of mitigation package, were served with separate charge sheets;

1. Mr. Muhammad Iqbal (BS-18), DO Agriculture Malakand (17.08.2011 to 17.01.2013)
2. Mr. Haji Muhammad (BS-18), DO Agriculture Malakand (18.02.2011 to 05.06.2011)
3. Mr. Asadullah (BS-17), DOR&E Malakand
4. Mr. Muhammad Diyar, Tehsildar Batkhela

In the same vein, the following inquiry committee was constituted for the purpose;

1. Mr. Asmatullah Shah, Additional Secretary P & D Department
2. Mr. Akhtar Nawaz, Director Agriculture Research Station, Swabi

The committee made an Inquiry into the matter and submitted separate reports (Annexures-4, 5, 6 & 7) in the cases of four accused officers in the light of specific allegations / charges. The inquiry committee, in respect of the officers of Agriculture Department, summed up (Annexure-4 and 5) that the discrete survey to find out flood affected lands and preparation of the lists of affectees was not made in the tenures of the accused officers rather the same was completed and submitted on 14.10.2010 much before their tenure as District Officer Agriculture, Malakand.

For the accused officers at S.No. 3 and 4, the committee found (Annexure-6 and 7) that all transactions were made through bank cheques and proper record of the same like acquaintance roll, counter foil of the cheque books, CNIC and thumb impression of the recipients were recorded and made part of the record which is available in the office of the Deputy Commissioner. The committee further found that payments were made to the already enlisted farmers and that there seemed no embezzlement, fake payment and violation of the laid down procedure in the payment of mitigation package.

Regarding the procedural lapses in the distribution of mitigation package, the committee took the following stance in its report regarding Mr. Asadullah (Annexure-6), which is reproduced hereunder;

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"Though the laid down procedure / mechanism for the distribution of package that the chairman i.e. DCO alongwith all other team DOR&E and DO Agriculture will be present and will verify each and every payment / signature or thumb impression of the payee. But practically it looked impossible that each payment should have been made in front of all the members as they had to run the daily routine business of their offices too. So apparently, it looks no lapse or slackness on the part of both the departments in the payment of mitigation package".

The nutshell of these reports is that all the four accused officers were recommended to be acquitted from the charges and allegations framed against them on the basis of the findings and conclusion of the inquiry conducted by the Inquiry Committee.

H. The Need for a De Novo Inquiry

The competent authority, however, did not agree with the recommendations of the committee on the following grounds (Annexure-31);

- a) No supporting documents are found attached with the inquiry report;
- b) No written statement has been provided by Mr. Muhammad Yar, Tehsildar Takht Bhai and Mr. Assadullah, Section Officer, Labor Department;
- c) All the officers have been exonerated from the allegations leveled against them on the verbal statement communicated to inquiry committee.
- d) The previous inquiry conducted by Additional Deputy Commissioner, Malakand, Assistant Commissioner Batkhela and Tehsildar Batkhela confirmed allegations of non-payment / cash payment / less payment to the beneficiaries of mitigation package.

Hence, under the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, a *de novo* inquiry was ordered. Separate charge sheets were served upon the four accused officers with even no. and date vide Agriculture Department SOAII(AD) 4 (50) / 2012 / Vol. IV dated 04.08.2015 (Annexures-8, 9, 10 and 11). The following inquiry committee was constituted for the purpose;

1. Mr. Manzoor Ahmad, Director Transport, Transport Department, Government of KPK
2. Mr. Asad Ali, Senior Instructor, Agricultural Training Institute, Peshawar

H.1 Charge Sheet against Mr. Muhammad Iqbal, (BS-18) ex-DO Agriculture (17.8.2011 to 17.1.2013)

- a) A discrete survey to find out flood affected lands and preparation of the lists of affectees, which was your responsibility, has not been properly carried out and thus most of the recorded recipients of the Mitigation Package, are fake or have not received any such amount nor the same process was in accordance with the approved formula as detailed in the mechanism.

H.2 Charge Sheet against Mr. Haji Muhammad (BS-18) ex-DO Agriculture (18.2.2011 to 5.6.2011)

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- a) A discrete survey to find out flood affected lands and preparation of the lists of affectees, which was your responsibility, has not been properly carried out and thus most of the recorded recipients of the Mitigation Package, are fake or have not received any such amount nor the same process was in accordance with the approved formula as detailed in the mechanism.

H.3 Charge Sheet against Mr. Asadullah, ex-District Revenue Officer Malakand

- a) An amount of Rs. 43.44 million was provided by the District Coordination Officer Malakand through cross cheque No. 7364201 dated 11.07.2011 for distribution of payment of mitigation amount of the Provincial Government to the Flood Affected Land/Crop Owners of District Malakand (2010 Flood), wherein amounting to Rs. 1,05,65,712/- distributed among the flood affectees was verified by the DG Agriculture Extension. The DCO Malakand returned an amount of Rs. 89, 83,734/- to the Director General Agriculture Extension, Khyber Pakhtunkhwa while the remaining amount i.e Rs. 2,38,90,554/- was found un-verified/embezzled.
- b) Despite clear Instructions that the payment should be made through cross cheque and not in cash, you made payments in cash, which is gross violation of laid down procedure.
- c) Most of the recorded recipients of the Mitigation Package were either fake or had not received the amount disbursed. The process adopted by you was not in accordance with the approved mechanism.

H.4. Charge Sheet against Mr. Muhammad Yar, ex-Tehsil Dar Batkhela

- a) An amount of Rs. 43.44 million was provided by the District Coordination Officer Malakand through cross cheque No. 7364201 dated 11.07.2011 for distribution of payment of mitigation amount of the Provincial Government to the Flood Affected Land/Crop Owners of District Malakand (2010 Flood), out of which Rs. 3,27,74,288/- were provided to you through cross cheque bearing No. 8956403 dated 02.11.2011 by District Officer Revenue, Malakand for distribution along with lists of flood affected farmers and PC-I. Out of the total amount the DCO Malakand returned Rs. 89, 83,734/- to the DG Agriculture Extension, Khyber Pakhtunkhwa while the remaining amount i.e Rs. 2,38,90,554/- was found un-verified/embezzled.
- b) Despite clear instructions that the payment should be made through cross cheque and not in cash, you made payments in cash, which is gross violation of laid down procedure.
- c) Most of the recorded recipients of the Mitigation Package were either fake or had not received the amount disbursed. The process adopted by you was not in accordance with the approved mechanism.

I. Written Defense of Mr. Muhammad Iqbal, Ex-DO Agriculture Malakand

The Ex-DO Agriculture, Malakand, Mr. Muhammad Iqbal submitted his written statement / defense (Annexure-32) supported by relevant documents. In his statement, he mentioned that his tenure was wrongly recorded in the charge sheet as 17.08.2011 to 17.01.2013. The actual tenure is 08.09.2011 to 31.08.2012. The correction was supported by copies of his charge assumption and that of the next incumbent of the post which are placed at Annexure-33 and Annexure-34 respectively. He further

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denied the charge on the grounds that he was holding the charge of the post of DO Agriculture Malakand during the period from 08.09.2011 to 31.08.2012 whereas the lists of affectees / farmers were prepared much before his taking over the charge of the post on 08.09.2011. He provided many references in support of his reply. A questionnaire (Annexure-35) was also served upon the accused officer which he responded (Annexure-36).

J. Field Visits

The Inquiry committee visited Malakand District three times in order to ascertain the factual position of the mitigation package in the following order;

- i. The inquiry committee assisted by the Assistant Commissioner Batkhela visited the villages of flood hit area on ---26-01-2016- whereupon a Kullai Kachehri was held and farmers who were given flood compensation were interviewed. Photos available in photo gallery.
- ii. The affectees were called in the office of Nazim, District Malakand on ----18.02.2016--- Photos available in photo gallery.
- iii. Again a number of 30/40 farmers whose names were included in the list of affectees were interviewed in the conference room of District Administration Malakand. Photos available in photo gallery.

K. Findings

The available record of correspondence, charge assumption and relinquishing reports of the officer and the written defense of the officer were scrutinized thoroughly. The letters written from the DO Agriculture Malakand to the Director General Agriculture Extension on 07.09.2010 (Annexure-37) and 14.10.2010 (Annexure-12) clearly indicates that lists of beneficiaries were prepared much before 08.09.2011, the date of assumption of charge of the DO Agriculture Malakand by the accused officer. In fact by the time the accused officer took over the charge of the post of DO Agriculture Malakand, the disbursement process had already been initiated and therefore as far as the first part of the sole charge is concerned, which states, "A discrete survey to find out flood affected lands and preparation of the lists of affectees was your responsibility, has not been properly carried out and thus most of the recorded recipients of mitigation package are either fake or have not received any such amount" could not be established.

Apart from the above, it is also not established that any farmer enlisted as affectee by the Agriculture Department was not deserving or fake. Also as a second tier, as provided in the approved PC-I of the Mitigation Package; the Revenue staff was supposed to verify these lists for any non deserving names and the question here is that whether these enlisted farmers have been approached, verified and paid by the DOR Malakand / Tehsildar Batkhela or otherwise.

As far as the second part of the charge is concerned, which states, "nor the same process was in accordance with the approved formula as detailed in the mechanism" is ambiguous and if not taken wrongly relates with the disbursement process. The accused officer was holding the charge of the post of DO Agriculture during the period from 08.09.2011 to 31.08.2012 which almost relates to the



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disbursement period. As mentioned in the PC-I, the DO Agriculture was to act as the Secretary of the Distribution Committee as mentioned in section B(3)a of this report. Moreover, as per TOR No. 8 of this committee (section B(3)b), the DO Agriculture was supposed to assist the chairman (DCO) and maintain all the record of transaction along with record of identified beneficiaries.

The accused officer, in his reply (Annexure-36) states that he was not involved in the process of disbursement and that the same was distributed by DCO through his revenue staff. The accused officer was further asked through questionnaire that did he know about the disbursement process and that did he protest or inform the high ups of this act of keeping him away from the distribution process on part of the revenue staff. In response the accused officer replied that he was first unaware of the distribution process but later on he contacted the DCO office about his concern but could not find any information. He further stated that the issue was personally discussed with the then Executive District Officer Agriculture. The accused officer could not produce any documentary proof in support of his claim.

This ignorance of the accused officer or inability of providing any proof in support of his statement labels him guilty of slackness but when the entire process of disbursement and maintenance of record is analyzed, the position of accused officer seems very low at par with District Administration. This fact can be fortified by later developments where the Agriculture Department was never given access to the available record even for the perusal of audit party. It seems that the accused officer was kept away by the other accused officers of district administration / revenue staff in violation of the PC-I procedure.

L. Conclusion

The accused officer, Mr. Muhammad Iqbal was not holding the charge of the post of DO Agriculture at the time of preparation of lists of affectees in District Malakand and hence the charge could not be established against him, as he was kept aloof out of the disbursement of mitigation package by the district administration / revenue staff. Therefore any negative role on part of the accused officer with regard to distribution of mitigation package does not establish.

M. Recommendation

Mr. Muhammad Iqbal, Ex-District Officer Agriculture Malakand now working as Subject Matter Specialist (Plant Protection) Mardan may be exonerated from the charges leveled against him in the charge sheet.

N. Written Defense of Mr. Haji Muhammad, Ex-DO Agriculture Malakand

The Ex-DO Agriculture, Malakand, Mr. Haji Muhammad submitted his written statement / defense (Annexure-38) supported by relevant documents. In his statement, he straight away denied the charge on the grounds that he was holding the charge of the post of DO Agriculture during the period from 18.02.2011 to 05.06.2011 whereas the lists of beneficiaries were prepared much before his taking over the charge of the post on 18.02.2011. He provided many references in support of his reply. A questionnaire (Annexure-39) was also served upon the officer which he responded (Annexure-40). Moreover, he also produced the soft and hard copies of the lists of beneficiaries from office record that were compiled before his tenure and shared with the high ups.

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O. Findings

The available record of correspondence, charge assumption and relinquish reports of the officer and the written defense of the officer were scrutinized thoroughly. The letters written from the DQ Agriculture to the Director General Agriculture Extension on 07.09.2010 (Annexure-37) and 14.10.2010 (Annexure-12) clearly indicate that the lists of beneficiaries were prepared much before 18.02.2011, the date of assumption of charge of the DO Agriculture Malakand by the accused officer.

Furthermore, the accused officer was not holding the charge of the post of DO Agriculture during the process of disbursement as he relinquished the charge on 05.06.2011 whereas the disbursement was initiated in the month of July, 2011.

The various correspondence on record and minutes of the meetings dated 07.03.2011 and 01.04.2011 in the Directorate General of Agriculture Extension reflect that the lists of beneficiaries had already been prepared and the burning issue at that time was the disbursement process. It is also on the record that these lists of beneficiaries were shared by the Executive District Officer Agriculture, Malakand with the DO Revenue and Estate Malakand on 12.05.2011 on the telephonic request of DOR Malakand (Annexure-15).

Apart from the above, it is also not established that any farmers enlisted as affectee by the Agriculture Department was not deserving or fake. Also as a second tier, as provided in the approved PC-I of the Mitigation Package, the Revenue staff was supposed to verify these lists for any non deserving names. So the question here is that whether these enlisted farmers are approached, verified and paid by the DOR Malakand / Tehsildar Batkhela or otherwise.

As a matter of fact, the Agriculture Department is not supposed to prepare the lists of affectees. They are only required, in case of calamities, to survey the area for the extent of damage to crops. It is the duty of the District Administration and revenue staff to detail lists of affectees through surveys, jirgas and consultation with local elders.

As far as the second part of the sole charge is concerned, which states "nor the same process was in accordance with the approved formula as detailed in the mechanism", it becomes irrelevant for the reason that the accused officer was not holding the charge of DO Agriculture Malakand during the process of disbursement.

P. Conclusion

The accused officer, Mr. Haji Muhammad was not holding the charge of the post of DO Agriculture at the time of preparation of lists of affectees and disbursement of mitigation package in District Malakand. Hence the charge could not be established against him.

Q. Recommendation

Mr. Haji Muhammad, District Director Agriculture may be exonerated from the charges leveled against him in the charge sheet.

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R. Written Defense of Mr. Assadullah, Ex-DOR Malakand

The accused officer did not submit his written defense to the Inquiry Committee till the time of personal hearing on 09.02.2016, however, he had submitted a request (Annexure-41) to the Section Officer Agriculture Department for provision of the following record so that he may defend himself properly;

- a) Reports of the earlier inquiries
- b) Basis of the instant inquiry
- c) A charge sheet duly signed by the competent authority (photocopy was not acceptable to him)

He further informed in his letter that in the same charges/case, the honorable Peshawar High Court, Darul Qaza Bench Swat has issued stay order and that proceeding further in the matter may lead to contempt of court order dated 13.07.2015. Copies of this letter were also endorsed to Chief Minister, Chief Secretary, Secretary Agriculture and members of the inquiry committee.

Afterwards when he was called by the inquiry committee for personal hearing and submission of his written defense through a letter (Annexure-42), the officer again took the same stance, but he was provided with copies of the earlier inquiry reports and then he was probed accordingly. He was further informed that the instant proceedings are independent of the court case and that the same cannot be stopped under the law. A questionnaire (Annexure-43) was also served upon him with the direction to come up with his response within a week time. He was further directed to get access to the mitigation record and put reference numbers on the APRs so that the same may be tallied with the original list of farmers prepared by the Agriculture Department.



The accused officer submitted his written reply along with response to questionnaire (Annexure-44) on 15.02.2016 and apart from the questionnaire, the officer submitted that;

- a) In the same matter, he has filed a suit against the Circle Officer Anti-Corruption Malakand in the court of Additional Session Judge Peshawar under Defamation Ordinance;
- b) An FIR has been launched by the Anti-Corruption Department Malakand in which he got BBA from the concerned court and that he has filed a writ petition in PHC Darul Qaza Bench Swat for quashing of the FIR.
- c) He made payment to the enlisted farmers through cheques and that the same is verified by Agriculture Department and that it is also reflected in the first allegation of the charge sheet.
- d) The DC Malakand in the absence of any complaint conducted inquiry in utter violation of rules and in his absence. He termed this action on part of the District Administration as mala fide.
- e) Despite his written request no charge sheet / statement of allegations duly signed by the competent authority has been provided to him.

Afterwards, the officer responded to the questionnaire. His responses are available in (Annexure-44).

S. Findings:

The accused officers i.e. Ex-DOR Malakand and Ex-Tehsildar Batkhela were inquired about some basic questions about the bank accounts, its operation, process they adopted for disbursement and problems

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faced during the process. The response of the Ex-DOR Malakand (identical with that of the Ex-Tehsildar except for Nos. of cheques issued and total amount disbursed) is reproduced hereunder;

The laid down procedure of disbursement was adopted. I have given cheques to 1352 affectees for Rs. 1,05,65,712/=. The names of these affectees are available in the verified lists. The Agriculture Department has verified these affectees. The cheques were issued in a state of emergency due to flood. The entire district administration was facing severe problems in all respects. The district administration of that period is fully aware of the worst situation. Hundreds of people would come to my office and nobody would wait for a few minutes. We would check the name of the affectee in the verified lists with great difficulty and would issue him a cheque accordingly. The cheques have been given in a state of emergency in a panic like situation which is thoroughly different from a peaceful situation.

He further stated that employee of Agriculture Department Malakand namely Inam Khan had been involved in the process of disbursement.

The above statement of the accused officer is contradictory with the available record and appraised procedure, for the following reasons;

- a) The statement of the accused "the cheques were issued in a state of emergency due to flood" is not correct because the flood hit the district in July, 2010 and the disbursement was made to farmers after more than one year during the period from July, 2011 to September, 2012.
- b) The accused officer operated the bank A/C No. 30001-9 / ABL Batkhela opened specifically for mitigation package but did not bother to reconcile the figures with his payments.
- c) During field survey some farmers recorded their statements on oath that they had not been paid. However, upon checking the record their names appear in the APRs (Table-1).
- d) Similarly, some farmers stated that they received cash amount, and on checking the record amount did not match with the one mentioned against them in the APRs (Table-1).
- e) Signatures of many of the farmers (though paid through cheques and had no complaint at all) do not match with the ones available in the APRs. (Table-1).
- f) He did not produce bank statement of the A/C he operated for mitigation package though asked in the questionnaire in Q.No. 9.
- g) A maximum amount of Rs. 30,000/= could be paid to a farmer, however, the bank statement obtained from the bank authorities reflects that cheques for amounts greater than Rs.30,000/= are also drawn at various occasions (Annexure-45).
- h) Agriculture Department denies the involvement of any of its officers/officials in disbursement.
- i) According to DOR statement he issued 1352 cheques whereas the APRs available on record showed the issuance of 1446 cheques (APRs of payments made by DOR consisting of 130 pages).

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- j) The DOR used 21 Nos. cheque books each of 100 pages for payments and whereas the chronological order of disbursement has been made doubtful.
- k) The APR record shows missing pages (cheques) in almost all the cheque books. For instance the scrutiny of three 100-pages' cheque books starting from cheque No. 8834301, 8956001 and 8956701 showed that the record of 54, 59 and 34 pages (cheques) of the books respectively (almost 50% pages) are missing. This also makes the payment process dubious.
- l) When the accused officer was asked about the missing cheque book pages (Q.No. 8 of the questionnaire), he could only say that the payments were made in an emergency situation (please refer to his response in Annexure-44). In another question as to whether this account was used for other purposes (Q.No. 7 of questionnaire), the officer responded that the account was meant for mitigation but could be used for other payments such as G.P. Fund etc on need basis, however, his statement cannot be termed as satisfactory to explain the situation.
- m) The counterfoils of the cheque books are maintained in an astonishing way. The staple pins of many books are removed, counterfoils shuffled and then strung like beads in a rope (Photo available on p-17). It seems an effort to make the record difficult for checking.

Table-1

#	Reference APR # and Annexure #	Details of farmer	Amount Paid as in APR	Statement / Remarks
1	1303/DOR Annex-a	Muhammad Yunas s/o Amir Ghulam R/o Totakan	Rs. 3600/=	Amount received through cheque. However, the signature on statement does not match with that of APR.
2	269/DOR Annex-A	Shamsher Ali s/o Mashirul Mulk R/o Haibat Gram	Rs. 5760/=	Amount received.
3	1067/DOR Annex-A	Usman Ali s/o Hazrat Ali R/o Bazid Khel, Thana	Rs. 8640/=	Amount received through cheque. However, the signature on statement does not match with that of APR.
4	951/DOR Annex-A	Ihsanullah s/o Sultan Islam R/o Dheri Jolagram	Rs. 6000/=	Amount received through cheque. However, the signature on statement does not match with that of APR.
5	1023/DOR Annex-A	Mushtaq Ahmad s/o Shah Jehan R/o Dheri Jolagram	Rs.19200/=	Amount received through cheque. However, the signature on statement does not match with that of APR.
6	70/DOR Annex-B	Rehmat Said s/o Faqir Gul R/o Haibat Gram	Rs. 5040/=	Rs. 1300/- received in cash. I have not given any receipt for the same.
7	1270/DOR Annex-C	Sibghatullah s/o Rozi Khan R/o Totakan	Rs. 7200/=	No amount received. The signature on statement does not match with that of APR.
8	1286/DOR Annex-C	Asmatullah s/o Mehtab Khan R/o Totakan	Rs. 7200/=	No amount received. The signature on statement does not match with that of APR.
9	1407/DOR Annex-D	Muhammad Zeb s/o Sulatan Zeb R/o Totakan	Rs. 7200/=	Received but do not remember amount. As per APR amount given to someone else on behalf of the recipient.

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All the above findings are making the whole process of disbursement dubious. It is quite clear that proper procedure as mentioned in the PC-I was not adopted. The record was intentionally made extremely complex which made the checking of record quite difficult and hence one cannot reach to a clear conclusion and it seems bad intention on part of the accused officer.

T. Conclusion

From the available record and hap hazard distribution of mitigation package-in-violation of established procedure, and the fact finding inquiry conducted by the District Administration viz a viz field survey by the inquiry committee it appears to be a *mala fide* on part of the accused DOR Malaikand..

U. Recommendation

Mala fide has been established but before awarding punishment there is a need to quantify the actual embezzled amount and therefore it may be referred to National Accountability Bureau / Provincial Ehtisab Commission, KPK for recovery and punitive measures.

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V. Written Defense of Mr. Muhammad Yar, Ex-Tehsildar Batkhela

The accused officer did not submit his written defense to the Inquiry Committee till the time of personal hearing on 09.02.2016. He was called by the inquiry committee for personal hearing and submission of his written defense through a letter (Annexure-42). A questionnaire (Annexure-46) was also served upon him with the direction to come up with his response within a week time. He was further directed to get access to the mitigation record and put reference numbers on the APRs so that the same may be tallied with the original list of farmers prepared by the Agriculture Department. He was further offered any support for getting access to office record in Malakand. It is pertinent to mention that apart from his claim that he paid the mitigation package to the already enlisted farmers through cheques as per approved mechanism, he remained silent during the personal hearing. The reason behind the same could be that he was the co-petitioner in all the court cases pertaining to the mitigation package filed by Mr. Assadullah, Ex-DOR Malakand.

The accused officer submitted his written reply (Annexure-47) on 15.02.2016. The contents of the reply are almost replica of the reply submitted by the other accused officer Mr. Assadullah, Ex-DOR Malakand. No separate Annexures were provided with his reply rather he correlated his reply with that of the Ex-DOR Malakand. Apart from the questionnaire, the officer submitted that;

- a) In the same matter, he has filed a suit against the Circle Officer Anti-Corruption Malakand in the court of Additional Session Judge Peshawar under Defamation Ordinance;
- b) An FIR has been launched by the Anti-Corruption Department Malakand in which he got BBA from the concerned court and that he has filed a writ petition in PHC Darul Qaza Bench Swat for quashing of the FIR.
- c) He made payment of Rs. 23890554/= to the enlisted farmers through cheques and that the Agriculture Department had requested for provision of addresses of the payees.
- d) The DC Malakand in the absence of any complaint conducted inquiry in utter violation of rules and in my absence. He termed this action on part of the District Administration as mala fide.
- e) Despite his written request no charge sheet / statement of allegations duly signed by the competent authority has been provided to him.

Afterwards, the officer responded the questionnaire. His responses are available in Annexure-47.

W. Findings:

The accused officer Ex-Tehsildar Batkhela was also supplied with basic questions about the bank accounts, its operation, process he adopted for disbursement and problems faced during the process. The response of the Ex-Tehsildar (identical with that of the Ex-DOR Malakand except for number of cheques issued and total amount disbursed) is reproduced hereunder;

The laid down procedure of disbursement was adopted. I have given cheques to 1834 affectees for Rs. 2,38,90,554/=. The names of these affectees are available in the verified lists. The Agriculture Department has verified these affectees. The cheques were issued in a state of emergency due to flood. The entire district administration was facing severe problems in all

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Table-2

Analysis of 362 cheques each of Rs. 30,000 paid by Tehsildar (Rs. 1,08,90,000/=)

N.B. In almost all cases the addresses of the farmers are missing and are difficult to trace in farmers' list

ONE CHEQUE BOOK PAYMENTS DIVERSELY LOCATED IN APRS (page 1 to 186)

Cheque Book	From	To	No.	APR Page
7740101	7740107	7740109	2	95
	7740116	7740118	3	95
	7740132	7740134	3	95
	7740135	7740135	1	141
	7740151	7740154	3	141
8570401	443	452	10	55
	453	462	10	146
	463	472	10	100
	473	475	3	97
9312001	9312027	9312036	10	107
	37	46	10	71
	48	58	11	89
	59	68	10	92
	69	79	11	69
	80	89	10	67
	9312090	9312099	10	63
9312101	9312101	9312109	9	65
	110	119	10	59
	9312120	9312125	6	61
9788701	764	770	7	97
	771	775	5	161
9788901	9788976	9788985	10	112
	9788986	9788996	11	46

Cheque Book	From	To	No.	APR Page
9789001	9789007	9789016	10	109
	17	26	10	49
	27	36	10	105
	37	46	10	51
	47	56	10	31
	57	66	10	103
	67	75	9	53
	76	85	10	26
	86	95	10	35
	9789096	9789100	5	41
9789101	9789101	9789105	5	71
	9789106	9789115	10	114
	9789116	9789125	10	121
	9789126	9789135	10	132
	9789136	9789145	10	136
	9789146	9789155	10	138
	9789156	9789165	10	129
	9789166	9789175	10	124

8570301	8570312	8570313	2	57
	8570315	8570316	2	95

MULTIPLE CHEQUE BOOKS' ENTRIES ON ONE PAGE

Cheque Book	From	To	No.	APR Page
8569901	8569977	8570978	2	57
8570001	8570069	8570075	6	57
8570301	8570312	8570313	2	57

3 Cheque books' payments on one page of APR

7740001	7740021	7740021	1	141
8569901	8569983	8569983	1	141
8570001	8570045	8570045	1	141
8570201	8570284	8570284	1	141
8570301	8570343	8570343	1	141
9788601	9788691	9788691	1	141

6 Cheque books' payments on one page of APR

Handwritten signatures

respects. The district administration of that period is fully aware of the worst situation. Hundreds of people would come to my office and nobody would wait for a few minutes. We would check the name of the affectee in the verified lists with great difficulty and would issue him a cheque accordingly. The cheques have been given in a state of emergency in a panic like situation which is thoroughly different from a peaceful situation.

He further stated that employee of Agriculture Department Malakand namely Inam Khan had been involved in the process of disbursement.

The above statement of the accused officer is contradictory with the available record and approved procedure, for the following reasons;

- a) The statement of the accused "the cheques were issued in a state of emergency due to flood" is not correct because the floods hit the district in July, 2010 and the disbursement was made to farmers after more than one year during the period from November, 2011 to September, 2012.
- b) The accused officer operated the bank A/C No. 001005803/ ABL Batkhela opened specifically for mitigation package but did not bother to reconcile the figures with his payments.
- c) Addresses of many of the farmers, especially of those who are paid Rs.30,000/= are not recorded in the APRs and for the same reason the recipients could not be traced. The accused officer also could not do so despite clear directives at the time of personal hearing. The Actual Payees' Receipts (APRs of payments made by Tehsildar consisting of 186 pages) at pages No. 59, 61, 63, 67, 69, 71 and so on so forth can be perused.
- d) Had the officer adopted the self-stated procedure (response to Q.No. 8 of questionnaire) the Actual Payees' Receipts (APRs) available on record would have a cheque-wise sequence but the same lacks any kind of sequence rather cheques of the same cheque book are found widely dispersed on APR pages in the range of page number 1 to page number 186. For instance the APRs of cheques of the cheque book containing pages from 9789001 to 9789100 are found on 8 different pages i.e. page No. 26, 31, 35, 49, 51, 53, 105 and 109. Similar is the case with cheque book starting from cheque No. 9789101 whose recipients can be seen on 8 different pages from page no. 41 to 138. In the same vein, a single page of APRs with 10 entries belong to six different cheque books (Table-3). This ambiguity could not be explained by the accused officer when asked in the question No. 8 and 14 of the questionnaire. The only reason he gave was that the payments were made to farmers in an emergency situation.
- e) A huge amount of Rs. 1,08,90,000/= is paid vide 362 cheques each of Rs. 30,000/= but in almost all payments the addresses of the farmers are not recorded making it very difficult to trace the farmers in farmers' list or contact them during field survey. Moreover, the record of these cheques is shuffled intentionally and the APRs can be seen on diversely located pages (Table-3).
- f) A large number of payments are made to other persons on behalf of the payees (Table-2).

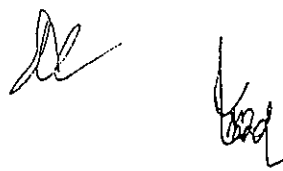


Photo of the Cheque Books' Counterfoils stringed like beads in a rope





X. Conclusion

From the available record and hap hazard distribution of mitigation package in violation of established procedure, and the fact finding Inquiry conducted by the District Administration viz a viz field survey by the Inquiry committee it appears to be a *mala fide* on part of the accused Tehsildar Batkhela.

Y. Recommendation

Mala fide has been established but before awarding punishment there is a need to quantify the actual embezzled amount and therefore It may be referred to National Accountability Bureau / Provincial Ehtisab Commission, KPK for recovery and punitive measures.

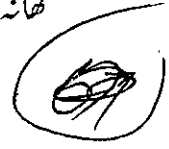

 (Asad Ali)
 Inquiry Officer / Senior Instructor,
 Agricultural Training Institute,
 Peshawar


 (Manzoor Ahmad)
 Inquiry Officer / Director,
 Transport & Mass Transit Deptt;
 Khyber Pakhtunkhwa

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تھانہ ACE

ملاکنڈ



نصاب ملاکنڈ

رپورٹ

ملاکنڈ

DOR بسلسلہ درخواست بے گناہی ازان اسد اللہ خان سابقہ

تھانہ ملاکنڈ

PPC

409/419/420/464/465/466/468/471

مقدمہ ملت نمبر 03 بزم

Anx R/8

474/477 A/ 5(2) PC Act

15-5-2015

(41)

بنام: اسد اللہ سابقہ DOR ملاکنڈ (۲) محمد یار سابقہ تحصیل دار بٹ خیلہ (۳) محمد نذیر

جوئیئر کلرک دیگر غیر مستحق افراد کل 160 نفر

جناب عالی!

معروض ہوں کہ مشغیت سابقہ CC عالمگیر خان نے بذریعہ سوس رپورٹ تحریر کی کہ صوبائی حکومت کی طرف سے سال 2010-11 میں سیلاب متاثرین کیلئے کثیر رقم سابقہ DOR ملاکنڈ موصول ہو کر خرد برد کی گئی ہے جس کا O/E نمبر 6/014 کا حکم ہو کر سابقہ CO صاحب نے آڈٹ کیلئے استدعا کی تصدیق شدہ ریکارڈ ڈائریکٹر ڈسٹرکٹ ایگریکلچرل بٹ خیلہ سے بردئے فرد حاصل کر کے بیکہ ڈائریکٹر ڈسٹرکٹ ایگریکلچر بٹ خیلہ حاجی محمد بیان زیر دفعہ 164 ض ف قلمبند کی گئی۔ ہر دو دفاتر سے قبضہ شدہ ریکارڈ کی روشنی میں سینئر آڈیٹر شاہ جہان نے آڈٹ کر کے بمطابق آڈٹ رپورٹ نمبر 4969 مورخہ 13-05-015 کل سیلاب متاثرین کی تعداد 3392 نفر تھی۔ جن کیلئے صوبائی حکومت کی طرف سے کل مبلغ -/4,43,40,000 روپیہ منظور ہو کر بغرض تقسیم کرنے سابقہ DOR ملاکنڈ کو موصول ہوئی دوران آڈٹ معلوم ہوا کہ جو لسٹ ہائے متاثرین سیلاب IDO ایگریکلچر ضلع ملاکنڈ نے دفتر سے DOR بھجوائے گئے اسی لسٹ ہائے متاثرین میں ملازمان بالا مندرجہ خانہ نمبر 5 نے اپنے اختیارات کا غلط اور ناجائز استعمال کر کے ملی بھگت، فراڈ اور دھوکہ دہی سے غیر مستحق افراد کے نام ایذا کر کے جن کے ناموں پر مبلغ -/44,90,000 روپیہ سرکاری خزانہ سے نکال کر خرد برد کئے ہیں۔ لہذا تصدیق شدہ ریکارڈ قلمبند شدہ بیانات اور آڈٹ رپورٹ کی روشنی میں ملازمان بالا نے سرکاری خزانہ کو مبلغ -/44,90,000 روپیہ نقصان پہنچانے کے مرتکب پائے با کہ جن کے خلاف بحوالہ ایئر نمبر 5190 مورخہ 14-05-015 مقدمہ درج رجسٹر کیا گیا۔ ملازمان نے عدالت سپیشل جج صاحب سے BBA کروا کر جس میں آئندہ تاریخ پیشی اب مورخہ 11-09-2017 مقرر ہے جبکہ ملازمان نے سوات دارالقضاء ہائی کورٹ میں رٹ پٹیشن نمبر 391/15 دائر کی ہے درخواست کنندہ نے اپنے بے گناہی کے نسبت ذیل عزارات پیش کئے کہ سال 2010-011 کے دوران میں بحیثیت DOR ملاکنڈ تعینات تھا کہ سال 2011

Amjad Ali
ADVOCATE
SUPREME COURT

Rf6

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- g) He did not produce bank statement of the A/C he operated for mitigation package though asked in questionnaire in Q.No. 9.
- h) A maximum amount of Rs. 30,000/= could be paid to a farmer, however, the bank statement obtained from the bank authorities reflects that cheques for amounts greater than Rs.30,000/= are also drawn at various occasions (Annexure-48).
- i) Agriculture Department denies the involvement of any of its officers/officials in disbursement.
- j) In another question as to whether this account was used for other purposes (Q.No. 7 of questionnaire), the officer responded that the account was meant for mitigation but could be used for other payments such as G.P. Fund etc on need basis. However, his statement cannot be termed as satisfactory to explain the situation.
- k) The counterfoils of the cheque books are maintained in an astonishing way. The staple pins of many books are removed, counterfoils shuffled and then stringed like beads in a rope (Photo available). It seems an effort to make the record difficult for checking.

All the above findings are making the whole process of disbursement dubious. It is quite clear that proper procedure as mentioned in the PC-I was not adopted.

Table-3

#	Reference APR # and Annexure #	Details of farmer	Amount Paid as in APR	Statement / Remarks
1	1245/T Annex-nn	Alam Zeb s/o Pehlwan R/o Bazi Khel, Thana	Rs. 3600	Amount received through cheque.
2	1445/T Annex-nn	Hazrat Rehman Ali s/o A. Rehman R/o Khar	Rs. 2400	Amount received through cheque. Paid to recipient's brother
3	260/T Annex-nn	Gohar Ali s/o Ali Muhammad R/o Thana	Rs. 4200	Amount received through cheque. Cheque received by someone else on behalf of recipient.
4	142/T Annex-nn	Rehman Sherin s/o Khan Sherin R/o Totakan	Rs. 4800	Amount received through cheque. Cheque received by someone else on behalf of recipient.
5	1784/T Annex-nn	S. Zahir Shah s/o S. Tahir Bacha R/o Dherl Alla Dhand	Rs. 4800	Amount received through cheque.

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میں سیلاب متاثرین کے متعلق مالا انڈیا میں میٹنگ منعقد ہوئی بروئے ایئر 22/EDO/519 مورخہ 05-5-2011ء پنجاب

ایگریکلچر ڈیپارٹمنٹ نے یوں تحریر کیا کہ DCO کے بجائے بااختیار DOR والا کنڈ ہوگا۔ پہلے سے سال 2010 میں یہ طے ہوا تھا کہ PC-1 میں سیلاب متاثرین کی فہرست ہائے ایگریکلچر ڈیپارٹمنٹ کے اہلکاران مرتب کرے گا۔ جو سال 2010 میں مرتب

کئے گئے تھے درخواست گزار کا تعیناتی بحیثیت DOR ضلع والا کنڈ سال 2011 میں ہوئی۔ تو وہی پہلے سے مرتب شدہ فہرست ہائے سیلاب متاثرین بروئے ایئر نمبر Agri: Batkhela/EDO/555 مورخہ 12-05-2011 متعلق 3392 نفر

بغرض کارروائی موصول ہوئی اس سلسلے میں درخواست گزار نے اپنے دفتر میں میٹنگ منعقد کی۔ جس میں ڈسٹرکٹ آفیسر رونیو چیئرمین EDO ایگریکلچر ڈیپارٹمنٹ حیلہ حاجی محمد، تحصیل دار درگئی، انعام اللہ ایگریکلچر، تحصیل دار بٹ دیلہ جہانزیب نائب تحصیل دار سردار یوسف نائب تحصیلدار درگئی ممبران تھے فیصلہ طے ہوا کہ تحصیلدار، نائب تحصیلدار ایگریکلچر ڈیپارٹمنٹ اہلکاران کے ساتھ پہلے سے مرتب شدہ متاثرین سیلاب زدگان کی ویری فیکیشن کیلئے علاقوں میں جا کر تصدیق کرے گا اور پھر تحصیلدار وغیرہ پھر وہی تصدیق شدہ فہرست ہائے واپس دفتر DOR ارسال کرے گا اس طرح میٹنگ میں فیصلہ ہوا کہ ویری فیکیشن پارٹی موقع پر دیکھے گا کہ کوئی مستحق کا فہرست میں نام درج نہ ہو تو بروقت ویری فیکیشن پارٹی مجاز ہے کہ اس کا نام فہرست میں شامل کرے اور جو کوئی مستحق نہ ہو تو اس کا نام فہرست سے خارج کرے منٹس تین قطعات لف ہذا ہیں

بروئے ایئر نمبر 9 مورخہ 1-6-2011، 6-6-2011، 7-6-2011 تحصیلدار اران صاحبان نے تصدیق شدہ فہرست ہائے بغرض کارروائی درخواست گزار کو ارسال کرے متعلقہ فہرست ہائے کی تصدیق ایگریکلچر ڈیپارٹمنٹ نے بحوالہ ایئر نمبر Agri: EDO/89-756 مورخہ 14-6-2011 کی کہ تاملہ فہرست ہائے جو تحصیلدار اران صاحبان نے ارسال کی ہے

بالکل درست ہیں لیٹر لف ہیں

تصدیق شدہ فہرست ہائے میں درخواست کنندہ نے -/1,05,65,712 روپے بذریعہ کراس چیک متاثرین سیلاب پر مطابق فہرست تقسیم کی ہے جس کی 130 صفحات قبض الوصول پیش کی۔

M. A. Ali
ADVOCATE
SUPREME COURT

اس کے بعد ایگریکلچر ڈیپارٹمنٹ کے لیٹر نمبر SOA II (AD) 4 (50)/2012/VOL-IIIV مورخہ 20-8-2014 کی
 تسلیم کیا ہے کہ DOR صاحب نے -1,05,65,712/ روپے اور تحصیل دار بٹ خیالہ نے -2,25,56,234/ روپے
 درست طور پر تقسیم کئے ہیں جس کی ویری فیکیشن محکمہ ایگریکلچر نے لیٹر مذکورہ کی رو سے کیا ہے اور مبلغ -89,83,734/ روپے
 چیک کے ذریعے ایگریکلچر ڈیپارٹمنٹ کو واپس کئے ہیں جو لیٹر مذکورہ سے صاف عیاں ہے اس کے بعد محکمہ ایگریکلچر صوبائی نے
 بذریعہ لیٹر نمبر SOA II (AD) 4 (50)/2012/VOL-IV dated 28-11-2014 خود تسلیم کیا ہے کہ DOR
 کا تقسیم کردہ رقم بالکل درست ہے لیٹر لفظ ہذا ہے درخواست گزار اسرار کرتا ہے کہ آڈیٹر ACE نے جن کسان کے نام اپنے
 آڈٹ رپورٹ میں تحریر کیا ہے وہی نام تصدیق شدہ فہرست ہائے میں درج ہے لیکن میرا تقسیم کردہ رقم کے فہرست میں نہیں
 ہے اور آڈٹ رپورٹ میں درج کسان کو میں نے کسی قسم کا چیک ایٹو کیا ہے
 سفارشات

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مقدمہ سوزس رپورٹ پر بعدہ انکوائری آڈٹ ہو کر مبلغ -44,90,000/ روپے قومی خزانہ کو نقصان
 رسائی ظاہر کرنے کے نشاندہی مقدمہ بحوالہ لیٹر 5190 حسب الحکم جناب DAC صاحب درج رجسٹر کی گئی مزامن نے
 14-5-2015

بعدالت پیش جج پشاور انٹی کرپشن میں BBA کر کے جس میں آئندہ تاریخ پیشی مورخہ 11-09-2017 مقرر ہے
 ملزم اسد اللہ نے درخواست بے گناہی جناب DAC صاحب کے خدمت میں گزار کر جسکے عنذرات تفصیلی درج صدر عدالتی
 درخواست گزار کے بیان کے مطابق آڈیٹر ACE پشاور نے جن کسان کے نام آڈٹ رپورٹ میں تحریر کیا ہے وہی نام
 تصدیق شدہ فہرست ہائے میں درج ہے لیکن ان کے تقسیم کردہ فہرست نہیں ہے آڈٹ رپورٹ میں درج کسان میں کسی کو کسی قسم کا
 چیک ایٹو کرنا بیان نہیں کرتا ہے
 لہذا درخواست بے گناہی کے نسبت مندرجہ بالا حالات واقعات کے پیش نظر بعد رائے جناب ADL صاحب مناسب
 حکم صادر فرمادیں

C.O. ACE. MKD
 23-08-2017

Amjad Ali
 ADVOCATE
 SUPREME COURT

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

Peshawar dated the 17/01/2019.

Anx R/17

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NOTIFICATION

No. Estt:/DPC/Tehsildar/2017/1906.

Consequent upon the recommendation of Departmental Promotion Committee meeting dated 10.01.2019, the Competent Authority is pleased to order the promotion of the following Naib Tehsildars to the post of Tehsildar (BS - 16) on regular basis with immediate effect:-

S.NO	NAME OF OFFICER
1.	Mr. Yadullah Khattak
2.	Mr. Mohammad Yar
3.	Syed Sultan Haider Shah
4.	Mr. Aftab Ahmad
5.	Mr. Dilnawaz Khan
6.	Mr. Kifayatullah
7.	Mr. Faqir Hussain
8.	Mr. Zulliqar Khan
9.	Mr. Waqar Ahmad
10.	Mr. Mohammad Faraz Qureshi
11.	Mr. Fazal-ur-Rehman
12.	Mr. Farrukh Jadoon
13.	Mr. Fayaz Ahmad
14.	Mr. Bilal Ahmad
15.	Mr. Tanveer Shehzad
16.	Mr. Ejaz Ahmad
17.	Mr. Muhammad Saleem
18.	Mr. Adil Waseem

2. On promotion, the above officers will be 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 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules: 1989.

3. The promotion of officer at S. No. 6 shall be subject to the contrary judgment of Supreme Court of Pakistan in pending CPLA.

4. Consequent upon the above the following posting / transfer is hereby ordered with immediate effect:-

S.No	Name of Official	From	To	Remarks
1.	Mr. Yadullah Khattak	Naib Tehsildar Shabqadar	At the disposal of Commissioner Peshawar.	-
2.	Mr. Mohammad Yar	Tehsildar Matta	Retained on the same post	-
3.	Syed Sultan Haider Shah	Tehsildar /Inspector Stamp Peshawar	Retained on the same post	-

R/17

4.	Mr. Altab Ahmad	Tehsildar Tangi.	Retained on the same post	-
5.	Mr. Dilnawaz Khan	Tehsildar Mardan.	Retained on the same post	-
6.	Mr. Kifayatullah	Naib Tehsildar F.R Peshawar	At the disposal of Commissioner Peshawar	-
7.	Mr. Faqir Hussain	Tehsildar Abbottabad	Retained on the same post	-
8.	Mr. Zulfiqar Khan	Tehsildar PDA.	Retained on the same post	-
9.	Mr. Waqar Ahmad	Tehsildar / Inspector Stamp Abbottabad.	Retained on the same post	-
10.	Mr. Mohammad Faraz Qureshi	Tehsildar Lora.	Retained on the same post.	-
11.	Mr. Fazal-ur- Rehman	Tehsildar /Land Acquisition and Assessment Unit Dassu Hydro Power Project Kohistan.	Retained on the same post.	-
12.	Mr. Farrukh Jadoon	Tehsildar / LAC CPEC H-T Mansehra.	Retained on the same post.	-
13.	Mr. Fayaz Ahmad	Tehsildar Land Acquisition Abbottabad.	Retained on the same post.	-
14.	Mr. Bilal Ahmad	Tehsildar Khnpur	Retained on the same post.	-
15.	Mr. Tanveer Shehzad	Settlement Tehsildar Mansehra.	Retained on the same post.	-
16.	Mr. Ejaz Ahmad	Settlement Tehsildar. Mansehra.	Retained on the same post.	-
17.	Mr. Muhammad Saleem	Tehsildar Oghi	Retained on the same post.	-
18.	Mr. Adil Waseem	Tehsildar Charsadda	Retained on the same post.	-

By order of
Senior Member

No. Estt:/DPC/Tehsildar/2017/1907-12

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Commissioners of the respective Divisions.
3. Deputy Commissioners of the respective Districts.
4. District Accounts Officers of the respective Districts.
5. Officers concerned.
6. Personal Files.


Assistant Secretary (Estt.)



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 1764 /ST

Dated: 03/09 /2021

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To

The Secretary Establishment Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 946/2018, MR. ASAD ULLAH KHAN.

I am directed to forward herewith a certified copy of Judgement dated 27.07.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

12/4/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

I N D E X

S.No.	Description of documents.	Annexure	Page
1.	Application for amendment		1-3
2.	Copy of Notification dated 03.03.2009	A	4
3.	Copy of Notification dated 17.06.2016	B	5-7
4.	Copy of minutes of meeting dated 10.05.2016	C	8-9
5.	Copy of letter dated 05.01.2016	D	10
6.	Copy of Tentative Seniority list	E	11-14
7.	Copy of Notification dated 03.10.2019	F	15
8.	Copy of Notification dated 14.11.2018	G	16
9.	Copy of minutes of meeting dated 28.12.2016	H	17-18
10.	Copy of letter to petitioner dated 13.05.2020	I	19
11.	Copy of appeal/ application to Chief Minister & postal receipt	J	20-22
12.	Copy of Notification dated 24.01.2021	K	23


Appellant

Through


Amjad Ali (Mardan)

Advocate

Supreme Court of Pakistan

Cell: 0321-9882434

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

put up to the court with
reformat appeal -

8/3/2021



Reader

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

**APPLICATION FOR PERMISSION TO
AMEND APPEAL BY INCLUDING PRAYER
TO ANTEDATE PROMOTION ORDER OF
APPELLANT DATED 21.01.2021 FROM
BPS17 TO BPS-18 W.E.F. 27.05.2016 WITH
ALL BACK BENEFITS AND
CONSIDERATION FOR PROMOTION TO
RMS (BPS-19) ON REGULAR BASIS W.E.F.
03.10.2019 WITH ALL BACK BENEFITS.**

Respectfully Sheweth:-

- 1) That appellant is a PMS Officer w.e.f. 03.03.2009 vide order dated 03.03.2009.
- 2) That the meeting of Provincial Selection Board was held on 10.05.2016 and the name of the appellant was placed before the Provincial Selection Board (BCB) for the first time for consideration for promotion to BPS-18, but the appellant was deferred due to lack of training, while his

juniors, such as Muhammad Rehman, Fazad Khan, Javed Khan and Nasir Aman etc were promoted to BPS-18 on regular basis as they were exempted from training due to age factor. These juniors were promoted vide order dated 17.06.2016 w.e.f. 27.05.2016.

- 3) That these juniors were again promoted/ appointed from PMS (BPS-18) to PMS (BPS-19) on acting charge basis vide order dated 03.10.2019 due to age factor as they were above 50 years of age and were exempted from training vide notification dated 14.11.2018. The appellant was also above 50 years of age at that time.
- 4) That after completion of training the name of the appellant was again placed before Provincial Selection Board meeting dated 28.12.2016 for the second time, but was deferred due to pending inquiry.
- 5) That the appellant was given an opportunity of personal hearing vide letter dated 13.05.2020 and later on was verbally informed that the inquiry has been finalized. The appellant, therefore, submitted appeal before the respondent/ competent authority dated 02.06.2020 through registry with the request to promote the appellant from PMS (BPS-17) to PMS (PS-18) and BPS-19 with all back service and monetary benefits from the dates when his juniors were promoted to BS-18 and BPS-19.
- 6) That vide order dated 21.01.2021, the appellant was promoted to PMS (BS-18) on regular basis with immediate effect.

- (3)
- 7) That the appellant will complete 12 years length of service on 03.03.2021 in BPS-17 and BPS-18, which is mandatory for regular promotion to BPS-19.
 - 8) That during pendency of instant service appeal, juniors to appellant have been promoted to BPS-18 and thereafter to BPS-19 during pendency of appeal and appellant has been promoted to BPS-18, but with immediate effect as the reason for deferment has been extinguished. As per judgment of Supreme Court of Pakistan when reason for deferment is over appellant ought to be restored to the position when his colleagues are performing duty.

It is therefore, humbly prayed that on acceptance of this application, permission for amendment of Service appeal as detailed in the subject of application may please be granted.

Dated:

Appellant 

Through 

Amjad Ali (Madan)

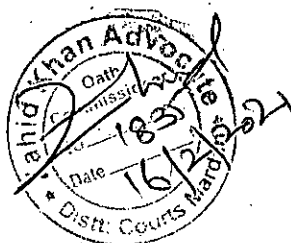
Advocate

Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.


Deponent





Aux - A

(4)

**GOVERNMENT OF NWFP
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the 3rd March, 2009

NOTIFICATION:

No: SOE-II(ED)2(192)2009: The Competent Authority, in consultation with the Provincial Selection Board is pleased to order the promotion of the following Tehsildars; to Provincial Management Service (BS-17) on regular basis with immediate effect:-

Sr. #	NAME OF OFFICER
1	Mr. Shabbir Muhammad
2	Mr. Afsar Ali Shah
3	Mr. Maqsood Hassan
4	Mr. Muhammad Jamal Azmat
5	Mr. Abdul Hameed Khan
6	Mr. Asadullah
7	Mr. Javed Ali
8	Mr. Tariq Ali

2. On their promotion the above officers will be on probation for a period of one year in terms of section-6(2) of NWFP Civil Servants Act 1973 read with Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1982.

3. Posting / transfer orders of above named officers will be issued later on.

CHIEF SECRETARY, N.W.F.P.

ENDST:NO: SOE-II (ED)2(192) 2009

Dated Peshawar the 3rd, March, 2009

A copy is forwarded to :-

1. Senior Member Board of Revenue, NWFP.
2. Secretary to Governor, NWFP.
3. Principal Secretary to Chief Minister, NWFP.
4. Secretary (Admn & Coord) Civil Secretariat FATA.
5. District Coordination Officers, Swabi, Nowshera, Swat, & Dir Lower.
6. Political Agents, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
7. Accountant General, NWFP, Peshawar.
8. District Accounts Officers, Swabi, Nowshera, Swat & Dir Lower.
9. Agency Accounts Officers, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
10. S.O. (Secret)/(Admn)/E-IV/E.O/Programmer/Librarian, E&A Dept.
11. Officers concerned.
12. P.S. to Chief Secretary NWFP.
13. P.S. to Secretary Establishment NWFP.
14. PA to Addl. Secretary (E) / Dy. Secretary (E) Establishment Department.
15. Personal files of the officers concerned.
16. Office Order file.
17. Manager, Govt Printing Press, Peshawar.

SEC

(A)



GOVERNMENT OF *Am - B*
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the June 17, 2016

NOTIFICATION

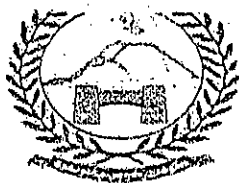
NO.SO(E-I)E&AD/5-1/2016. Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following officers of Provincial Management Service (PMS) from BS-17 to BS-18, on regular basis with effect from 27.5.2016:-

S.#	NAMES OF OFFICERS
1.	Mr. Mansoor Qaiser
2.	Mr. Muhammad Asghar Khan
3.	Mr. Abdul Hadi
4.	Mr. Abdul Malik
5.	Syed Noor Ahmad Shah
6.	Mr. Misal Khan
7.	Mr. Manzoor Elahi
8.	Mr. Sardar Ali
9.	Mr. Mirzali
10.	Mr. Muhammad Saeed Ullah
11.	Ms. Mussarrat Ismail Butt
12.	Mr. Abdul Kabir Khan
13.	Mr. Muhammad Rehman
14.	Mr. Fazad Khan,
15.	Syed Abdul Ali Shah,
16.	Mr. Muhammad Javed Siddiq,
17.	Mr. Javed Khan
18.	Mr. Nasir Aman
19.	Mr. Sakhi-ur-Rehman

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 16 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1973 till their retirement, whichever is earlier, as the case may be.

3. Consequent upon the above, the officers will remain posted as under:-

SR.#	NAMES OF OFFICERS	FROM	TO
1.	Mr. Mansoor Qaiser (PMS BS-18)	Secretary to Commissioner, D.I.Khan	Secretary to Commissioner, D.I.Khan
2.	Mr. Muhammad Asghar Khan (PMS BS-18)	ACR Bannu	Deputy Secretary, Zakat, Ushr, Social Welfare and Women Empowerment Department, against the vacant post.
3.	Mr. Abdul Hadi (PMS BS-18)	Section Officer, Zakat, Ushr Department.	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.



(11) (6)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

SR.#	NAMES OF OFFICERS	FROM	TO
4.	Mr. Abdul Malik (PMS BS-18)	PRO-cum- Protocol Officer, FATA Development Authority	Deputy Secretary, Population Welfare Department, against the vacant post.
5.	Syed Noor Ahmad Shah (PMS BS-18)	Section Officer, Finance Department	Deputy Secretary, Finance Department, against the vacant post.
6.	Mr. Misal Khan (PMS BS-18)	Section Officer, Irrigation Department.	Deputy Secretary, C&W Department, vice Sr. No. 7.
7.	Mr. Javed Akhter (PMS BS-18)	Deputy Secretary, C&W Department	Deputy Secretary in E&AD against the vacant post.
8.	Mr. Manzoor Elahi (PMS BS-18)	PS to Ikram Khan Gandapur	Deputy Secretary, E&SE Department, against the vacant post.
9.	Mr. Sardar Ali (PMS BS-18)	Section officer, IPC Department	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.
10.	Mr. Mirzali (PMS BS-18)	Section Officer, Environment Department	Deputy Secretary, LG&RD Department, against the vacant post.
11.	Mr. Muhammad Saeed Ullah (PMS BS-18)	Section Officer (Secret) E&A Department	Deputy Secretary (Reg. III), E&A Department, against the vacant post.
12.	Ms. Mussarrat Ismail Butt (PMS BS-18)	Section Officer, Cabinet Division, Islamabad (on deputation)	Repatriate to Establishment Department and further posted as Deputy Secretary, Finance Department, against the vacant post.
13.	Mr. Abdul Kabir Khan (PMS BS-18)	Adl AC Alpuri, Shangla.	Deputy Secretary (Policies) E&A Department, against the vacant post.
14.	Mr. Muhammad Rehman (PMS BS-18)	Monitoring officer, E&SE Department	Deputy Secretary, E&SE Department, against the vacant post.
15.	Mr. Fazad Khan, (PMS BS-18)	Section Officer, Agriculture Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
16.	Syed Abdul Ali Shah, (PMS BS-18)	Section Officer, IPC Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
17.	Mr. Muhammad Javed Siddiqi (PMS BS-18)	DMO, IMU, E&SE Deptt.	Deputy Secretary, Finance Department, against the vacant post.
18.	Mr. Javed Khan (PMS BS-18)	Section officer, Transport Deptt.	Deputy Secretary (Reg. IV) E&A Department, against the vacant post.
19.	Mr. Nasir Aman (PMS BS-18)	Section Officer, Finance Deptt	Deputy Secretary (Reg. I) E&A Department, against the vacant post.



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

(18)

(7)

PAGE-3

SR.#	NAMES OF OFFICERS	FROM	TO
20.	Mr. Sakhi-ur-Rehman (PMS BS-18)	Section Officer, Mineral Dev. Deptt:	Deputy Secretary, Higher Education, against the vacant post.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Additional Chief Secretary (FATA), FATA Secretariat.
4. All Administrative Secretaries in Khyber Pakhtunkhwa.
5. Principal Secretary to Governor, Khyber Pakhtunkhwa.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. Accountant General, Khyber Pakhtunkhwa.
9. Project Director, IMU Project, E&SE Department.
10. PS to Chief Secretary, Khyber Pakhtunkhwa.
11. PS to Secretary Establishment, E&A Department.
12. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA.AS(HRD)/AS(E)/ DS(E.)/ SO(E.II)/SO(E.V)
13. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/Estate Officer/ACSO Cypher/Dy Director (IT) and Director Protocol Administration Department.
14. Officers concerned.
15. Controller, Govt. Printing Press, Peshawar.

(KASHIF IQBAL JILANI)
SECTION OFFICER (ESTT, I)
PHONE & FAX # 091-9210529

ITEM NO (7)

ESTABLISHMENT DEPARTMENT

(Meeting of PSB held on 10.05.2016)

And - c
(8)

SUBJECT: - PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and twenty seven (127) where one hundred and six (106) officers are already working. Hence twenty one (21) posts of BS-18 are lying vacant.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

- i. By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination.
- ii. Under the policy of Provincial Government, eighteen (18) months training is mandatory for promotion to BS-18. However the officers who attained the age of 50 years or above on 1st July of the year in which the training is scheduled or promotion is being considered shall be exempted from training.

3. The service record of the officers included in the panel was discussed one by one as under: -

S No	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. Position is still the same. The Board recommended to defer his promotion
2.	Mr. Mansoor Qaiser	His date of birth is 30.03.1966. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. He is now exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.

		<p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation till retirement.</p>
24.	Ms. Mussarrat Ismail Butt	<p>Her date of birth is 01.01.1962. She joined government service on 13.12.1982. She was promoted to BS-17 on 03.03.2009. She is exempted from training mandatory for promotion due to age factor. No enquiry is pending against her. Her service record upto 2015 is generally good. Presently she is on deputation to Cabinet Division Islamabad.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. She will be on probation for a period of one year. She will actualize promotion in her own cadre.</p>
25.	Mr. Abdul Kabir Khan	<p>His date of birth is 25.04.1965. He joined government service on 29.04.1998. He was promoted to BS-17 on 21.12.2011. He is exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
26.	Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
27.	Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion</p>
28.	Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
29.	Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p>



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

NO.SOE-II(ED)2(8)2015

Dated Peshawar the January 05, 2016

To

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
2. Additional Chief Secretary, P&D, Khyber Pakhtunkhwa.
3. Additional Chief Secretary, FATA.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Political Agents in FATA.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.

Subject:- TENTATIVE SENIORITY LIST OF PCS (EG) & PMS OFFICERS
BS-17 AS STOOD ON 31/12/2015

Dear Sir,

I am directed to refer to the captioned subject and to enclose copies of tentative seniority lists of PCS (EG) & PMS BS-17 officers as it stood on 31/12/2015 alongwith certificate proforma with the request that the same may be circulated amongst the PCS (EG) & PMS BS-17 officers working in your respective Department/ Division/District/Agency.

2. I am further directed to request you to direct all concerned that the certificate may be returned to this Department duly signed, indicating error/omission, if any, for the purpose of rectification alongwith attested supporting documents up to 28.02.2016. In case of receipt of no response by the due date, it would be considered that particulars have been accepted as correct.

ENDST: NO & DATE EVEN

Copy is forwarded to:-

1. PS to Chief Secretary, Khyber Pakhtunkhwa.
2. PS to Secretary Establishment.
3. PS to Special Secretary (Estt), Establishment Department.
4. PAs to AS(E)/AS(HRD) / DS(E), Establishment Department.

Secretary T&R Deptt
File No. 94
12-01-16

SECTION OFFICER(E-II)

Yours faithfully,
SECTION OFFICER(E-II)

Diary No: 18
Date: 13-01-16

Dated: 13-1-2016

10

Ann - D

TENTATIVE SENIORITY LIST OF PMS BS-17 OFFICERS AS STOOD ON 31.12.2015

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT / PROMOTION IN BS-16	REGULAR APPOINTMENT / PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
1.	Mr. Jehanzeb Khan, BSc, Engineering	12.4.1967, Nowshera	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Land Acquisition Collector, SNGPL, Peshawar on deputation basis (20.03.2015)	
2.	Mr. Mansoor Qaiser, MA	30.3.1966, DIKhan	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Secretary to Commissioner, D.I.Khan 18.07.2013	
3.	Mr. Maqsood Hassan, MSc (Maths)	10.3.1967, Kohat	1.1.1992	6.9.2008	27.5.2008	17	By promotion	Section Officer Officer (L/R) (under suspension) 28.08.2014	Regained seniority w.c.f. 27.05.2008
4.	Mr. Sajid Ahmad, MA	30.4.1965, Kohat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Section Officer, Health Deptt: (13.12.2013)	
5.	Mr. Abdul Ghafoor Shah, M.Sc.	6.8.1967, Lakki Marwat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant Commissioner, Hangu 30.10.2013	
6.	Mr. Muhammad Asghar Khan, MA (Eng)	15.3.1966, Lakki Marwat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant to Commissioner (Rev), Bannu Div. 07.11.2013	
7.	Mr. Fazl-e-Qadir, MSC	1.1.1969, Karak	1.7.1995	20.3.2008	27.5.2008	17	By promotion	Asstt. to Commissioner (Pol), Kohat 17.11.2015	
8.	Mr. Abdul Hadi, B.A	2.2.1966/ Dir Upper	1.7.1990	20.03.2008	27.05.2008	17	By promotion	Section Officer, Zakat, Social Welfare, Special Education & Women Empower (23.10.2014)	
9.	Syed Muhammad Suhail, BA	29.10.1967, Peshawar	19.11.1990	20.3.2008	27.5.2008	17	By promotion	S.O. Health Department (13.08.2015)	
10.	Mr. Khalid Mehmood, MA	15.3.1967, DIKhan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	District Officer (F&P), Karak (20.10.2015)	
11.	Mr. Hafizullah, M.Sc.	31.12.1970, DIKhan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	LAC, NHA D.I.Khan 27.12.2011	
12.	Mr. Abdul Malik, BA/LLB	3.1.1959, Peshawar	4.7.1977	29.5.2006	7.11.2008	17	By promotion	Pro-Cum-Protocol Officer, FATA Development Authority on deputation basis. 12.09.2015	

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BS-16	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
13.	Mr. Muhammad Saeed-I, Matric	12.1.1956 Peshawar	12.9.1975	5.4.2007	7.11.2008	17	By promotion	Section Officer, W&S Dept 19.11.2007	
14.	Mr. Qayyum Nawaz, MA	7.4.1958, Tank	1.1.1992	20.3.2008	7.11.2008	17	By Promotion	(he is under suspension) S.O(L/R)	
15.	Mr. Mumtaz Ahmad, BA	10.1.1956 Nowshera	20.04.1976	20.03.2008	21.12.2011	17	By Promotion	Deputy Secretary, Labour Deptt in his own and and scale, against the vacant post (08.10.2015)	Regained seniority w.e.f.07.11.2008
16.	Mr. Rehan Gul Khattak, MA	10.1.1971, Karak	1.7.1995	20.3.2008	7.11.2008	17	By promotion	Section Officer (L/R) [01.01.2014 to 31.01.2016]	
17.	Mr. Javedullah Mehsood, MA	15.10.1967, S.W.A	1.7.1995	20.3.2008	7.11.2008	17	By promotion	APA, FR Bannu. 02.05.2013.	
18.	Mr. Niamatullah, Matric,	29.4.1956 Peshawar	29.1.1976	5.4.2007	3.3.2009	17	By promotion	Section Officer, Irrigation Deptt:	
19.	Syed Noor Ahmad Shah, M.A.	25.10.1958 Peshawar	9.7.1977	5.4.2007	3.3.2009	17	By promotion	Section Officer, Finance Dept 3.5.2007	
20.	Mr. Misal Khan, M.A.	8.1.1960 Peshawar	30.10.1979	5.4.2007	3.3.2009	17	By promotion	SO Irrigation Department (20.10.2014)	
21.	Mr. Habibullah-I, Matric,	9.9.1966 Peshawar	1.1.1985	5.4.2007	3.3.2009	17	By promotion	PS to CS, 30.3.2009	
22.	Mr. Manzoor Elahi, B.A.	19.6.1960 Mardan.	29.9.1979	5.4.2007	3.3.2009	17	By promotion	Private Secretary in o/o of Ikram Khan Gandapore 03.04.2014	
23.	Mr. Sardar Ali, B.A.	5.1.1959 Peshawar	1.6.1979	5.4.2007	3.3.2009	17	By promotion	Section Officer, IPC Department (09.06.2015))	
24.	Mr. Mirzali, M.A.	11.2.1966 Bannu	5.8.1989	5.4.2007	3.3.2009	17	By promotion	SO, Environment Dept 20.06.2009	
25.	Mr. Muhammad Saeed Ullah B.A.	1.3.1966 Chitral	7.11.1990	5.4.2007	3.3.2009	17	By promotion	Report to E&A Deptt 27.11.2015	
26.	Mr. Shams-ur-Rehman, Matric	8.6.1956, Chitral	08.05.1976	19.12.2007	3.3.2009	17	By promotion	SO (VIP-Flight-II) Administration Department, 24.1.2011	
27.	Ms. Mussarrat Ismail Butt, BA	1.1.1962, Peshawar	13.12.1983	19.12.2007	3.3.2009	17	By promotion	On deputation to Cabinet Division, Islamabad, 15.11.2011 (07.10.2013)	

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S.No.	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BPS-16	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
28.	Mr. Abdul Kabir Khan, B.Sc.(Forestry)	25.4.1965 Swat	29.04.1998	06.09.2008	21.12.2011	17	By Promotion	Addl: Assistant Commissioner (Rev), Alpuri Shangla. 31.10.2013	He regained seniority w.e.f. 03.03.2009 in light of the judgment of Services Tribunal dated 25.05.2012 in Service Appeal No. 1569 of 2010
29.	Mr. Abdul Hameed Khan, MSC/LLB	9.2.1972, Malakand	29.4.1998	6.9.2008	3.3.2009	17	By promotion	Asstt Commissioner, Nowshera, 14.10.2013	
30.	Mr. Asadullah Khan, MA, LLB, CCIL, ACCUF	2.3.1969, Malakand	14.7.1998	6.9.2008	3.3.2009	17	By promotion	Section Officer Labour Department (09.10.2014)	
31.	Mr. Javed Ali, MA	15.8.1969, Chitral	15.07.1998	6.9.2008	3.3.2009	17	By promotion	LAC Fatehpur-Kalam Project (N-95), NHA (11.12.2014) on deputation basis.	
32.	Mr. Tariq Ali Khan MA, LLB, ALC	14.12.1970, Malakand	14.7.1998	6.9.2008	3.3.2009	17	By promotion	Secretary RTA Mardan (29.09.2014)	
33.	Mr. Muhammad Rehman, MA	5.2.1965, Momand Agency	13.1.1987	19.12.2007	25.01.2010	17	By promotion	MO, E&S Edu Deptt 12.07.2013,	
34.	Mr. Amanullah, MA	5.12.1958, Lakki Marvat	9.7.1977	19.12.2007	25.01.2010	17	By promotion	SO, ST&IT Dept, 10.7.2008	
35.	Mr. Fazad Khan, B.Com	4.6.1958, Peshawar	4.7.1977	19.12.2007	25.01.2010	17	By promotion	SO, Chief Minister's Sectt (14.10.2015)	
36.	Syed Abdul Ali Shah, BA	13.10.1957, Mohmand Agency	26.3.1985	1.3.2008	25.01.2010	17	By promotion	SO, IPC Department 10.07.2008	
37.	Mr. Muhammad Javed Siddiqi, BA/LLB	3.1.1958, Peshawar	14.6.1976	16.4.2008	25.01.2010	17	By promotion	DMO (Nowshera), IMU Project. E&SE Deptt on deputation basis (20.10.2015)	
38.	Mr. Javed Khan, MA	2.9.1960, Swat	31.3.1985	1.3.2008	25.01.2010	17	By promotion	SO, Transport Dept, 02.12.2008.	

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN B.S.	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSITS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
39	Mr. Nasir Aman, MA	28.9.1960, Chitral	17.4.1985	1.3.2008	25.01.2010	17	By promotion	SO, Finance Deptt (11.11.2015)	
40	Mr. Sakhi-ur-Rehman, BA	10.3.1957, Dir	9.9.1978	1.3.2008	25.01.2010	17	By promotion	SO, Mineral Dev. Deptt: 21.03.2014	
41	Mr. Muhammad Yaqoob Barki, BA	2.2.1967 S.W. Agency	01.07.1995	20.03.2008	25.03.2010	17	By Promotion	Add: AC-I, Lakki Marwat, 04.04.2014	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal No. 1586 of 2010
42	Mr. Muhammad Kashif Nadeem, BA LLB	11.9.1970 D.I.Khan	01.07.1995	06.09.2008	25.03.2010	17	By Promotion	Finance officer, Tank, 01.01.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Peshawar High Court, Peshawar In Writ Petition No. 2792-P/2013 announced on 17.1.2014
43	Mr. Ghazi Nawaz, BA	3.3.1967, FR D.I.Khan	22.03.1985	06.09.2008	25.03.2010	17	By Promotion	Add. Assistant Commissioner-II, D.I. Khan 29.10.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal



**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar October 3, 2019

NOTIFICATION

15

NO.SQ(E-I)E&AD/5-1/2019, The Competent Authority, on the recommendations of Provincial Selection Board, in its meeting held on 23.09.2018, is pleased to appoint the following officers, from PMS BS-18 to PMS BS-19, on acting charge basis, with immediate effect:-

S. No.	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Khalid Mahmood	Additional Deputy Commissioner (F&P) Lakhd Marwat
2.	Mr. Hafizullah	Additional Deputy Commissioner, Tank
3.	Mr. Javedullah Ishaq	Director, LG&RD Merged Areas
4.	Mr. Misal Khan	Deputy Secretary(L&O) Merged Areas Sectr
5.	Mr. Habibullah-I	Deputy Secretary-cum-PS to Chief Secretary
6.	Mr. Manzoor Elahi	Additional Secretary, Agriculture Department.
7.	Mr. Marzali	Deputy Secretary, Merged Areas Sectr.
8.	Mr. Muhammad Saoodullah	Additional Secretary (Regulation-II) E&A Department
9.	Ms. Mussarrat Inmail Butt	Posted in Establishment Division, on deputation basis.
10.	Mr. Abdul Kabir Khan	Additional Commissioner, Mardan Division, Mardan
11.	Mr. Javed Ali	Deputy Secretary-cum-Dy Director, STI
12.	Mr. Muhammad Rehman	Deputy Secretary, Home & T As Deptt
13.	Mr. Javed Khan	Deputy Secretary, Finance Deptt
14.	Mr. Nasir Aman	Additional Secretary (Reg. I) E&A Department
15.	Mr. Muhammad Yaqoob Barki	Additional Commissioner, D.I.Khan

Summery

2. The officers mentioned at Sr. No. 6, 8, 10, 14 & 15 are allowed to actualize their promotion against their already occupied posts. However, posting/transfer notification in respect of officers mentioned at Sr. No. 1, 2, 3, 4, 5, 7, 9, 11, 12, & 13 will be issued later on.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

INDST. OF EVEN NO. & DATE

Copy forwarded to the-

1. Additional Chief Secretary / P&D Department
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa
3. Principal Secretary to Governor, Khyber Pakhtunkhwa
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa
6. All Divisional Commissioners, Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa
8. All Deputy Commissioners in Khyber Pakhtunkhwa
9. Director General, Information & Public Relations Peshawar
10. District Accounts Officer - concerned Districts
11. PSO to Chief Secretary, Khyber Pakhtunkhwa
12. PS to Chief Secretary, Khyber Pakhtunkhwa
13. PS to Secretary Establishment, E&A Department
14. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA, AS(HRD)/AS(EY) DS(EY) SO(E) I/YSO(EV) E&AD
15. PS to Secretary (Admin. D/S) SO(Secret. Estate Officer)/CSO Cypher/Dy Director (IT) and Director Protocol Administration Department
16. Officers concerned
17. Controller, Govt. Printing Press, Peshawar

SECTION OFFICER (ESTT. I)
PHONE NO. 011-2210179



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

Ann-G

Dated Peshawar, the November 14, 2018

16

NOTIFICATION

No.SO(Policy)E&AD/1-16/2018 – The Competent Authority is pleased to direct that in the “Khyber Pakhtunkhwa Civil Servants Promotion Policy, 2009” circulated vide this department letter No.SOE-III(E&AD)1-3/2008 dated 28.1.2009, the following further amendment shall be made, namely:-

AMENDMENT

1. For sub-para (k) of Para-III, the following shall be substituted:

“(k) The officers who attained the age of 50 years or above on the scheduled date of commencement of the training of Mid Career Management Course (MCMC) shall be exempted from the said training. Similarly, the officers who attained the age of 58 years or above on the scheduled date of commencement of the training of Senior Management Course (SMC)/National Management Course (NMC) and National Defense Course (NDC) shall be exempted from respective mandatory training. The exemption already extended to professional and technical cadres will continue as the professionals/technocrats undertake their specialized training separately.”

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

ENDST: NO & EVEN DATE

Copy is forwarded to:-

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, P&D Department.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. All Special Secretaries, Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.

19/11/18

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MEM NO (1)

ESTABLISHMENT DEPARTMENT
(Meeting of PSB held on 28.12.2016)

SUBJECT: - PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and thirty three (133) where one hundred and sixteen (116) Officers are already working. Hence seventeen (17) posts are lying vacant. Moreover the Secretary further apprised the Board that these posts were reserved for those Officers who were undergoing mandatory training for promotion. They have now completed the requisite training and eligible to be considered for promotion.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

"By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination".

3. The service record of the officers included in the panel was discussed one by one as under: -

		RECOMMENDATIONS OF THE BOARD
S. #	NAME OF OFFICER	
1.	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good. The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.
2.	Mr. Maqsood Hassan	His date of birth is 10.03.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as the Board was informed that he was involved in a NAB case and had also not undergone mandatory training. He has now undergone mandatory training. However the NAB case is still pending against him.

Signature
Senior Officer (PSS)
Govt. of Khyber Pakhtunkhwa
Establishment Department

(D)

Handwritten signatures and initials

11.	Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
12.	Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training for promotion, however an enquiry is pending against him.</p> <p>The Board recommended to defer his promotion.</p>
13.	Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
14.	Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
15.	Mr. Muhammad Yaqub Barki	<p>His date of birth is 02.02.1967. He joined government service on 01.07.1995. He was promoted to BS-17 on 25.03.2010. The Board in its meeting held on 29.06.2016, 27.07.2016 and</p>

Section Officer (PSB)
Govt. of Khyber Pakhtunkhwa
Establishment Department

MOST IMMEDIATE

THROUGH REGISTERED A.D



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Aux - I

(19)

NO. SOE-II(ED)2(574)2009/Vol III
Dated Peshawar the May 13, 2020

To

Mr. Asadullah Khan (PMS BS-17),
Additional Deputy Commissioner (F&P),
Shangla.

Subject: **PERSONAL HEARING.**

Refer to the subject captioned above and to enclose herewith copy of Government of Khyber Pakhtunkhwa, Administration Department letter No: PS/Secy(A)/Misc/2019 dated: 13.05.2020 (which is self-explanatory).

2. You are requested to attend the office of Secretary Administration, Khyber Pakhtunkhwa on 18.05.2020 at 1100 hours for personal hearing.

Encl: As above.

(Signature)
(SHAIBAZ KHATTAK)
SECTION OFFICER (E-II)
Ph. 091-9210551

CC.

PS to Secretary Administration, Khyber Pakhtunkhwa with reference to letter No. quoted above.

(E)

To

The Chief Minister KPK Amd-J
(Competent authority) Peshawar (20)

Subject: Departmental appeal

R/Sir,

with due respect I submit
as under:

- 1) That vide order dated 3/3/2009 I am
a PMS officer (BS-17) (Copy enclosed)
- 2) That my promotion was deferred due to
lack of Training vide P.S.B minutes dated
10/5/2016 and my Juniors were promoted to
PMS (BS-18) on regular basis w.e.f. 27/5/2016
vide order dated 17/6/2016. (Copies enclosed)
- 3) That after completion of my Training I was
again deferred due to pending inquiry
vide P.S.B minutes dated 28/12/2016. (Copy enclosed)
- 4) That during pendency of my inquiry my
Juniors were appointed/promoted to PMS
(BS-19) on acting charge basis vide order
dated October 3, 2019. (Copy enclosed)

5) That vide Letter dated May 13, 2020

I was given an opportunity of personal hearing and was taken on verbally informed that the inquiry proceedings have been finalized. (Copy enclosed)

6) That I shall complete 12 years length of service on 3/3/2021 in (BS-17)

7) That my juniors have been promoted

To PMS (BS-18) and PMS (BS-19) due to exemption from training on account of age factor as they were above 50 years of age. I was also above 50 years of age when my juniors were appointed/promoted to PMS (BS-19)

8) That vide para v (c) of the promotion policy 2009 and Performance High Court judgment dated 4/6/2010 allow promotion to me from that date when my juniors were promoted to PMS (BS-18) & PMS (BS-19) (copies enclosed)

(3)

(22)

It is, therefore, humbly requested that I may kindly be considered for promotion and may be promoted to PMS (BS-18) and PMS (BS-19) with all back service and monetary benefits from the dates when my juniors were promoted to PMS (BS-18) and PMS (BS-19) please.

Thanks

yours faithfully
Asad

Dated : 2/6/2020

Asad ul-Haq Khan
ADC (F&P)
Distt: Shangla

No. 44

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 acknowledgement is due.

Received a registered* addressed to Asad

Date-Stamp: 02 JUN 2020

Initials of Receiving Officer: Asad *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" below it when necessary.

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If insured: Insurance fee Rs. 2/6/20 Ps. 2/6/20 (in words) Weight 2/6/20 Kilo Grams

Name and address of sender: 2/6/20



Ann-K

(23)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar, the January 21, 2021

NOTIFICATION

NO.SO(E-I)E&AD/6-1/2021. The Competent Authority, on the recommendations of the Provincial Selection Board, in its meeting held on 30.12.2020, is pleased to promote the following officers from PMS BS-17 to PMS BS-18, on regular basis with immediate effect:-

S. #.	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Asadullah Khan	Additional Deputy Commissioner (F&P), Shangla
2.	Mr. Abdul Mateen Khan Qasuria	Additional Deputy Commissioner (General), Tank
3.	Mr. Saleem Jan	Deputy Secretary, Sports, Culture & Tourism Department.
4.	Mr. Irfan Ali	Additional Deputy Commissioner (F&P), Swat
5.	Mr. Gohar Ali	Additional Deputy Commissioner (General), Swabi

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. Consequent upon above, all the officers mentioned in Para-01 are allowed to actualize their promotion against their already occupied posts.

CHIEF SECRETARY

GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. Director Information & P.R Department.
10. District Accounts Officer concerned.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretaries, Establishment & Administration Department.
13. PS SS(E)/SS(Reg)/AS(HRD)/AS(E)/ DS(E.)/SO(E.II)/SO(E.V) E&AD.
14. PA to DS(A)/SO(Secret)/Estate Officer/ACSO Cypher/Dy. Director (IT) and Director Protocol Administration Department.
15. Officers concerned.
16. Controller, Govt. Printing Press, Peshawar.

(ZIA.UL.HAQ)

SECTION OFFICER (E.I)

PH: # 091-9210529



Asd - K

(23)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated: Peshawar, the January 21, 2021

NOTIFICATION

NO. SO(E-I)E&AD/6-1/2021

The Competent Authority, on the recommendations of the Provincial Selection Board, in its meeting held on 30.12.2020, is pleased to promote the following officers from PMS BS-17 to PMS BS-18, on regular basis with immediate effect:-

S. #	NAMES OF OFFICERS	PRESENT POSTING
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2.	Mr. Abdul Mateen Khan Qasuria	Additional Deputy Commissioner (General), Tank
3.	Mr. Saleem Jan	Deputy Secretary, Sports, Culture & Tourism Department
4.	Mr. Irfan Ali	Additional Deputy Commissioner (F&P), Swat
5.	Mr. Gohar Ali	Additional Deputy Commissioner (General), Swabi

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-16(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon above, all the officers mentioned in Para-01 are allowed to actualize their promotion against their already occupied posts.

CHIEF SECRETARY

GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. Director Information & P.R Department.
10. District Accounts Officer concerned.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretaries, Establishment & Administration Department.
13. PS/SS(E)/SS(Reg)/AS(HRD)/AS(E)/DS(E)/SO(E.II)/SO(E.V):E&AD.
14. PA to DS(A)/SO(Secret)/Estate Officer/ACSO Cypher/Dy. Director (IT) and Director Administration Department.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

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4.	Copy of minutes of meeting dated 10.05.2016	C	8-9
5.	Copy of letter dated 05.01.2016	D	10
6.	Copy of Tentative Seniority list	E	11-14
7.	Copy of Notification dated 03.10.2019	F	15
8.	Copy of Notification dated 14.11.2018	G	16
9.	Copy of minutes of meeting dated 28.12.2016	H	17-18
10.	Copy of letter to petitioner dated 13.05.2020	I	19
11.	Copy of appeal/ application to Chief Minister & postal receipt	J	20-22
12.	Copy of Notification dated 21.01.2021	K	23


Appellant

Through


Amjad Ali (Mardan)
Advocate

Supreme Court of Pakistan

Cell: 0321-9882434

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

**APPLICATION FOR PERMISSION TO
AMEND APPEAL BY INCLUDING PRAYER
TO ANTEDATE PROMOTION ORDER OF
APPELLANT DATED 21.01.2021 FROM
BPS17 TO BPS-18 W.E.F. 27.05.2016 WITH
ALL BACK BENEFITS AND
CONSIDERATION FOR PROMOTION TO
RMS (BPS-19) ON REGULAR BASIS W.E.F.
03.10.2019 WITH ALL BACK BENEFITS.**

Respectfully Sheweth:-

- 1) That appellant is a PMS Officer w.e.f. 03.03.2009 vide order dated 03.03.2009.
- 2) That the meeting of Provincial Selection Board was held on 10.05.2016 and the name of the appellant was placed before the Provincial Selection Board (BCB) for the first time for consideration for promotion to BPS-18, but the appellant was deferred due to lack of training, while his juniors, such as Muhammad Rehman, *Fazad Khan*, *Javid Khan* and Nasir Aman etc were promoted to BPS-18 on regular basis as they were exempted from training due

to age factor. These juniors were promoted vide order dated 17.06.2016 w.e.f. 27.05.2016.

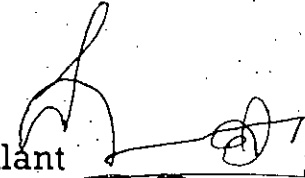
"B")

- 3) That these juniors were again promoted/ appointed from PMS (BPS-18) to PMS (BPS-19) on acting charge basis vide order dated 03.10.2019 due to age factor as they were above 50 years of age and were exempted from training vide notification dated 14.11.2018. The appellant was also above 50 years of age at that time.
- 4) That after completion of training the name of the appellant was again placed before Provincial Selection Board meeting dated 28.12.2016 for the second time, but was deferred due to pending inquiry.
- 5) That the appellant was given an opportunity of personal hearing vide letter dated 13.05.2020 and later on was verbally informed that the inquiry has been finalized. The appellant, therefore, submitted appeal before the respondent/ competent authority dated 02.06.2020 through registry with the request to promote the appellant from PMS (BPS-17) to PMS (PS-18) and BPS-19 with all back service and monetary benefits from the dates when his juniors were promoted to BS-18 and BPS-19.
- 6) That vide order dated 21.01.2021, the appellant was promoted to PMS (BS-18) on regular basis with immediate effect.


- 7) That the appellant will complete 12 years length of service on 03.03.2021 in BPS-17 and BPS-18, which is mandatory for regular promotion to BPS-19.
- 8) That during pendency of instant service appeal, juniors to appellant have been promoted to BPS-18 and thereafter to BPS-19 during pendency of appeal and appellant has been promoted to BPS-18, but with immediate effect as the reason for deferment has been extinguished. As per judgment of Supreme Court of Pakistan when reason for deferment is over appellant ought to be restored to the position when his colleagues are performing duty.

It is therefore, humbly prayed that on acceptance of this application, permission for amendment of Service appeal as detailed in the subject of application may please be granted.

Dated:

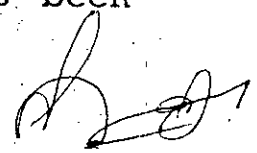
Appellant 

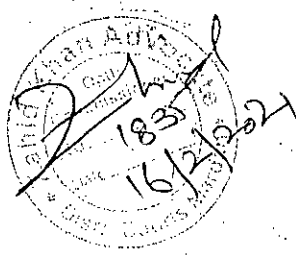
Through

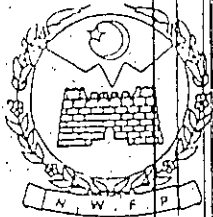

Amjad Ali (Madan)
 Advocate
 Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.


 Deponent





Aux - A

4

**GOVERNMENT OF NWFP
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the 3rd March, 2009

NOTIFICATION:

No: SOE-II(ED)2(192)2009: The Competent Authority, in consultation with the Provincial Selection Board is pleased to order the promotion of the following Tehsildars, to Provincial Management Service (BS-17) on regular basis with immediate effect:-

Sr. #	NAME OF OFFICER
1	Mr. Shabbir Muhammad
2	Mr. Afsar Ali Shah
3	Mr. Maqsood Hassan
4	Mr. Muhammad Jamal Azmat
5	Mr. Abdul Hameed Khan
6	Mr. Asadullah
7	Mr. Javed Ali
8	Mr. Tariq Ali

2. On their promotion the above officers will be on probation for a period of one year in terms of section-6(2) of NWFP Civil Servants Act 1973 read with Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1982.

3. Posting / transfer orders of above named officers will be issued later on.

CHIEF SECRETARY, N.W.F.P.

ENDST: NO: SOE-II (ED)2(192) 2009

Dated Peshawar the 3rd, March, 2009

A copy is forwarded to :-

1. Senior Member Board of Revenue, NWFP.
2. Secretary to Governor, NWFP.
3. Principal Secretary to Chief Minister, NWFP.
4. Secretary (Admn & Coord) Civil Secretariat FATA.
5. District Coordination Officers, Swabi, Nowshera, Swat & Dir Lower.
6. Political Agents, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
7. Accountant General, NWFP, Peshawar.
8. District Accounts Officers, Swabi, Nowshera, Swat & Dir Lower.
9. Agency Accounts Officers, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
10. S.O. (Secret)/(Admn)/E-IV/E.O/Programmer/Librarian, E&A Dept.
11. Officers concerned.
12. P.S. to Chief Secretary NWFP.
13. P.S. to Secretary Establishment NWFP.
14. PA to Addl. Secretary (E) / Dy. Secretary (E) Establishment Department.
15. Personal files of the officers concerned.
16. Office Order file.
17. Manager, Govt Printing Press, Peshawar.

SEK



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Ann - B

5

Dated Peshawar, the June 17, 2016

NOTIFICATION

NO.SO(E-I)E&AD/5-1/2016. Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following officers of Provincial Management Service (PMS) from BS-17 to BS-18, on regular basis with effect from 27.5.2016:-

S.#	NAMES OF OFFICERS
1.	Mr. Mansoor Qaiser
2.	Mr. Muhammad Asghar Khan
3.	Mr. Abdul Hadi
4.	Mr. Abdul Malik
5.	Syed Noor Ahmad Shah
6.	Mr. Misal Khan
7.	Mr. Manzoor Elahi
8.	Mr. Sardar Ali
9.	Mr. Mirzali
10.	Mr. Muhammad Saeed Ullah
11.	Ms. Mussarrat Ismail Butt
12.	Mr. Abdul Kabir Khan
13.	Mr. Muhammad Rehman
14.	Mr. Fazad Khan
15.	Syed Abdul Ali Shah
16.	Mr. Muhammad Javed Siddiqi
17.	Mr. Javed Khan
18.	Mr. Nasir Aman
19.	Mr. Sakhi-ur-Rehman

Jumad

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, 1980 till their retirement, whichever is earlier, as the case may be.

3. Consequent upon the above, the officers will remain posted as under:-

SR.#	NAMES OF OFFICERS	FROM	TO
1.	Mr. Mansoor Qaiser (PMS BS-18)	Secretary to Commissioner, D.I.Khan	Secretary to Commissioner, D.I.Khan
2.	Mr. Muhammad Asghar Khan (PMS BS-18)	ACR Bannu	Deputy Secretary, Zakat, Ushr, Social Welfare and Women Empowerment Department, against the vacant post.
3.	Mr. Abdul Hadi (PMS BS-18)	Section Officer, Zakat, Ushr Department.	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.

B)



(6)

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

SR.#	NAMES OF OFFICERS	FROM	TO
4.	Mr. Abdul-Malik (PMS BS-18)	PRO-cum- Protocol Officer, FATA Development Authority	Deputy Secretary, Population Welfare Department, against the vacant post.
5.	Syed Noor Ahmad Shah (PMS BS-18)	Section Officer, Finance Department	Deputy Secretary, Finance Department, against the vacant post.
6.	Mr. Misal Khan (PMS BS-18)	Section Officer, Irrigation Department.	Deputy Secretary, C&W Department, vice Sr. No. 7.
7.	Mr. Javed Akhter (PMS BS-18)	Deputy Secretary, C&W Department	Deputy Secretary in E&AD against the vacant post.
8.	Mr. Manzoor Elahi (PMS BS-18)	PS to Ikram Khan Gandapur	Deputy Secretary, E&SE Department, against the vacant post.
9.	Mr. Sardar Ali (PMS BS-18)	Section officer, IPC Department	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.
10.	Mr. Mirzali (PMS BS-18)	Section Officer, Environment Department	Deputy Secretary, LG&RD Department, against the vacant post.
11.	Mr. Muhammad Saeed Ullah (PMS BS-18)	Section Officer (Secret) E&A Department	Deputy Secretary (Reg. III), E&A Department, against the vacant post.
12.	Ms. Mussarrat Ismail Bull (PMS BS-18)	Section Officer, Cabinet Division, Islamabad (on deputation)	Repatriate to Establishment Department and further posted as Deputy Secretary, Finance Department, against the vacant post.
13.	Mr. Abdul Kabir Khan (PMS BS-18)	Adl AC Alpuri, Shangla.	Deputy Secretary (Policies) E&A Department, against the vacant post.
14.	Mr. Muhammad Rehman (PMS BS-18)	Monitoring officer, E&SE Department	Deputy Secretary, E&SE Department, against the vacant post.
15.	Mr. Fazad Khan, (PMS BS-18)	Section Officer, Agriculture Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
16.	Syed Abdul All Shah, (PMS BS-18)	Section Officer, IPC Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
17.	Mr. Muhammad Javed Siddiqi (PMS BS-18)	DMO, IMU, E&SE Deptt	Deputy Secretary, Finance Department, against the vacant post.
18.	Mr. Javed Khan (PMS BS-18)	Section officer, Transport Deptt.	Deputy Secretary (Reg. IV) E&A Department, against the vacant post.
19.	Mr. Nasir Aman, (PMS BS-18)	Section Officer, Finance Deptt	Deputy Secretary (Reg. II) E&A Department, against the vacant post.



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

(7)

PAGE-3

SR.#	NAMES OF OFFICERS	FROM	TO
20.	Mr. Sakhi-ur-Rehman (PMS-BS-18)	Section Officer, Mineral Dev. Deptt.	Deputy Secretary, Higher Education, against the vacant post.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Additional Chief Secretary (FATA), FATA Secretariat.
4. All Administrative Secretaries in Khyber Pakhtunkhwa.
5. Principal Secretary to Governor, Khyber Pakhtunkhwa.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. Accountant General, Khyber Pakhtunkhwa.
9. Project Director, IMU Project, E&SE Department.
10. PS to Chief Secretary, Khyber Pakhtunkhwa.
11. PS to Secretary Establishment, E&A Department.
12. PS to Secretary Establishment/PS to SS(E)/SS. (Reg)/PA.AS(HRD)/AS(E)/ DS(E.)/
SO(E.II)/SO(E.V)
13. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/Estate Officer/ACSO Cypher/Dy Director
(IT) and Director Protocol Administration Department.
14. Officers concerned.
15. Controller, Govt. Printing Press, Peshawar.

(KASHIF IQBAL JILANI)
SECTION OFFICER (ESTT, I)
PHONE & FAX # 091-9210529

Z/A-UL-HAQ**

ITEM NO (7)

ESTABLISHMENT DEPARTMENT

(Meeting of PSB held on 10.05.2016)

Ann-c
(8)

SUBJECT: - PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and twenty seven (127) where one hundred and six (106) officers are already working. Hence twenty one (21) posts of BS-18 are lying vacant.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

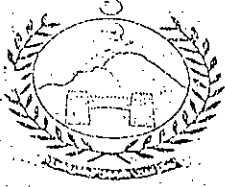
- i. By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination.
- ii. Under the policy of Provincial Government, eighteen (18) months training is mandatory for promotion to BS-18. However the officers who attained the age of 50 years or above on 1st July of the year in which the training is scheduled or promotion is being considered shall be exempted from training.

3. The service record of the officers included in the panel was discussed one by one as under: -

S No.	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. Position is still the same. The Board recommended to defer his promotion
2.	Mr. Mansoor Qaiser	His date of birth is 30.03.1966. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. He is now exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.

(9)

		<p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation till retirement.</p>
24.	Ms. Mussarrat Ismail Butt	<p>Her date of birth is 01.01.1962. She joined government service on 13.12.1982. She was promoted to BS-17 on 03.03.2009. She is exempted from training mandatory for promotion due to age factor. No enquiry is pending against her. Her service record upto 2015 is generally good. Presently she is on deputation to Cabinet Division Islamabad.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. She will be on probation for a period of one year. She will actualize promotion in her own cadre.</p>
25.	Mr. Abdul Kabir Khan	<p>His date of birth is 25.04.1965. He joined government service on 29.04.1998. He was promoted to BS-17 on 21.12.2011. He is exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
26.	Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
27.	Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion.</p> <p>The Board recommended to defer his promotion.</p>
28.	Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
29.	Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion.</p>



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Ann - D

NO.SOE-II(ED)2(8)2015

Dated Peshawar the January 05, 2016

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To

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
2. Additional Chief Secretary, P&D, Khyber Pakhtunkhwa.
3. Additional Chief Secretary, FATA.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Political Agents in FATA.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.

Subject:- TENTATIVE SENIORITY LIST OF PCS (EG) & PMS OFFICERS
BS-17 AS STOOD ON 31/12/2015

Dear Sir,

I am directed to refer to the captioned subject and to enclose copies of tentative seniority lists of PCS (EG) & PMS BS-17 officers as it stood on 31/12/2015 alongwith certificate proforma with the request that the same may be circulated amongst the PCS (EG) & PMS BS-17 officers working in your respective Department/ Division/District/Agency.

2. I am further directed to request you to direct all concerned that the certificate may be returned to this Department duly signed, indicating error/omission, if any, for the purpose of rectification alongwith attested supporting documents up to 28.02.2016. In case of receipt of no response by the due date, it would be considered that particulars have been accepted as correct.

Diary No. 18

Date: 13-01-16

12/01/15

50191
13/01

13/11/16

Yours faithfully,

5-1-2016

ENDST. NO & DATE EVEN

SECTION OFFICER(E-II)

Copy is forwarded to:-

1. PS to Chief Secretary, Khyber Pakhtunkhwa.
2. PS to Secretary Establishment.
3. PS to Special Secretary (Esst), Establishment Department.
4. PAs to AS(E)/AS(HRD) / DS(E), Establishment Department.

Secretary P&D, Dept
Diary No. 94
12-01-16

SECTION OFFICER(E-II)

Khyber Pakhtunkhwa

Diary No. 23

Dated: 13-1-2016

TENTATIVE SENIORITY LIST OF PMS BS-17 OFFICERS AS STOOD ON 31.12.2015

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BS-16	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
1.	Mr. Jehanzeb Khan, BSc, Engineering	12.4.1967, Nowshera	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Land Acquisition Collector, SNGPL, Peshawar on deputation basis (20.03.2015)	
2.	Mr. Mansoor Qaiser, MA	30.3.1966, D.I.Khan	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Secretary to Commissioner, D.I.Khan 18.07.2013	
3.	Mr. Maqsood Hassan, MSc (Maths)	10.3.1967, Kohat	1.1.1992	6.9.2008	27.5.2008	17	By promotion	Section Officer Officer (L/R) (under suspension) 28.08.2014	Regained seniority w.c.f. 27.05.2008
4.	Mr. Sajid Ahmad, MA	30.4.1965, Kohat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Section Officer, Health Deptt: (13.12.2013)	
5.	Mr. Abdul Ghafoor Shah, M.Sc.	6.8.1967, Lakki Marvat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant Commissioner, Hangu 30.10.2013	
6.	Mr. Muhammad Asghar Khan, MA (Eng)	15.3.1966, Lakki Marvat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant to Commissioner (Rev), Bannu Div. 07.11.2013	
7.	Mr. Fazl-e-Qadir, MSC	1.1.1969, Karak	1.7.1995	20.3.2008	27.5.2008	17	By promotion	Asstt. to Commissioner (Pol), Kohat 17.11.2015	
8.	Mr. Abdul Hadi, B.A	2.2.1966/ Dir Upper	1.7.1990	20.03.2008	27.05.2008	17	By promotion	Section Officer, Zakat, Social Welfare, Special Education & Women Empower (23.10.2014)	
9.	Syed Muhammad Suhail, BA	29.10.1967, Peshawar	19.11.1990	20.3.2008	27.5.2008	17	By promotion	S.O. Health Department (13.08.2015)	
10.	Mr. Khalid Mehmood, MA	15.3.1967, D.I.Khan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	District Officer (F&P), Karak (20.10.2015)	
11.	Mr. Hafizullah, M.Sc.	31.12.1970, D.I.Khan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	LAC, MHA D.I.Khan 27.12.2011	
12.	Mr. Abdul Malik, BA/LLB	3.1.1959, Peshawar	4.7.1977	29.5.2006	7.11.2008	17	By promotion	Pro-Cum-Protocol Officer, FATA Development Authority on deputation basis. 12.09.2015	

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S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BPS-16	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
13.	Mr. Muhammad Saeed-I, Matric	12.1.1956 Peshawar	12.9.1975	5.4.2007	7.11.2008	17	By promotion	Section Officer, W&S Dept 19.11.2007	
14.	Mr. Qayyum Nawaz, MA	7.4.1958, Tank	1.1.1992	20.3.2008	7.11.2008	17	By Promotion	(he is under suspension) S.O(L/R)	
15.	Mr. Mumtaz Ahmad, BA	10.1.1956 Nowshera	20.04.1976	20.03.2008	21.12.2011	17	By Promotion	Deputy Secretary, Labour Deptt in his own and and scale, against the vacant post (08.10.2015)	Regained seniority w.e.f.07.11.2008
16.	Mr. Rehan Gul Khattak, MA	10.1.1971, Karak	1.7.1995	20.3.2008	7.11.2008	17	By promotion	Section Officer (L/R) [01.01.2014 to 31.01.2016]	
17.	Mr. Javedullah Mehsood, MA	15.10.1967, S.W.A	1.7.1995	20.3.2008	7.11.2008	17	By promotion	APA, FR Bannu. 02.05.2013.	
18.	Mr. Niamatullah, Matric,	29.4.1956 Peshawar	29.1.1976	5.4.2007	3.3.2009	17	By promotion	Section Officer, Irrigation Deptt.	
19.	Syed Noor Ahmad Shah, M.A.	25.10.1958 Peshawar	9.7.1977	5.4.2007	3.3.2009	17	By promotion	Section Officer, Finance Dept 3.5.2007	
20.	Mr. Misal Khan, M.A.	8.1.1960 Peshawar	30.10.1979	5.4.2007	3.3.2009	17	By promotion	SO Irrigation Department (20.10.2014)	
21.	Mr. Habibullah-I, Matric,	9.9.1966 Peshawar	1.1.1985	5.4.2007	3.3.2009	17	By promotion	PS to CS, 30.3.2009	
22.	Mr. Manzoor Elahi, B.A.	19.6.1960 Mardan.	29.9.1979	5.4.2007	3.3.2009	17	By promotion	Private Secretary in o/o of Ikram Khan Gandapore 03.04.2014	
23.	Mr. Sardar Ali, B.A.	5.1.1959 Peshawar	1.6.1979	5.4.2007	3.3.2009	17	By promotion	Section Officer, IPC Department (09.06.2015))	
24.	Mr. Mirzali, M.A.	11.2.1966 Bannu	5.8.1989	5.4.2007	3.3.2009	17	By promotion	SO, Environment Dept 20.06.2009	
25.	Mr. Muhammad Saeed Ullah B.A.	1.3.1966 Chitral	7.11.1990	5.4.2007	3.3.2009	17	By promotion	Report to E&A Deptt 27.11.2015	
26.	Mr. Shams-ur-Rehman, Matric	8.6.1956, Chitral	08.05.1976	19.12.2007	3.3.2009	17	By promotion	SO (VIP-Flight-II) Administration Department, 24.1.2011	
27.	Ms. Mussarrat Ismail Butt, BA	1.1.1962, Peshawar	13.12.1983	19.12.2007	3.3.2009	17	By promotion	On deputation to Cabinet Division, Islamabad, 15.11.2011 (07.10.2013)	

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN P.S.	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
28.	Mr. Abdul Kabir Khan, B.Sc.(Forestry)	25.4.1965 Swat	29.04.1998	06.09.2008	21.12.2011	17	By Promotion	Addl: Assistant Commissioner (Rev), Alpuri Shangla. 31.10.2013	He regained seniority w.e.f. 03.03.2009 in light of the judgment of Services Tribunal dated 25.05.2012 in Service Appeal No. 1569 of 2010
29.	Mr. Abdul Hamced Khan, MSC / LLB	9.2.1972, Malakand	29.4.1998	6.9.2008	3.3.2009	17	By promotion	Asslt Commissioner, Nowshera, 14.10.2013	
30.	Mr. Asadullah Khan, MA, LLB, CCIL, ACCUF	2.3.1969, Malakand	14.7.1998	6.9.2008	3.3.2009	17	By promotion	Section Officer Labour Department (09.10.2014)	
31.	Mr. Javed Ali, MA	15.8.1969, Chitral	15.07.1998	6.9.2008	3.3.2009	17	By promotion	LAC Patehpur-Kalam Project (N-95), NHA (11.12.2014) on deputation basis.	
32.	Mr. Tariq Ali Khan MA, LLB, ALC	14.12.1970, Malakand	14.7.1998	6.9.2008	3.3.2009	17	By promotion	Secretary RTA Mardan (29.09.2014)	
33.	Mr. Muhammad Rehman, MA	5.2.1965, Momand Agency	13.1.1987	19.12.2007	25.01.2010	17	By promotion	MO, E&S Edu Deptt 12.07.2013,	
34.	Mr. Amanullah, MA	5.12.1958, Lakki Marwat	9.7.1977	19.12.2007	25.01.2010	17	By promotion	SO, ST&IT Dept, 10.7.2008	
35.	Mr. Fazad Khan, B.Com	4.6.1958, Peshawar	4.7.1977	19.12.2007	25.01.2010	17	By promotion	SO, Chief Minister's Sectt (14.10.2015)	
36.	Syed Abdul Ali Shah, BA	13.10.1957, Mohmand Agency	26.3.1985	1.3.2008	25.01.2010	17	By promotion	SO, IPC Department 10.07.2008	
37.	Mr. Muhammad Javed Siddiqi, BA/LLB	3.1.1958, Peshawar	14.6.1976	16.4.2008	25.01.2010	17	By promotion	DMO (Nowshera), IMU Project. E&SE Deptt on deputation basis (20.10.2015)	
38.	Mr. Javed Khan, MA	2.9.1960, Swat	31.3.1985	1.3.2008	25.01.2010	17	By promotion	SO, Transport Dept, 02.12.2008.	

S.No.	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN B.S.	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
39	Mr. Nasir Aman, MA	28.9.1960, Chitral	17.4.1985	1.3.2008	25.01.2010	17	By promotion	SO, Finance Deptt (11.11.2015)	
40	Mr. Sakhi-ur-Rehman, BA	10.3.1957, Dir	9.9.1978	1.3.2008	25.01.2010	17	By promotion	SO, Mineral Dev. Deptt: 21.03.2014	
41	Mr. Muhammad Yaqoob Barki, BA	2.2.1967 S.W. Agency	01.07.1995	20.03.2008	25.03.2010	17	By Promotion	Addl: AC-I, Lakki Marwat, 04.04.2014	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal No. 1586 of 2010
42	Mr. Muhammad Kashif Nadeem, BA LLB	11.9.1970 D.I.Khan	01.07.1995	06.09.2008	25.03.2010	17	By Promotion	Finance officer, Tank, 01.01.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Peshawar High Court, Peshawar In Writ Petition No. 2792-P/2013 announced on 17.1.2014
43	Mr. Ghazi Nawaz, BA	3.3.1967, FR D.I.Khan	22.03.1985	06.09.2008	25.03.2010	17	By Promotion	Addl. Assistant Commissioner-II, D.I. Khan 29.10.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal



**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar October 3, 2019

(13)

NOTIFICATION

NO. SO(E-I)E&AD/5-1/2019, The Competent Authority, on the recommendations of Provincial Selection Board, in its meeting held on 23.09.2019, is pleased to appoint the following officers, from PMS BS-18 to PMS BS-19, on acting charge basis, with immediate effect:-

S. No.	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Khalid Mahmood	Additional Deputy Commissioner (F&P) Lakod Marwat.
2.	Mr. Hafizullah	Additional Deputy Commissioner, Tank
3.	Mr. Javedullah Mehsood	Director, LG&RD Merged Areas
4.	Mr. Misal Khan	Deputy Secretary(L&O) Merged Areas Sectr
5.	Mr. Habibullah-I	Deputy Secretary-cum-PS to Chief Secretary
6.	Mr. Manzoor Etrini	Additional Secretary, Agriculture Department
7.	Mr. Mirzali	Deputy Secretary, Merged Areas Sectr
8.	Mr. Muhammad Saadullah	Additional Secretary (Regulation-II) E&A Department
9.	Ms. Mussarrat Inmail Butt	Posted in Establishment Division, on deputation basis.
10.	Mr. Abdul Kabir Khan	Additional Commissioner, Mardan Division, Mardan
11.	Mr. Javed Ali	Deputy Secretary-cum-Dy. Director, STI
12.	Mr. Muhammad Rehman	Deputy Secretary, Home & T.As Deptt
13.	Mr. Javed Khan	Deputy Secretary, Finance Deptt
14.	Mr. Nasir Aman	Additional Secretary (Reg. I) E&A Department
15.	Mr. Muhammad Yaqoob Barki	Additional Commissioner, D.I.Khan

Officers

2. The officers mentioned at Sr. No. 6, 8, 10, 14 & 15 are allowed to actualize their promotion against their already occupied posts. However, posting/transfer notification in respect of officers mentioned at Sr. No. 1, 2, 3, 4, 5, 7, 9, 11, 12, & 13 will be issued later on.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

LIST OF EVEN NO. & DATE

Copy forwarded to the -

1. Additional Chief Secretary, P&D Department
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa
3. Principal Secretary to Governor, Khyber Pakhtunkhwa
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
5. All Administrative Secretaries in Khyber Pakhtunkhwa
6. All Divisional Commissioners, Khyber Pakhtunkhwa
7. Accountant General, Khyber Pakhtunkhwa
8. All Deputy Commissioners in Khyber Pakhtunkhwa
9. Director General, Information & Public Relations Peshawar
10. District Accounts Officer concerned Districts
11. PSO to Chief Secretary, Khyber Pakhtunkhwa
12. PS to Chief Secretary, Khyber Pakhtunkhwa
13. PS to Secretary Establishment, E&A Department
14. PS to Secretary Establishment/PS to SS(EYSS (Reg)/PA, AS(HRDYAS(EV) DS(EV) SO(EI)YSO(EV) E&AD
15. PS to Secretary (Admin) D.S(A)SO(Secretary)Estate Officer/ACSO Cypher/Dy Director (IT) and Director Protocol Administration Department
16. Officers concerned
17. Controller, Govt. Printing Press, Peshawar

[Signature]
SECTION OFFICER (ESTT-I)
PHONE NO. 091-2211171



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

Annex-G

Dated Peshawar, the November 14, 2018

16

NOTIFICATION

No.SO(Policy)E&AD/1-16/2018. – The Competent Authority is pleased to direct that in the “Khyber Pakhtunkhwa Civil Servants Promotion Policy, 2009” circulated vide this department letter No.SOE-III(E&AD)1-3/2008 dated 28.1.2009, the following further amendment shall be made, namely:-

AMENDMENT

1. For sub-para (k) of Para-III, the following shall be substituted:

“(k) The officers who attained the age of 50 years or above on the scheduled date of commencement of the training of Mid Career Management Course (MCMC) shall be exempted from the said training. Similarly, the officers who attained the age of 58 years or above on the scheduled date of commencement of the training of Senior Management Course (SMC)/National Management Course (NMC) and National Defense Course (NDC) shall be exempted from respective mandatory training. The exemption already extended to professional and technical cadres will continue as the professionals/technocrats undertake their specialized training separately.”

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

ENDST: NO & EVEN DATE

Copy is forwarded to:-

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, P&D Department.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. All Special Secretaries, Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.

19/11/18

And - H

MEM NO (1)

ESTABLISHMENT DEPARTMENT
(Meeting of PSB held on 28.12.2016)

SUBJECT: PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and thirty three (133) where one hundred and sixteen (116) Officers are already working. Hence seventeen (17) posts are lying vacant. Moreover the Secretary further apprised the Board that these posts were reserved for those Officers who were undergoing mandatory training for promotion. They have now completed the requisite training and eligible to be considered for promotion.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

"By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination"

3. The service record of the officers included in the panel was discussed one by one as under:-


S. #	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good. The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.
2	Mr. Maqsood Hassan	His date of birth is 10.03.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as the Board was informed that he was involved in a NAB case and had also not undergone mandatory training. He has now undergone mandatory training. However the NAB case is still pending against him.

[Signature]
Officer (P.S.S)
Govt. of Khyber Pakhtunkhwa
Establishment Department

(D)

[Handwritten initials and signatures]

1. Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
12. Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training for promotion, however an enquiry is pending against him.</p> <p>The Board recommended to defer his promotion.</p>
13. Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
14. Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
15. Mr. Muhammad Yaqub Barki	<p>His date of birth is 02.02.1967. He joined government service on 01.07.1995. He was promoted to BS-17 on 25.03.2010. The Board in its meeting held on 29.06.2016, 27.07.2016 and</p>


 Section Officer (PSB)
 Govt. of Khyber Pakhtunkhwa
 Establishment Department

MOST IMMEDIATE

THROUGH REGISTERED A.D



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SOE-II(ED)2(574)2009/Vol II
Dated Peshawar the May 13, 2020

To

Mr. Asadullah Khan (PMS BS-17),
Additional Deputy Commissioner (F&P),
Shangla.

Subject: **PERSONAL HEARING**

Refer to the subject captioned above and to enclose herewith copy of Government of Khyber Pakhtunkhwa Administration Department letter No: PS/Secy(A)/Misc/2019 dated: 13.05.2020 (which is self-explanatory).

2. You are requested to attend the office of Secretary Administration, Khyber Pakhtunkhwa on 18.05.2020 at 1100 hours for personal hearing.

Encl: As above.

(Signature)
(SHAIBAZ KHATTAK)
SECTION OFFICER (E-II)
Ph. 091-9210551

CC.

PS to Secretary Administration, Khyber Pakhtunkhwa with reference to letter No. quoted above.

(E)

To

The Chief Minister KPK
(Competent authority) Peshawar

Am-J

(20)

Subject: Departmental appeal

R/Sir

with due respect I submit
as under:

- (1) That vide order dated 3/3/2009 I am
a PMS officer (BS-17) (copy enclosed)
- (2) That my promotion was deferred due to
lack of Training, vide P.S.B minutes dated
10/5/2016 and my Juniors were promoted to
PMS (BS-18) on regular basis w.e.f. 27/5/2016
vide order dated 17/6/2016 (copies enclosed)
- (3) That after completion of my Training I was
again deferred due to pending inquiry
vide P.S.B minutes dated 28/12/2016 (copy enclosed)
- (4) That during pendency of my inquiry my
Juniors were appointed/promoted to PMS
(BS-19) on acting charge basis vide order
dated October 3, 2019. (copy enclosed)

- 5) That vide letter dated May 13, 2020 I was given an opportunity of personal hearing and was latter on verbally informed that the inquiry proceedings have been finalized. (Copy enclosed)
- 6) that I shall complete 12 years length of service on 3/3/2021 in (BS-17)
- 7) that my Juniors have been promoted to PMS (BS-18) and PMS (BS-19) due to exemption from Training on account of age factor as they were above 50 years of age. I was also above 50 years of age when my juniors were appointed/promoted to PMS (BS-19)
- 8) That vide para v (d) of the promotion policy 2009 and Peshawar High Court judgment dated 4/6/2010 allow promotion to me from that date when my juniors were promoted to PMS (BS-18) & PMS (BS-19)
(Copies enclosed)

(2)

(22)

It is, therefore, humbly requested that I may kindly be considered for promotion and may be promoted to PMS (BS-18) and PMS (BS-19) with all back service and monetary benefits from the dates when my juniors were promoted to PMS (BS-18) and PMS (BS-19) please.

Thanks

yours faithfully
Asad

Dated 2/6/2020

Asad ulah Khan
ADC (F&P)
Dist: Changle

No. 44

For Insurance Notices see...
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Received a registered addressed to Asad Khan

Date Stamp: 02 JUN 2020

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Initials of Receiving Officer AS

Insured for Rs. (in figures) 0 (in words)

If insured: Insurance fee Rs. 0 Ps. 0 (in words) Weight 0 Kilo Grams

Name and address of sender 2/6/20



Ans - K

(23)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar, the January 21, 2021

NOTIFICATION

NO.SO(E-I)E&AD/6-1/2021. The Competent Authority, on the recommendations of the Provincial Selection Board, in its meeting held on 30.12.2020, is pleased to promote the following officers from PMS BS-17 to PMS BS-18, on regular basis with immediate effect:-

S. #	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Asadullah Khan	Additional Deputy Commissioner (F&P), Shangla
2.	Mr. Abdul Mateen Khan Qasuria	Additional Deputy Commissioner (General), Tank
3.	Mr. Saleem Jan	Deputy Secretary, Sports, Culture & Tourism Department.
4.	Mr. Irfan Ali	Additional Deputy Commissioner (F&P), Swat
5.	Mr. Gohar Ali	Additional Deputy Commissioner (General), Swabi

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. Consequent upon above, all the officers mentioned in Para-01 are allowed to actualize their promotion against their already occupied posts.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. Director Information & P.R Department.
10. District Accounts Officer concerned.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretaries, Establishment & Administration Department.
13. PS SS(E)/SS(Reg)/AS(HRD)/AS(E)/DS(E)/SO(E.II)/SO(E.V) E&AD.
14. PA to DS(A)/SO(Secret)/Estate Officer/ACSO Gypher/Dy. Director (IT) and Director Protocol Administration Department.
15. Officers concerned.
16. Controller, Govt. Printing Press, Peshawar.

(ZIA UL HAQ)
SECTION OFFICER (E.I)

PH: # 091-9210529

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

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

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7.	Copy of Notification dated 03.10.2019	F	15
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9.	Copy of minutes of meeting dated 28.12.2016	H	17-18
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Appellant

Through


Amjad Ali (Mardan)
Advocate

Supreme Court of Pakistan

Cell: 0321-9882434

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No.946-P/2018

Asad Ullah Khan.....Appellant

VERSUS

Provincial Govt. of KP, through
Secretary Establishment and others.....Respondents

**APPLICATION FOR PERMISSION TO
AMEND APPEAL BY INCLUDING PRAYER
TO ANTEDATE PROMOTION ORDER OF
APPELLANT DATED 21.01.2021 FROM
BPS17 TO BPS-18 W.E.F. 27.05.2016 WITH
ALL BACK BENEFITS AND
CONSIDERATION FOR PROMOTION TO
RMS (BPS-19) ON REGULAR BASIS W.E.F.
03.10.2019 WITH ALL BACK BENEFITS.**

Respectfully Sheweth:-

- 1) That appellant is a PMS Officer w.e.f. 03.03.2009 vide order dated 03.03.2009.
- 2) That the meeting of Provincial Selection Board was held on 10.05.2016 and the name of the appellant was placed before the Provincial Selection Board (BCB) for the first time for consideration for promotion to BPS-18, but the appellant was deferred due to lack of training, while his juniors, such as Muhammad Rehman, Fazad Khan, Javid Khan and Nasir Aman etc were promoted to BPS-18 on regular basis as they were exempted from training due

to age factor. These juniors were promoted vide order dated 17.06.2016 w.e.f. 27.05.2016.

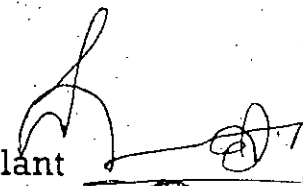
“B”)

- 3) That these juniors were again promoted/ appointed from PMS (BPS-18) to PMS (BPS-19) on acting charge basis vide order dated 03.10.2019 due to age factor as they were above 50 years of age and were exempted from training vide notification dated 14.11.2018. The appellant was also above 50 years of age at that time.
- 4) That after completion of training the name of the appellant was again placed before Provincial Selection Board meeting dated 28.12.2016 for the second time, but was deferred due to pending inquiry.
- 5) That the appellant was given an opportunity of personal hearing vide letter dated 13.05.2020 and later on was verbally informed that the inquiry has been finalized. The appellant, therefore, submitted appeal before the respondent/ competent authority dated 02.06.2020 through registry with the request to promote the appellant from PMS (BPS-17) to PMS (PS-18) and BPS-19 with all back service and monetary benefits from the dates when his juniors were promoted to BS-18 and BPS-19.
- 6) That vide order dated 21.01.2021, the appellant was promoted to PMS (BS-18) on regular basis with immediate effect.


- 7) That the appellant will complete 12 years length of service on 03.03.2021 in BPS-17 and BPS-18, which is mandatory for regular promotion to BPS-19.
- 8) That during pendency of instant service appeal, juniors to appellant have been promoted to BPS-18 and thereafter to BPS-19 during pendency of appeal and appellant has been promoted to BPS-18, but with immediate effect as the reason for deferment has been extinguished. As per judgment of Supreme Court of Pakistan when reason for deferment is over appellant ought to be restored to the position when his colleagues are performing duty.

It is therefore, humbly prayed that on acceptance of this application, permission for amendment of Service appeal as detailed in the subject of application may please be granted.

Dated:

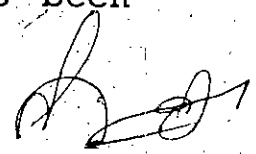
Appellant 

Through


Amjad Ali (Madan)
 Advocate
 Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.



Deponent





GOVERNMENT OF *And - B*
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Dated Peshawar, the June 17, 2016

NOTIFICATION

NO.SO(E-I)E&AD/5-1/2016, Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following officers of Provincial Management Service (PMS) from BS-17 to BS-18, on regular basis with effect from 27.5.2016:-

S.#	NAMES OF OFFICERS
1.	Mr. Mansoor Qaiser
2.	Mr. Muhammad Asghar Khan
3.	Mr. Abdul Hadi
4.	Mr. Abdul Malik
5.	Syed Noor Ahmad Shah
6.	Mr. Misal Khan
7.	Mr. Manzoor Elahi
8.	Mr. Sardar Ali
9.	Mr. Mirzali
10.	Mr. Muhammad Saeed Ullah
11.	Ms. Mussarrat Ismail Butt
12.	Mr. Abdul Kabir Khan
13.	Mr. Muhammad Rehman
14.	Mr. Fazad Khan,
15.	Syed Abdul Ali Shah,
16.	Mr. Muhammad Javed Siddiqi,
17.	Mr. Javed Khan
18.	Mr. Nasir Aman
19.	Mr. Sakhi-ur-Rehman

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 1973 till their retirement, whichever is earlier, as the case may be.

3. Consequent upon the above, the officers will remain posted as under:-

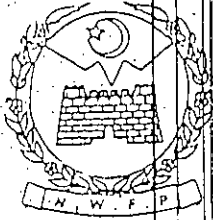
SR.#	NAMES OF OFFICERS	FROM	TO
1.	Mr. Mansoor Qaiser (PMS BS-18)	Secretary to Commissioner, D.I.Khan	Secretary to Commissioner, D.I.Khan
2.	Mr. Muhammad Asghar Khan (PMS BS-18)	ACR Bannu	Deputy Secretary, Zakat, Ushr, Social Welfare and Women Empowerment Department, against the vacant post.
3.	Mr. Abdul Hadi (PMS BS-18)	Section Officer, Zakat, Ushr Department.	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.



(6)

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

SR.#	NAMES OF OFFICERS	FROM	TO
4.	Mr. Abdul Malik (PMS BS-18)	PRO-cum- Protocol Officer, FATA Development Authority	Deputy Secretary, Population Welfare Department, against the vacant post.
5.	Syed Noor Ahmad Shah (PMS BS-18)	Section Officer, Finance Department	Deputy Secretary, Finance Department, against the vacant post.
6.	Mr. Misal Khan (PMS BS-18)	Section Officer, Irrigation Department.	Deputy Secretary, C&W Department, vice Sr. No. 7.
7.	Mr. Javed Akhter (PMS BS-18)	Deputy Secretary, C&W Department	Deputy Secretary in ESAD against the vacant post.
8.	Mr. Manzoor Elahi (PMS BS-18)	PS to Ikram Khan Gandapur	Deputy Secretary, E&SE Department, against the vacant post.
9.	Mr. Sardar Ali (PMS BS-18)	Section officer, IPC Department	Deputy Secretary, Chief Minister's Secretariat, against the vacant post.
10.	Mr. Mirzali (PMS BS-18)	Section Officer, Environment Department	Deputy Secretary, LG&RD Department, against the vacant post.
11.	Mr. Muhammad Saeed Ullah (PMS BS-18)	Section Officer (Secret) E&A Department	Deputy Secretary (Reg. III), E&A Department, against the vacant post.
12.	Ms. Mussarrat Ismail Bull (PMS BS-18)	Section Officer, Cabinet Division, Islamabad (on deputation)	Repatriate to Establishment Department and further posted as Deputy Secretary, Finance Department, against the vacant post.
13.	Mr. Abdul Kabir Khan (PMS BS-18)	Adl AC Alpuri, Shangla.	Deputy Secretary (Policies) E&A Department, against the vacant post.
14.	Mr. Muhammad Rehman (PMS BS-18)	Monitoring officer, E&SE Department	Deputy Secretary, E&SE Department, against the vacant post.
15.	Mr. Fazad Khan, (PMS BS-18)	Section Officer, Agriculture Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
16.	Syed Abdul All Shah, (PMS BS-18)	Section Officer, IPC Department.	Deputy Secretary, Governor's Secretariat, against the vacant post.
17.	Mr. Muhammad Javed Siddiqi (PMS BS-18)	DMO, IMU, E&SE Deptt	Deputy Secretary, Finance Department, against the vacant post.
18.	Mr. Javed Khan (PMS BS-18)	Section officer, Transport Deptt.	Deputy Secretary (Reg. IV) E&A Department, against the vacant post.
19.	Mr. Nasir Aman (PMS BS-18)	Section Officer, Finance Deptt	Deputy Secretary (Reg. I) E&A Department, against the vacant post.



Aux - A

4

**GOVERNMENT OF NWFP
ESTABLISHMENT DEPARTMENT**

Dated Peshawar the 3rd March, 2009

NOTIFICATION:

No: SOE-II(ED)2(192)2009: The Competent Authority, in consultation with the Provincial Selection Board is pleased to order the promotion of the following Tehsildars, to Provincial Management Service (BS-17) on regular basis with immediate effect:-

Sr. #	NAME OF OFFICER
1	Mr. Shabbir Muhammad
2	Mr. Afsar Ali Shah
3	Mr. Maqsood Hassan
4	Mr. Muhammad Jamal Azmat
5	Mr. Abdul Hameed Khan
6	Mr. Asadullah
7	Mr. Javed Ali
8	Mr. Tariq Ali

2. On their promotion the above officers will be on probation for a period of one year in terms of section-6(2) of NWFP Civil Servants Act 1973 read with Rule-15(1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1982.

3. Posting / Transfer orders of above named officers will be issued later on.

CHIEF SECRETARY, N.W.F.P.

ENDST:NO: SOE-II (ED)2(192) 2009

Dated Peshawar the 3rd March, 2009

A copy is forwarded to :-

1. Senior Member Board of Revenue, NWFP.
2. Secretary to Governor, NWFP.
3. Principal Secretary to Chief Minister, NWFP.
4. Secretary (Admn & Coord) Civil Secretariat FATA.
5. District Coordination Officers, Swabi, Nowshera, Swat & Dir Lower.
6. Political Agents, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
7. Accountant General, NWFP, Peshawar.
8. District Accounts Officers, Swabi, Nowshera, Swat & Dir Lower.
9. Agency Accounts Officers, Mohmand Agency / S. Waziristan Agency / Kurram Agency.
10. S.O. (Secret)/(Admn)/E-IV/E.O/Programmer/Librarian, E&A Dept.
11. Officers concerned:
12. P.S. to Chief Secretary NWFP.
13. P.S. to Secretary Establishment NWFP.
14. PA to Addl: Secretary (E) / Dy: Secretary (E) Establishment Department.
15. Personal files of the officers concerned.
16. Office Order file.
17. Manager, Govt Printing Press, Peshawar.

SEX

(A)



GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

(7)

PAGE-3

SR.#	NAMES OF OFFICERS	FROM	TO
20.	Mr. Sakhi-ur-Rehman (PMS BS-18)	Section Officer, Mineral Dev. Deptt.	Deputy Secretary, Higher Education, against the vacant post.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Additional Chief Secretary (FATA), FATA Secretariat.
4. All Administrative Secretaries in Khyber Pakhtunkhwa.
5. Principal Secretary to Governor, Khyber Pakhtunkhwa.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. Accountant General, Khyber Pakhtunkhwa.
9. Project Director, IMU Project, E&SE Department.
10. PS to Chief Secretary, Khyber Pakhtunkhwa.
11. PS to Secretary Establishment, E&A Department.
12. PS to Secretary Establishment/PS to SS(E)/SS (Reg)/PA.AS(HRD)/AS(E)/ DS(E.)/
SO(E.II)/SO(E.V)
13. PS to Secretary (Admn.)/D.S(A)/SO(Secret)/Estate Officer/ACSO Cypher/Dy Director
(IT) and Director Protocol Administration Department.
14. Officers concerned.
15. Controller, Govt. Printing Press, Peshawar.

(KASHIF IQBAL JILANI)
SECTION OFFICER (ESTT, I)
PHONE & FAX # 091-9210529

ZIA-UL-HAQ

ITEM NO (7)

ESTABLISHMENT DEPARTMENT

(Meeting of PSB held on 10.05.2016)

Ann-c
(8)

SUBJECT: - PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and twenty seven (127) where one hundred and six (106) officers are already working. Hence twenty one (21) posts of BS-18 are lying vacant.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

- i. By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination.
- ii. Under the policy of Provincial Government, eighteen (18) months training is mandatory for promotion to BS-18. However the officers who attained the age of 50 years or above on 1st July of the year in which the training is scheduled or promotion is being considered shall be exempted from training.

3. The service record of the officers included in the panel was discussed one by one as under: -

S No	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. Position is still the same. The Board recommended to defer his promotion
2.	Mr. Mansoor Qaiser	His date of birth is 30.03.1966. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015 and 30.11.2015 recommended to defer his promotion as he had not undergone training mandatory for promotion. He is now exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.

(9)

		<p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation till retirement.</p>
24.	Ms. Mussarrat Ismail Butt	<p>Her date of birth is 01.01.1962. She joined government service on 13.12.1982. She was promoted to BS-17 on 03.03.2009. She is exempted from training mandatory for promotion due to age factor. No enquiry is pending against her. Her service record upto 2015 is generally good. Presently she is on deputation to Cabinet Division Islamabad.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. She will be on probation for a period of one year. She will actualize promotion in her own cadre.</p>
25.	Mr. Abdul Kabir Khan	<p>His date of birth is 25.04.1965. He joined government service on 29.04.1998. He was promoted to BS-17 on 21.12.2011. He is exempted from training mandatory for promotion due to age factor. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
26.	Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
27.	Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
28.	Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p> <p>The Board recommended to defer his promotion.</p>
29.	Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. He has not undergone training mandatory for promotion</p>



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

Ann - D

NO.SOE-II(ED)2(8)2015

Dated Peshawar the January 05, 2016

10

To

1. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
2. Additional Chief Secretary, P&D, Khyber Pakhtunkhwa.
3. Additional Chief Secretary, FATA.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Political Agents in FATA.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.

Subject:- TENTATIVE SENIORITY LIST OF PCS (EG) & PMS OFFICERS
BS-17 AS STOOD ON 31/12/2015

Dear Sir,

I am directed to refer to the captioned subject and to enclose copies of tentative seniority lists of PCS (EG) & PMS BS-17 officers as it stood on 31/12/2015 alongwith certificate proforma with the request that the same may be circulated amongst the PCS (EG) & PMS BS-17 officers working in your respective Department/ Division/District/Agency.

I am further directed to request you to direct all concerned that the certificate may be returned to this Department duly signed, indicating error/omission, if any, for the purpose of rectification alongwith attested supporting documents up to 28.02.2016. In case of receipt of no response by the due date, it would be considered that particulars have been accepted as correct.

Diary No: 18

Date: 13-01-16

Signature
12/01/15

Signature
13/01

Signature
15/11/mb

Yours faithfully,

Signature
5-1-2016

ENDST: NO & DATE EVEN

SECTION OFFICER(E-II)

Copy is forwarded to:-

1. PS to Chief Secretary, Khyber Pakhtunkhwa.
2. PS to Secretary Establishment.
3. PS to Special Secretary (Estt), Establishment Department.
4. PAs to AS(E)/AS(HRD) / DS(E), Establishment Department.

Signature
5-1-2016

SECTION OFFICER(E-II)

Copy to
94
12-01-16

Khyber Pakhtunkhwa

Diary No: 23

Dated: 13-1-016

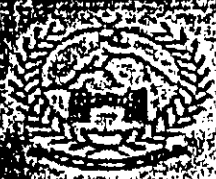
TENTATIVE SENIORITY LIST OF PMS BS-17 OFFICERS AS STOOD ON 31.12.2015

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST EMPLOYMENT INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BS-16	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
1.	Mr. Jehanzeb Khan, BSc, Engineering	12.4.1967, Nowshera	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Land Acquisition Collector, SNGPL, Peshawar on deputation basis (20.03.2015)	
2.	Mr. Mansoor Qaiser, MA	30.3.1966, D.I.Khan	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Secretary to Commissioner, D.I.Khan 18.07.2013	
3.	Mr. Maqsood Hassan, MSc (Maths)	10.3.1967, Kohat	1.1.1992	6.9.2008	27.5.2008	17	By promotion	Section Officer Officer (L/R) (under suspension) 28.08.2014	Regained seniority w.e.f. 27.05.2008
4.	Mr. Sajid Ahmad, MA	30.4.1965, Kohat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Section Officer, Health Deptt: (13.12.2013)	
5.	Mr. Abdul Ghafoor Shah, M.Sc.	6.8.1967, Lakki Marvat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant Commissioner, Hangu 30.10.2013	
6.	Mr. Muhammad Asghar Khan, MA (Eng)	15.3.1966, Lakki Marvat	1.1.1992	20.3.2008	27.5.2008	17	By promotion	Assistant to Commissioner (Rev), Bannu Div. 07.11.2013	
7.	Mr. Fazl-e-Qadir, MSC	1.1.1969, Karak	1.7.1995	20.3.2008	27.5.2008	17	By promotion	Asstt. to Commissioner (Pol), Kohat 17.11.2015	
8.	Mr. Abdul Hadi, B.A	2.2.1966/ Dir Upper	1.7.1999	20.03.2008	27.05.2008	17	By promotion	Section Officer, Zakat, Social Welfare, Special Education & Women Empower (23.10.2014)	
9.	Syed Muhammad Suhail, BA	29.10.1967, Peshawar	19.11.1990	20.3.2008	27.5.2008	17	By promotion	S.O. Health Department (13.08.2015)	
10.	Mr. Khalid Mehmood, MA	15.3.1967, D.I.Khan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	District Officer (F&P), Karak (20.10.2015)	
11.	Mr. Hafizullah, M.Sc.	31.12.1970, D.I.Khan	1.7.1995	20.3.2008	27.5.2008	17	By promotion	LAC, MHA D.I.Khan 27.12.2011	
12.	Mr. Abdul Malik, BA/LLB	3.1.1959, Peshawar	4.7.1977	29.5.2006	7.11.2008	17	By promotion	Pro-Cum-Protect Officer, FATA Development Authority on deputation basis. 12.09.2015	

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S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF 1ST ENTRY INTO GOVT. SERVICE	DATE OF APPOINTMENT/PROMOTION IN BS	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
13.	Mr. Muhammad Saeed-I, Matric	12.1.1956 Peshawar	12.9.1975	5.4.2007	7.11.2008	17	By promotion	Section Officer, W&S Dept 19.11.2007	
14.	Mr. Qayyum Nawaz, MA	7.4.1958, Tank	1.1.1992	20.3.2008	7.11.2008	17	By Promotion	(he is under suspension) S.O(L/R)	
15.	Mr. Mumtaz Ahmad, BA	10.1.1956 Nowshera	20.04.1976	20.03.2008	21.12.2011	17	By Promotion	Deputy Secretary, Labour Deptt in his own and and scale, against the vacant post (08.10.2015)	Regained seniority w.e.f.07.11.2008
16.	Mr. Rehan Gul Khattak, MA	10.1.1971, Karak	1.7.1995	20.3.2008	7.11.2008	17	By promotion	Section Officer (L/R) [01.01.2014 to 31.01.2016]	
17.	Mr. Javedullah Mehsood, MA	15.10.1967, S.W.A	1.7.1995	20.3.2008	7.11.2008	17	By promotion	APA, FR Bannu. 02.05.2013.	
18.	Mr. Niamatullah, Matric,	29.4.1956 Peshawar	29.1.1976	5.4.2007	3.3.2009	17	By promotion	Section Officer, Irrigation Deptt.	
19.	Syed Noor Ahmad Shah, M.A.	25.10.1958 Peshawar	9.7.1977	5.4.2007	3.3.2009	17	By promotion	Section Officer, Finance Dept 3.5.2007	
20.	Mr. Misal Khan, M.A.	8.1.1960 Peshawar	30.10.1979	5.4.2007	3.3.2009	17	By promotion	SO Irrigation Department (20.10.2014)	
21.	Mr. Habibullah-I, Matric,	9.9.1966 Peshawar	1.1.1985	5.4.2007	3.3.2009	17	By promotion	PS to CS, 30.3.2009	
22.	Mr. Manzoor Elahi, B.A.	19.6.1960 Mardan.	29.9.1979	5.4.2007	3.3.2009	17	By promotion	Private Secretary in o/o of Ikram Khan Gandapore 03.04.2014	
23.	Mr. Sardar Ali, B.A.	5.1.1959 Peshawar	1.6.1979	5.4.2007	3.3.2009	17	By promotion	Section Officer, IPC Department (09.06.2015))	
24.	Mr. Mirzali, M.A.	11.2.1966 Bannu	5.8.1989	5.4.2007	3.3.2009	17	By promotion	SO, Environment Dept 20.06.2009	
25.	Mr. Muhammad Saeed Ullah B.A.	1.3.1966 Chitral	7.11.1990	5.4.2007	3.3.2009	17	By promotion	Report to E&A Deptt 27.11.2015	
26.	Mr. Shams-ur-Rehman, Matric	8.6.1956, Chitral	08.05.1976	19.12.2007	3.3.2009	17	By promotion	SO (VIP-Flight-II) Administration Department, 24.1.2011	
27.	Ms. Mussarrat Ismail Butt, BA	1.1.1962, Peshawar	13.12.1983	19.12.2007	3.3.2009	17	By promotion	On deputation to Cabinet Division, Islamabad, 15.11.2011 (07.10.2013)	

S.No	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH AND DOMICILE	DATE OF ENTRY INTO GOVT SERVICE	DATE OF APPOINTMENT/PROMOTION IN BS	REGULAR APPOINTMENT/PROMOTION TO PRESENT POSTS			PRESENT APPOINTMENT	REMARKS
					DATE	BPS	METHOD OF RECRUITMENT		
39	Mr. Nasir Aman, MA	28.9.1960, Chitral	17.4.1985	1.3.2008	25.01.2010	17	By promotion	SO, Finance Deptt (11.11.2015)	
40	Mr. Sakhi-ur-Rehman, BA	10.3.1957, Dir	9.9.1978	1.3.2008	25.01.2010	17	By promotion	SO, Mineral Dev. Deptt: 21.03.2014	
41	Mr. Muhammad Yaqoob Barki, BA	2.2.1967 S.W. Agency	01.07.1995	20.03.2008	25.03.2010	17	By Promotion	Addl: AC-I, Lakki Marwat, 04.04.2014	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal No. 1586 of 2010
42	Mr. Muhaminad Kashif Nadeem, BA LLB	11.9.1970 D.I.Khan	01.07.1995	06.09.2008	25.03.2010	17	By Promotion	Finance officer, Tank, 01.01.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Peshawar High Court, Peshawar In Writ Petition No. 2792-P/2013 announced on 17.1.2014
45	Mr. Ghazi Nawaz, BA	3.3.1967, FR D.I.Khan	22.03.1985	06.09.2008	25.03.2010	17	By Promotion	Addl. Assistant Commissioner-II, D.I. Khan 29.10.2013	He regained seniority w.e.f. 25.03.2010 in light of the judgment of Services Tribunal dated 28.12.2012 in Service Appeal



**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar October 3, 2019

NOTIFICATION

NO. SO(E-I)E&AD/5-1/2019, The Competent Authority, on the recommendations of Provincial Selection Board, in its meeting held on 23.09.2019, is pleased to appoint the following officers, from PMS BS-18 to PMS BS-10, on acting charge basis, with immediate effect:-

S. No.	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Khalid Mahmood	Additional Deputy Commissioner (F&P) Lakod Marwat.
2.	Mr. Hafizullah	Additional Deputy Commissioner, Tank
3.	Mr. Javedullah Mehtood	Director, LG&RD Merged Areas
4.	Mr. Misal Khan	Deputy Secretary(L&O) Merged Areas Sectt.
5.	Mr. Habibullah-I	Deputy Secretary-cum-PS to Chief Secretary
6.	Mr. Manzoor Elahi	Additional Secretary, Agriculture Department.
7.	Mr. Mirzali	Deputy Secretary, Merged Areas Sectt.
8.	Mr. Muhammad Saadullah	Additional Secretary (Regulation-II) E&A Department.
9.	Ms. Mussarrat Inmail Butt	Posted in Establishment Division, on deputation basis.
10.	Mr. Abdul Kabir Khan	Additional Commissioner, Mardan Division, Mardan
11.	Mr. Javed Ali	Deputy Secretary-cum-Dy. Director, STI
12.	Mr. Muhammad Rehman	Deputy Secretary, Home & T.As Deptt.
13.	Mr. Javed Khan	Deputy Secretary, Finance Deptt.
14.	Mr. Nasir Aman	Additional Secretary (Reg. II) E&A Department.
15.	Mr. Muhammad Yaqoob Bard	Additional Commissioner, D.I.Khan

Annex

2. The officers mentioned at Sr. No. 6, 8, 10, 14 & 15 are allowed to actualize their promotion against their already occupied posts. However, posting/transfer notification in respect of officers mentioned at Sr. No. 1, 2, 3, 4, 5, 7, 9, 11, 12, & 13 will be issued later on.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

LIST OF EVEN NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Ch of Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa.
6. All Divisional Commissioners, Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa
8. All Deputy Commissioners in Khyber Pakhtunkhwa
9. Director General, Information & Public Relations Peshawar.
10. District Accounts Officer concerned Districts
11. PSO to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Chief Secretary, Khyber Pakhtunkhwa.
13. PS to Secretary Establishment, E&A Department.
14. PS to Secretary Establishment/PS to SS(EYSS (Reg)/PA. AS(HRDYAS/EY DS(EY SO(EI)YSO(EV) ESAD.
15. PS to Secretary (Admin) D.S(A)SO(Secret)Estate Officer/CSO Cypher/Dy Director (IT) and Director Protocol Administration Department.
16. Officers concerned.
17. Controller, Govt. Printing Press, Peshawar.

[Signature]
SECTION OFFICER (ESTT. II)
PHONE: 021-221077



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

Annex-G

Dated Peshawar, the November 14, 2018

16

NOTIFICATION

No.SO(Policy)E&AD/1-16/2018. – The Competent Authority is pleased to direct that in the “Khyber Pakhtunkhwa Civil Servants Promotion Policy, 2009” circulated vide this department letter No.SOE-III(E&AD)1-3/2008 dated 28.1.2009, the following further amendment shall be made, namely:-

AMENDMENT

1. For sub-para (k) of Para-III, the following shall be substituted:

“(k) The officers who attained the age of 50 years or above on the scheduled date of commencement of the training of Mid Career Management Course (MCMC) shall be exempted from the said training. Similarly, the officers who attained the age of 58 years or above on the scheduled date of commencement of the training of Senior Management Course (SMC)/National Management Course (NMC) and National Defense Course (NDC) shall be exempted from respective mandatory training. The exemption already extended to professional and technical cadres will continue as the professionals/technocrats undertake their specialized training separately.”

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

ENDST: NO & EVEN DATE

Copy is forwarded to:-

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, P&D Department.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. All Special Secretaries, Additional Secretaries, Deputy Secretaries and Section Officers in Establishment & Administration Department.

19/11/18

And - H

MEM NO (1)

ESTABLISHMENT DEPARTMENT
(Meeting of PSB held on 28.12.2016)

SUBJECT: PROMOTION OF PMS BS-17 OFFICERS TO BS-18.

Secretary Establishment apprised the Board that number of schedule posts in BS-18 falling to the share of PCS (EG)/PCS (SG) and PMS are one hundred and thirty three (133) where one hundred and sixteen (116) Officers are already working. Hence seventeen (17) posts are lying vacant. Moreover the Secretary further apprised the Board that these posts were reserved for those Officers who were undergoing mandatory training for promotion. They have now completed the requisite training and eligible to be considered for promotion.

2. According to Service Rules of PMS, the post in BS-18 is required to be filled as under:-

"By promotion, on seniority-cum-fitness basis, from amongst the officers of PMS in BS-17 having at least five years service and have passed the prescribed Departmental Training or Departmental Examination".

3. The service record of the officers included in the panel was discussed one by one as under:-

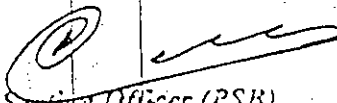
S. #	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1	Mr. Jehanzeb Khan	His date of birth is 12.04.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good. The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.
2	Mr. Maqsood Hassan	His date of birth is 10.03.1967. He joined government service on 01.01.1992. He was promoted to BS-17 on 27.05.2008. The Board in its meeting held on 04.06.2015, 30.11.2015, 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as the Board was informed that he was involved in a NAB case and had also not undergone mandatory training. He has now undergone mandatory training. However the NAB case is still pending against him.

[Signature]
Officer (P.S.S)
Govt. of Khyber Pakhtunkhwa
Establishment Department

(D)

[Handwritten marks and signatures]

11. Mr. Abdul Hameed Khan	<p>His date of birth is 09.02.1972. He joined government service on 29.04.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
12. Mr. Asadullah Khan	<p>His date of birth is 02.03.1969. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training for promotion, however an enquiry is pending against him.</p> <p>The Board recommended to defer his promotion.</p>
13. Mr. Javed Ali	<p>His date of birth is 15.08.1969. He joined government service on 15.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
14. Mr. Tariq Ali Khan	<p>His date of birth is 14.12.1970. He joined government service on 14.07.1998. He was promoted to BS-17 on 03.03.2009. The Board in its meeting held on 10.05.2016, 29.06.2016, 27.07.2016 and 29.08.2016 recommended to defer his promotion as he had not undergone training mandatory for promotion. He has now undergone mandatory training. No enquiry is pending against him. His service record upto 2015 is generally good.</p> <p>The Board recommended the officer for promotion to BS-18 on regular basis. He will be on probation for a period of one year.</p>
15. Mr. Muhammad Yaqub Barki	<p>His date of birth is 02.02.1967. He joined government service on 01.07.1995. He was promoted to BS-17 on 25.03.2010. The Board in its meeting held on 29.06.2016, 27.07.2016 and</p>


 Section Officer (PSB)
 Govt. of Khyber Pakhtunkhwa
 Establishment Department

MOST IMMEDIATE

THROUGH REGISTERED A.D



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SOE-II(ED)2(574)2009/Vol II
Dated Peshawar the May 13, 2020

To

Mr. Asadullah Khan (PMS BS-17),
Additional Deputy Commissioner (F&P),
Shangla.

Subject: **PERSONAL HEARING.**

Refer to the subject captioned above and to enclose herewith copy of Government of Khyber Pakhtunkhwa Administration Department letter No. PS/Secy(A)/Misc/2019 dated: 13.05.2020 (which is self-explanatory).

2. You are requested to attend the office of Secretary Administration, Khyber Pakhtunkhwa on 18.05.2020 at 1100 hours for personal hearing.

Encl: As above.

(Signature)
(SHAIBAZ KHATTAK)
SECTION OFFICER (E-II)
Ph. 091-9210551

CC.

PS to Secretary Administration, Khyber Pakhtunkhwa with reference to letter No. quoted above.

(E)

To

The Chief Minister KPK. Amd-J
(Competent authority) Peshawar

(20)

Subject: Departmental appeal

R/Sir

with due respect I submit
as under:

- 1) That vide order dated 3/3/2009 I am
a PMS officer (BS-17) (copy enclosed)
- 2) That my promotion was deferred due to
lack of Training vide P.S.B minutes dated
10/5/2016 and my Juniors were promoted to
PMS (BS-18) on regular basis w.e.f. 27/5/2016
vide order dated 17/6/2016 (copies enclosed)
- 3) That after completion of my Training I was
again deferred due to pending inquiry
vide P.S.B minutes dated 28/12/2016 (copy enclosed)
- 4) That during pendency of my inquiry my
Juniors were appointed/promoted to PMS
(BS-19) on acting charge basis vide order
dated October 3, 2019. (copy enclosed)

5) That vide letter dated May 13, 2020 I was given an opportunity of personal hearing and was latter on verbally informed that the inquiry proceedings have been finalized. (Copy enclosed)

6) That I shall complete 12 years length of service on 3/3/2021 in (BS-17)

7) That my Juniors have been promoted to PMS (BS-18) and PMS (BS-19) due to exemption from Training on account of age factor as they were above 50 years of age. I was also above 50 years of age when my juniors were appointed/promoted to PMS (BS-19)


8) That vide para v (d) of the promotion policy 2009 and Peshawar High Court judgment dated 4/6/2010 allow promotion to me from that date when my juniors were promoted to PMS (BS-18) & PMS (BS-19) (Copies enclosed)

(2)

(22)

It is, therefore, humbly requested that I may kindly be considered for promotion and may be promoted to PMS (BS-18) and PMS (BS-19) with all back service and monetary benefits from the dates when my juniors were promoted to PMS (BS-18) and PMS (BS-19) please.

Thanks

yours faithfully


Dated : 2/6/2020

Asad Ullah Khan
 ADL (F&P)
 Dist: Shangla

No. 44

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 the initial weight prescribed in the
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Ans - K

(23)

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

Dated Peshawar, the January 21, 2021

NOTIFICATION

NO. SO(E-4)E&AD/6-1/2021. The Competent Authority, on the recommendations of the Provincial Selection Board, in its meeting held on 30.12.2020, is pleased to promote the following officers from PMS BS-17 to PMS BS-18, on regular basis with immediate effect:-

S. #:	NAMES OF OFFICERS	PRESENT POSTING
1.	Mr. Asadullah Khan	Additional Deputy Commissioner (F&P), Shangla
2.	Mr. Abdul Mateen Khan Qasuria	Additional Deputy Commissioner (General), Tank
3.	Mr. Saleem Jan	Deputy Secretary, Sports, Culture & Tourism Department
4.	Mr. Irfan Ali	Additional Deputy Commissioner (F&P), Swat
5.	Mr. Gohar Ali	Additional Deputy Commissioner (General), Swabi

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. Consequent upon above, all the officers mentioned in Para-01 are allowed to actualize their promotion against their already occupied posts.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

ENDST. OF EVENING NO. & DATE

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. All Administrative Secretaries in Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. Accountant General, Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. Director Information & P.R Department.
10. District Accounts Officer concerned.
11. PS to Chief Secretary, Khyber Pakhtunkhwa.
12. PS to Secretaries, Establishment & Administration Department.
13. PS SS(E)/SS(Reg)/AS(HRD)/AS(E)/DS(E)/SO(E-II)/SO(E-V) E&AD.
14. PA to DS(A)/SO(Secret)/Estates Officer/ACSO Cypher/Dy. Director (IT) and Director Protocol Administration Department.
15. Officers concerned.
16. Controller, Govt. Printing Press, Peshawar.


(ZIA-UL-HAQ)
SECTION OFFICER (E-1)
PH: # 091-9210529