Applicant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Asad ud Din Asif Jehan Superintendent for respondents present.

Former submitted an application for restoration as well as withdrawal of main appeal.

Record shows that appeal was dismissed in default for non-prosecution vide order dated 24.01.2019. Application for restoration of appeal was filed on 18.02.2019. Today, a request was made for withdrawal of main appeal, therefore, by acceptance of the petition filed for restoration of main appeal, instant appeal stands restored. It be registered on its old number.

In view of the written request by the learned counsel for applicant, instant appeal stands dismissed as withdrawn. No order as to costs. Files be consigned to the record room.

Announced 05.07.2021

(Rozina Rehman)

Member(J)

14.01.2021

Junior to counsel for the appellant present. Addl: AG alongwith Syed Abbdul Qadir, Agriculture Officer for respondents present.

Arguments could not be heard due to learned Member(Judicial) is on leave.

Adjourned to 01.04.2021 for arguments before D.B.

(Mian Muhaminad)
Member(E)

Due to non availability of the concerned D.B, the case is adjourned to 05.07.2021 for the same.

-Reade

8-4- 2020

Due to COVID19, the case is adjourned to 2/2/2020 for the same as before.

Reader

06.07.2020 Due to COVID19, the case is adjourned to 31.08.2020 for the same as before.

Reader

Due to summer vacation, the case is adjourned to 05.11.2020 for the same as before.

Reader

05.11.2020

Junior to counsel for the appellant and Addl: AG alongwith Mr. Asad Ud Din Asif Jah, Supdt: for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 14.01.2021 for hearing before the D.B.

(Mian Muhammad)

Member (E)

08.11.2019

Learned counsel for the petitioner present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Asad ud Din Superintendent present. Representative of the respondent department requested for time to furnish reply. Granted. To come up for reply and arguments on 30.12.2019 before D.B.

Member

Member

30.12.2019

None present on behalf of the appellant. Mr. Riaz Paindakhel learned Assistant Advocate General alongwith Mr. Asad ud Din Asif Ja Superintendent for the respondents present. Representative of the respondent department requested for time to furnish reply. Notice be issued to the appellant and his counsel for attendance. Adjourned. To come up for reply and arguments on 28.02.2020 before D.B.

(Hussain Shah) Member

(M. Amin Khan Kundi)

Member

28-2-76

The Learned Members 15
on town, Therefor Case is adjurned
to 8-4-2020

Rendt

Mir Zaman Advocate on behalf of learned counsel for the petitioner present. Mr. Zia Ullah learned Deputy District Attorney present and stated that the respondents be granted opportunity to file reply of the present application. Adjourn. Notices be issued to the respondents for reply. To come up for reply and arguments on 21.08.2019 before D.B.

Member

Learned counsel for the applicant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Asad-u-Din, Superintendent for the respondents present. Original record of present restoration application is not wailable before the Bench, therefore, office is directed to a mex record of present restoration application for 07.10.2019 before D.B.

(Hussain Shah)

Member

(M. Amin Khan Kundi)

Member

Petitioner absent. Learned counsel for the petitioner absent. Mr. Zia Ullah learned Deputy District Attorney present. Notice be issued to the respondents for reply for 08.11.2019. Adjourn. To come up for reply and arguments on the date fixed before D.B. Petitioner be also put to notice for the date fixed.

Member

Form-A

FORM OF ORDER SHEET

Court of			
		•	
A	A ! & ! & !	445/2040	

	Appeal 5 Ne	storation Application No. 116/2	2019
S.No.	Date of order	Order or other proceedings wit	h signature of judge
	Proceedings		
1	. 2		3
1	18.02.2019		estoration of appeal No.1016/2013
		submitted by Mr. Noor Mul	hammad Khattak Advocate may b
		entered in the relevant reg	sister and put up to the Court fo
		proper order please.	1 acry
			REĞISTRAR 1812
2			cation is entrusted to D. Bench to b
		put up there on 30-4-19	F M
	, .		M
			CHAIRMAN
30.04.2019		Parmaal for the notitioner	magant and cooler adjacement
30.04.2015			present and seeks adjournment
	· ·		ments on restoration application
	before]	J.B.	4 1/
		15	MY
	(AHMAD HASSAN) MEMBER	(M. AMIN KHAN KUNDI MEMBER
:			
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		·	

Restorection Appli. NO.116

2013

2019

APPEAL NO. <u>/0/6</u>/204

Pakhtun 7 0 19 00

SIRAJ-UL-HAQ

VS

AGRICULTURE DEPTT:

APPLICATION FOR RETORATION OF THE ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned service appeal was pending adjudication before this august Tribunal in which 24.01.2019 dated was fixed for hearing.
- 2- That appellant filed the above mentioned appeal against the impugned Notification dated 30.06.2011.
- 3- That due to non appearance of the Counsel for the appellant on the date mentioned above the appeal of the appellant has been dismissed by this august Tribunal vide order dated 24.01.2019. Copy of the order sheet is attached.
- 4- That on the same date Counsel for the appellant was busy before the Honorable Peshawar High Court Peshawar and due to that reason Counsel for the appellant could not appear before this august Service Tribunal.
- 5- That non appearance of the Counsel for the appellant was neither deliberate nor intentionally but caused due to the above mentioned reason.

It is therefore, most humbly prayed that on acceptance of this application the above mentioned service appeal may very kindly be restored.

Dated: 15.02.2019.

APPELLANT

SIRAJ-UL-HAQ

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

C.M NO		/2019
	IN	2013
ΔPPFAL NO.	1016	/ 2014

SIRAJ-UL-HAQ

VS

AGRICULTURE DEPTT:

AFFIDAVIT

I Noor Mohammad Khattak Advocate, on the instruction and on behalf of my client do hereby solemnly affirm that the contents of this **application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

> NOOR MOHAMMAD KHATTAK ADVOCATE, HIGH COURT, PESHAWAR



Amended Appeal No		_/2014
In Appeal No	/20	013.

Mr. Siraj Ul Haq, Field Assistant (BPS-09),
O/O the Agency Agriculture Officer Bajaur at Khar......APPELLANT

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 2- The Director Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 3- The Agency Agriculture Officer, Bajaur at Khar.
- Mr. Mazhar Ali Shah, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- Mr. Hidayatullah, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- Mr. Sher Afzal, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.

 RESPONDENTS

APPEAL UNDER SECTION—4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 30-06-2011 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS

PRAYERS:

That on acceptance of this appeal the impugned Notification dated 30-06-2011 may very kindly be set aside to the extant of the appellant and the respondent peoppeartment may be directed to treat/proceed the appellant in light of the Notification dated 20-04-2012. Any other remedy which this august tribunal deems fit may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

1- That appellant has joined respondent Department as Field Assistant (BPS-06) vide order dated 07-08-1982. That right from appointment till date appellant performing his duty quite efficiently and up to the entire satisfaction of his superiors.

Ex Porteo 28-01-2016

Cent

Peshewar

12.10.2018

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondent present. Junior to counsel for the appellant seeks adjournment on the ground that kis senior counsel is not in attendance. Adjourned. To come up for arguments on 27.11.2018 before D.B.

Member.

27.11.2018

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned senior counsel for appellant is reported to be busy before the Hon'ble High Court in a number of cases today. A request for adjournment made at the bar. Adjourned to 24.01,2019 for arguments before the D.B.

Chairm

24.01.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. The present case is lingering on since the year 2013. Case called but none appeared on behalf of the appellant. Consequently the present service appeal is dismissed in default. No order as to costs file be consigned to the record room. ,

Member

lember

Restoration Appeal No. 111/19

Shamsher Khan and Five Others

APPELLANT

<u>VERSUS</u>

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments / Replies on Behalf of the Respondents. 2

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3 Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4- Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3

PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Respondent No. 2

DIRECTOR AGRICULTURE (EXTENSION) MERGED AREAS PESHAWAR

Restoration Appeal No. 112/19

Shafiullah and Five Others

APPELLANT

VERSUS

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments /Replies on Behalf of the Respondents. 2

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3- Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4- Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3

PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Respondent No. 2

DIRECTOR AGRICULTURE (EXTENSION) MERGED AREAS

PESHAWAR

Restoration Appeal No. 113/19

Shah Wali and Five Others

APPELLANT

VERSUS

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments /Replies on Behalf of the Respondents. 2

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3- Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4- Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3

PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Respondent No.

DIRECTOR AGRICULTURE (EXTENSION) MERGED AREAS

PESHAWAR

Restoration Appeal No. 114/19

Khaista Rehman and Five Others

APPELLANT

<u>VERSUS</u>

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments / Replies on Behalf of the Respondents 2

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3- Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4- Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3

PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Réspondent No. 2

(EXTENSION) MERGED AREAS

PESHAWAR

Restoration Appeal No. 115/19

Sher Mohammad and Five Others

APPELLANT

VERSUS

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments / Replies on Behalf of the Respondents 2

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3- Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4- Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3

PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Respondent No. 2

DIRECTOR AGRICULTURE (EXTENSION) MERGED AREAS PESHAWAR

Restoration Appeal No. 116/19

Siraj-ul-Haq and Five Others

APPELLANT

VERSUS

ACS FATA, Director Agriculture

(Extension) Merged Areas, Peshawar & Others

RESPONDENTS

Parawise Comments / Replies on Behalf of the Respondents. 2.

PRAYERS:

- 1- No comments:
- 2- No comments:
- 3- Correct: To extent of dismissal of appeal neither appellant nor did his counsel was present on the date fixed. Therefore, his appeal was dismissed/rejected.
- 4 Subject to proof however the instant petition is badly time barred.
- 5- As replied at Para- No. 3.

· PRAYERS:

The appeal may very kindly be dismissed with cost in the interest of public service.

Respondent No. 2

DIRECTOR AGRICULTURE (EXTENSION) MERGED AREAS PESHAWAR 12.10.2018

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondent present. Junior to counsel for the appellant seeks adjournment on the ground that seeks senior counsel is not in attendance. Adjourned. To come up for arguments on 27.11.2018 before D.B

Member

Member

27.11.2018

Junior to counsel for the appellant and Addl. AG for the respondents present.

Learned senior counsel for appellant is reported to be busy before the Hon'ble High Court in a number of cases today. A request for adjournment made at the bar. Adjourned to 24.01.2019 for arguments before the D.B.

Member

Chairman

24.01.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. The present case is lingering on since the year 2013. Case called but none appeared on behalf of the appellant. Consequently the present service appeal is dismissed in default. No order as to costs file be consigned to the record room.

Member

Member

12.04.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Shahab Khattak, Coordinator respondents present. Counsel appellant for adjournment. Granted. To come up for argument's on 28.06.2018 before the D.B.

28.06.2018

Clerk of the counsel for appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant seeks adjournatient on the ground that his counsel is not available today. 'Adjourned. To come up for arguments on 10.08.2018 before J.B.

(Muhammad Amin Kundi) Member

(Muhammad Hamid Mughal)

Member

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 01 J02018 before D.B.

(Muhammad Amin Kundi Member

(Muhammad Hamid Mughal) Member

01.10.2018

10.08.2018

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondent present. Junior to counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. Last opportunity is granted. Adjourned. To come up for arguments on 12.10.2018 before D.B.

(Hussain' Shah) Member

(Muhammad Hamid Mughal)

Member

10.11.2017

Junior counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Ehtisham, Assistant Director Food for the respondents also present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 12.12.2017 before D.B.

(Gul Zeb Khan) Member

(Muhammad Amin Khan Kundi) Member

12.12.2017

Appellant in person and Mr. Kabeerullah Khattak, Addl. AG for the respondents present. Due to general strike of the bar, counsel for the appellant is not in attendance. To come up for arguments on 14.02.2018 before the D.B.

/// ')
Member

Chairman

13.02.2018

Clerk of the counsel for appellant present. Mr. Zia Ullah, DDA for the respondents present. Counsel for the appellant is not in attendance due to general strike of the bar. To come up for arguments on 12.04.2018 before D.B.

Mender

Counsel for the appellant(Mr. Noor Muhammad Khattak, Advocate) and Addll: AG for respondents present. Counsel for the appellant requested for time to file rejoinder. To come up for rejoinder and arguments on 18.11.2016.

Member

Member

18.11.2016

Agent to counsel for the appellant and Mr. Shakirullah, Assistant Director alongwith Mr. Ziaullah, GP for respondents present. Rejoinder submitted and requested for adjournment. To come up for arguments on 16.3.2017 before

D.B.

Member

Chairman

16.03.2017

Mr. Muhammad Jilal, junior counsel for appellant and Mr. Ehtisham, Assistant Director (Food Cell) alongwith Mr. Muhammad Adeel Butt, Additional AG for official respondents No. 1 to 3 present. Junior counsel for appellant requested for adjournment as senior counsel for appellant is stated busy in the Hon'ble Peshawar High Court. Adjournment granted. To come up for arguments on 11.07.2017 before D.B.

(ASHFAQUE TAJ) MEMBER (MUHAMMAD AAMIR NAZIR)

MEMBER

11.07.2017

Junior to counsel for the appellant and Mr. Ziaullah, DDA for the respondents present. Requested for adjournment as senior counsel for the appellant is busy in Darul Qaza, Swat. Adjourned. To come up for arguments on 10.11.2017 before the D.B.

Member

26.10.2015

Counsel for the appellant, M/S Miftah-ud-Din, Agriculture Officer and Zia-ul-Islam, APO alongwith Addl: A.G for official respondents No. 1 to 3 present. None present for private respondents No.4 to 6. Fresh notices be issued to the afore-sated private respondents for 28.01.2016 for submission of written reply/comments before S.B.

Charman

28.1.2016

Counsel for the appellant, M/S Meftah-ud-Din, Agriculture Officer and Shakir Ullah, AD alongwith Addl: A.G for official respondents No. 1 to 3 present. None present on behalf of private respondents No. 4 to 6. Proceeded ex-parte. Official respondents requested for further adjournment. Last opportunity granted. To come up for written reply/comments on behalf of official respondents No. 1 to 3 on 14.4.2016 before S.B.

Chairman

14.4.2016

Agent of counsel for the appellant and M/S Misbahud Din, Agriculture Officer and Shakirullah, AD alongwith Addl: A.G for respondents present. Written reply by respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 05.8.2016.

06.07.2015

Clerk of counsel for the appellant and Asstt: AG for the respondents present. Clerk of counsel for the appellant requested for adjournment. To come up for preliminary hearing on 28.07.2015.

A

Member

28.07.2015

Counsel for the appellant and Assistant A.G for respondents present. Learned counsel for the appellant argued that the appellant is entitled to be considered for promotion as Agriculture Inspector on the strength of the notification dated 20.4.2012 on the basis of seniority cum-fitness and that the respondents are not justified to apply the mandates of notification dated 30.6.2011 including clause-iii, iv and v of the said notification as the same stood superseded on the strength of notification dated 20.4.2012. That the appellant preferred departmental appeal on 8. 2.2013 against the said decision which was not responded and hence the instant service appeal on 10.6.2013.

That the appellant is entitled to be considered for promotion to the post of Agriculture Inspector on the strength of notification dated 20.4.2012 and that the vires of superseding the notification dated 30.6.2011 are not applicable to the case of the appellant.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 26.10.2015 before S.B. Notice of the stay application be also issued for the date fixed.

Charman

Appellant Deposited Security & Process Fee 21,

20.04.2015

Agent of counsel for the appellant and Asstt: AG for the respondents present. Agent of counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 04.05.2015 before S.B.

1

Member

22

04.05.2015

Clerk of counsel for the appellant and Asstt:AG for the respondents present. Clerk of counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing for 27.05.2015 before S.B.

) (--- l- ---

Member

 $\cdot 27.05.2015$

Clerk of counsel for the appellant and Asstt: AG for the respondents present. Clerk of counsel for the appellant requested for adjournment. Adjourned to 06.07.2015 for preliminary hearing before S.B.



23.09.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Preliminary arguments to some extent heard.

Counsel for the appellant requested for adjournment. To come up for further preliminary hearing on 20.11.2014.

Member

18.

Reader Note:

20.11.2014

Clerk of counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Since the Tribunal is incomplete, therefore, case is adjourned to 05.01.2015 for the same.

Lender [

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Reader Note:

05.01.2015

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Asst: Advocate General for the respondents present.

Since the Tribunal is incomplete, therefore, case is adjourned

// Reader 15.08.2014

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Preliminary arguments partly heard. The learned counsel for the appellant argued before the Court that during to pendency of the appeal the respondents have notified fresh service rules superseding the old service rules copy of the same has already been filed through application for placing on file additional documents, therefore appellant be allowed to amend the instant appeal. Adjournment for amendment in the instant appeal granted subject to all legal objections. To come up preliminary hearing on 28.08.2014.

Member

28.08.2014

Counsel for the appellant and Mr. Kabirullah Khattak, Assistant Advocate General for the respondents present. Learned counsel for the appellant filed amended appeal with spare copy whereof is handed over to the learned AAG. To come up for further proceedings on 23.09.2014.

Member

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary

hearing on 15.08.2014.

Member .

24.06.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Counsel for the appellant requested for adjournments Request accepted: and come upillant preliminary requested for the appellant requested for adjournment. The appellant requested for the appellant requeste

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30.06.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 11.07.2014.

Member

11.07.2014

Clerk of counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Clerk of counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 66.08.2014.

)Member

174

23.04.2014

Clerk of counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Clerk of counsel for the apellent requested for adjournment due to general strikes of the Bar. To come up for preliminary hearing on 16.05.2014.

Member

P

16.05.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. The learned counsel for the appellant requested for adjournment. To come up for preliminary hearing on 20.06.2014.

20.06.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Counsel for the appellant filed an application for allowing the appellant to submit additional documents in the instant appeal, copy of application is handed over the learned GP. To come up for further preliminary hearing on 24.06.2014.

Member

J.

Counsel for the appellant and Mr. Zia Ullah, GP for the respondents present. Counsel for the appellant submitted redrafted page No.1 of the memo of appeal with spare sets. Preliminary arguments to some extant heard. The learned counsel for the appellant requested for further time to assist the tribunal on the point of maintainability. To come up for further preliminary hearing 25.03.2014.

Meniber

10.

25.03.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Preliminary arguments partly heard. Perusal of the case file reveals that through the instant appeal the appellant has impugned notification dated 30.06.2011, however, departmental appeal filed by the appellant on 08.02.2013, with considerable delay. The learned counsel for the appellant requested for time to assist the Tribunal regarding filing of late departmental appeal. To come up for further preliminary arguments on 23.04.2014.

Member

Clerk of counsel for the appellant present, and requested for adjournment due to strike of the Bar. To come up for preliminary hearing alongwith connected appeals on 07.11.2013.

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07.11.2013

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> Munshi to counsel for the appellant present. Requested for adjournment to come up for preliminary hearing on 20.12.2013.

20.12.2013

Clerk of counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 10.02.2013.

10.02.2014

Counsel for the appellant present and submitted an application for suspension of operation of impugned notification dated 30.06.2011. He requested for adjournment. To come up for preliminary hearing on 28.02.2014.

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Form- A care

FORM OF ORDER SHEET

Court of	
Case No.	1016/2013

	Case No	1016/2013
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1.	2	3
1 0	28/06/2013	The appeal of Mr. Siraj-ul-Haq resubmitted today by Mr. Noor Muhammad Khattak Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for Munshi to the
	— A k	adjentsment to come up for proliminary horizing on 22.12.2018 REGISTRAR
2	16-7-201	This case is entrusted to Primary Bench for preliminary Member hearing to be put up there on 23-2-2013
		CHAIRMAN
•		
	E.	
		7-

The appeal of Mr.Siraj-ul-Haq Field Assistant received today i.e. 07/06/2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days:-

Addresses of respondent No. 4 to 6 are incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal Rules 1974.

No.<u>(// (</u>/S.T,

Dt. $\frac{1}{2013}$.

Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar.

Noor Muhammad Khattak Adv. Pesh.

Note:

Sir, All objections has been removed hence resubmilled today dested 28/6/2013.

27.

Six,
So for as the advesses of the private
respondents are concerned they belongs
to disposent agencies of FATA, Therefor all
respondents may be informed through
respondent No -2.

AMENDED APPEAL	_ NO	/2014
APPEAL NO.	10/6	/2013

Siraj Ul Haq

VS

A.C.S. FATA

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6.	Promotion order	С	14- 15.
7.	Seniority lists	D&E	16- 18.
8.	Notification dated:30.6.2011	F	19- 20.
9.	Notification dated:20.4.2012	G	21- 25.
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11.	Departmental appeal	I	35- 36.
12.	Vakalat Nama		37.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE

Amended Appeal No	/2014
In Appeal No	/2013.
Mr. Siraj Ul Haq, Field Assistant (BPS-09), O/O the Agency Agriculture Officer Bajaur	

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 2- The Director Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 3- The Agency Agriculture Officer, Bajaur at Khar.
- Mr. Mazhar Ali Shah, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- Mr. Hidayatullah, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- Mr. Sher Afzal, Agriculture Officer, C/O Director of Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.

 RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 30-06-2011 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS

PRAYERS:

That on acceptance of this appeal the impugned Notification dated 30-06-2011 may very kindly be set aside to the extant of the appellant and the respondent Department may be directed to treat/proceed the appellant in light of the Notification dated 20-04-2012. Any other remedy which this august tribunal deems fit may also be awarded in favor of the appellant.

R/SHEWETH: ON FACTS:

1- That appellant has joined respondent Department as Field Assistant (BPS-06) vide order dated 07-08-1982. That right from appointment till date appellant performing his duty quite efficiently and up to the entire satisfaction of his superiors.

Exporte0 28-01-2016 Copy of the Service book is attached as annexure. A

- That so much so the respondent Department has issued Notification dated 30-06-2011 due to which the chances of promotion to the post of Agriculture Inspector (BPS-11) has been attached with the condition that "33% of total sanctioned posts of Agriculture Inspector be allowed BPS-11 to BPS-14 as Agriculture Supervisor in each wing of Agriculture Department subject to minimum service of 15 years service as Agriculture Inspector or Field Assistant. The curriculum of Field Assistant class will be revised and duration of the course will be enhanced from 2 years years(Diploma Course) for Field Assistant and six months condensed course in the relevant field in the respective wing of the Agriculture Department will be conducted for in service staff and they will clear the examination in two terms otherwise they will be compulsory retired from service". Copy of the Notification dated 30-06-2011 is attached as
- That inspite of the new Notification dated 20-04-2012due to which the respondent Department superceded the impugned Notification dated 30-06-2011 directed the appellant to appear for the condensed course and also informed the appellant the he will be promoted to the post of Agriculture

Supervisor BPS-14 in the light of impugned Notification dated 30-06-2011.

6- That feeling aggrieved appellant prefer Departmental appeal to respondent Department but no reply has been received with in the statutory period of ninety days. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.

I.

GROUNDS:

- A- That the impugned Notification dated 30-06-2011 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That not granting/allowing promotion to the appellant to the post of Agriculture Inspector (BPS-11) from the post of Field Assistant is against the law, facts, and norms of natural justice.
- C- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- D- That the impugned Notification dated 30-06-2011 has been null and void and having no force of law in light of the new Notification dated 20-04-2012, therefore the same may be set aside.
- E- That despite of having more than 28 years service and having eligibility for promotion to the post of Agriculture Inspector (BPS-11), the appellant has been ignored from promotion to higher scale.
- F- That the respondent Department has acted in arbitrary and malafide manner by not promoting the appellant to the post of Agriculture Inspector (BPS-11) inspite of seniority and eligibility.
- G- That many of the appellant colleagues and junior colleagues have now been working as Agriculture Officers BPS-17 and the appellant is still working as Field Assistant (BPS-09) thus the appellant has been discriminated and not been treated amongst his similarly placed colleague.
- H- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

APPELLANT

SIRAJ UL HAQ

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

	APPEAL NO	<u> </u>	/2014					
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Hag	j	VS	•	A.C.S.	FATA			

APPLICATION FOR SUSPENTION OF OPERATION OF IMPUGNED NOTIFICATION DATED 30-06-2011 TILL THE DISPOSAL OF THIS APPEAL

R/SHEWETH:

Siraj Ul

- That the appellant filed above mentioned appeal along with this application is pending adjudication before this august service Tribunal in which 28-08-2014 date is fixed for hearing.
- **2-** That all the three ingredients necessary for the stay is in favor of the appellant.
- That the impugned Notification dated 30-06-2011 is against the appointment, promotion and transfer rules 1989.
- **4-** That the grounds of main appeal are also be considered as integral part of this application.

It is therefore humbly prayed that on acceptance of this application the Notification dated 30-06-2011 may very kindly be suspended till disposal of this appeal.

APPELLANT

SIRALUL HAQ

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE



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OFFICE OF THE DEPUTY DIRECTOR OF ACRICULTURE FATA PESHAWAR.

OFFICE ORDER

In consultation with departmental remotion Committee
the Competent authority directed the undersigned to constitute a
Committee to allow Move Over to the following Officials of this
as well as sab offices to the next higher pay scale from the date
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2. Mr. Liagat Ali Junior Auditor.	1.6	11.	
3. Mr.Raz Gul Junior Clerk.	ರಿ	9	1.12.2001
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5. Mr. Ghazi Gul Field Anstt.	11	12	1.12.2001
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1.3. Mr. Amon Ullah telela Anabt:	ľo,	ii. •	1.12.2001
4. Mr. Fazli Mabood Field Asott:	10	11	1.12.2001
5. Mr.Alman Ali Field Asstt	2	10	1.12.2001
Mr.Ali Issa Budder.	6	7	1.12.2001
7. Mr. In an Fagir Budder.	` ` 5	7	1.12.2001
6. Mr. Habib Ullah Budder.	6	7	1.12.2001
Mr. Waris Ali Budder.	6	7	1.12.2001
10. Mr. Waris Khan Budder.	6	7	
11. Mr.Abdul Mateen Driver.	شدسية	- 7	1.12.2001
E.A.D.A. KHYBER AGENCY OFFICE.		. *	1.12.2001
I. Mr. Anis Ahmad Semior Clerk.	10		
2. Mr. Jan Pervez Senior Clerk.		11	1.12.2001
3. Mr. Siranjam Khan Junior Clerk		_11	1.12.2001
4 Mr. Mubark Shah Field Asstt:	9	10	1.12.2001
5. Mr.Mulik Mir Field Asstt:	10	11	1,12,2001
6. Mr. Habib ullah Field Asstt:	6	7	1.12.2001
7. Mr. Charefut the new new new new new new new new new ne	. 7	8	1.12.2001
7. Mr. Sharafat Khan Field Asstt:	. 6	Ä	1.12.2001
Mr. Nas Rullah Budder.	8	8	1.12.2001
9. Mr. Imayat Khan Naib Jasid.	2	3	1.12.2001

Sd/- (ALI AHMAD) Dy: Director of Agriculture, FATA reshawar.

DDA FATA Dated Pesh: the Copy forsarded to:-

1. The Director of Agriculture, FATA Peshawar. 2. The Accountant General PR Sub Office Peshawar.

2. The Accountant General PR Sub Office Peshawar.

3. The Agency Account Officer Khyber Agency at Peshawar.

4. The Agency Account Officer Mohmand Agency at Challani.

5. The Agency Account Officer Bajour Agency at Khar.

6. The Agency Account Officer Kurram Agency at Parachinar.

7. The Agency Account Officer Orakzai Agency at Hungu.

8. The E.Asstt: Director of AgricultureKhyber Agency Peshawar.

10. The E.Asstt: Director of Agriculture, Mohmani Agency at Ghallani.

11. The E.Asstt: Director of Agriculture, Bajour Agency at Khar.

12. The Assistant Director of Agriculture, Kurram Agency at Parachinar.

13. All the Officials Conerned.

14. The Pay Bill Clerk Head Quarter Office.

15. The Eatt: Asstt: Head Quarter Office.

TESTED For information and noncessary action pleas by: Director of Agriculture, FATA Peshāwar.

No.12/2/EstV_ Dated Peshawar: the

JDG /2010

The Secretary to Govt. of NWFP, Agriculture, Livestock and Cooperation Department, Peshawar.

Subject:

PROMOTION / POSTING PROPOSAL

In this regard the following Agricultural Inspector BS-9 were cleared for promotion to the -Memo: post of Agricultural Officer (BS-17) by Departmental Promotion Committee on 16.3.2010 of Agriculture Extension Department.

sion Department.		S.No	Name of Agril.	Inspector	
S.No Name of Agril. Inspector S. Mazhar All Shah S. Sartaj Ul Hassan Noor Rehman Sabit Shah Fazli Akbar Mian Gul Jan Ghazi Gul	•	8 9 10 11 12 13	Tehseenullah Abdul Sattar Faizur Rehma Amanullah Fazli Mabood Jaffar Khan	n	される。これでは、これでは、これでは、これでは、これでは、これでは、これでは、これでは、

Upon their promotion the transfer / posting proposal is submitted for approva

		`	•	promotion the transfer	•	
	necessa			From	To	Remarks
I	SI.		, or officer		Agricultural Officer,	Against the post of Agril. Officer to be vacated by Mr.
) \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	0	S. Ivic	har Ali Shah	Agril. Inspector o/o DOA, DIKhan.	DIKhan	Ahmad Nawaz promoted to Sup. Post.
	. 1			Agril. Inspector o/o DOA,	Agril: Officer, Hangu	
	2		Sartaj UI ssan	Hannu	tigo	Off the dispersion
: , }	3.	l l	or Rehman	Agril, Inspector o/o AAO, S.W.Agency.		On the disposal of FATA for
,	4	- Sa'	ist S ah-	Agril. Inspector olo AAO, S.W.Agency		On the disposal of FATA for
	(5)) Fa	azlı Akbar	Agril, Inspector o/o DCA Charsadda.		further posting. On the disposal of FATA for
1	76) TM	lian Gul Jan	Agril. Inspector o/o AAC Bajour Agy		further posting. On the disposal of FATA for.
0	10	5/0	Shazi Gul	Agril, Inspector o/o AAC		further posting: On the disposal of FATA for
ن ا	8	3 7	Tehseenullah	Agril, Inspector of AA	Char	further posting.
		9 ,	Abdul Sattai	Agril. Inspector olo AA N.W.Agency.	Khel, Lakki against vacant post.	(ine
	7	70	Faizur Rehman	Agril. Inspector o/o A/	AO, Agril: Officer, Daud Shah, Bannu.	On the disposal of FATA fo
	* * * * * * * * * * * * * * * * * * *	11		Agril, Inspector o/o A		On the disposal of further posting.
		11	Amanone.	Orakzai Agy.		

	Agril. Inspector olo AAO.	Agril: Officer.	On the disposal of it FATA for further to posting.
12. Fazii Maudou	Otaksai way.	Agril: Officer, Katlang, Mardan against the vacant post. Agril: Officer, Bara, Khyber	Against the Mr.
Zahoorud Din	Agril: Officer, Khar, Bajour Agency.	Agency	promoted to the Supervisory post
15. S. Ageel Shah	Agril: Officer, Mamond Bajou Agency.	Agricultural Officer, Dakk olo DOA, Charsadda: 24	genss Yucan / last

DIRECTOR GENERAL AGRICULTURE (EXTENSION) NWFP, PESHAWAR

GOVERNMENT OF KHYBER PAKHTUNKHWA AGRIL: LIVESTOCK AND COOP: DEPARTMENT



NOTIFICATION.

Dated Peshawar, the 29/6/2010.

NO. SOE (AD) V-8/2010.-In continuation of this Department's notification of even number dated 22/4/2010, the Competent authority is pleased to order the postings/transfers of the following officers of Agriculture Extension Department in the interest of public service:-

S.	Name of Officers		at the second se
No		From	То
1	Mr. Noor Rehman	Agril: Inspector o/o Agency Agril: Officer, SW Agency.	Agril: officer (BS-17) o/o Agency Agril:Officer, SW Agency against vacant post.
2.	3	Agril: Inspector o/o AAO, SW Agency.	Agril: Officer (BS-17) o/o AAO, Wana SW Agency against vacant post.
3.	Mr. Fazli Akbar	Agril: Inspector o/o DOA, Charsadda.	Agril: Officer (BS-17) o/o AAO, Bajaur- Agency Salarzai Circle against vacant post.
4.	Mian Gul Jan	Agril: Inspector o/o AAO, Bajaur Agency.	Agril: Officer (BS-17) o/o AAO Bajaur Agency Mohmand Circle against vacant post.
5.	Mr. Ghazi Gul	Agril: Inspector o/o AAO, Bajaur Agency.	Agril; Officer (BS-17) o/o AAO, Bajaur Agency.
<u> </u>			Vice No.11
6.	Mr. Tehseenullah	Agril: Inspector o/o AAO, Mohmand Agency.	Agril: Officer (BS-17) o/o AAO, Mohmand Agency Ekka Ghund Circle against vacant post.
7.	Mr. Abdul Sattar	Agril: Inspector o/o AAO, NW Agency.	Agril: Officer (BS-17), Ghazni Khel, Lakki Marwat against vacant post.
જી.	Mr. Faiz-ur-Rehman	Agril: Inspector o/o AAO, NW Agency.	Agril: Officer (BS-17), Daud Shah, District Bannu against vacant post.
9,	Mr. Amanullah	Agril: Inspector o/o AAO, Orakzai Agency.	Agril: Officer (BS-17)o/o AAO, Mohmand Agency (Pendiali Circle) against vacant post.
10.	Mr. Fazli Mabood	Agril: Inspector o/o AAO, Orakzai Agency.	Agril: Officer (BS-17) o/o AAO, Mohmand Agency Lakkaro Circle against vacant post.
11	Mr. Zahoorud Din	Agril: Officer, Khar Bajor Agency.	Agril: Officer, Bara Khyber Agency against vacant post.
12.	S. Ageel Shah	Agril: Officer o/o AAO. Bajour Agency.	Agril: Officer, Dakki o/o DOA, Charsadda against vacant post.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA AGRIL: L/STOCK AND COOP: DEPTT:

Endst. of even No. & Date.

Copy forwarded for information and necessary action to:

- The Director General, Agriculture (Extension) Khyber Pakhtunkhwa, Peshawar.
- 2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- The Additional Accountant General (PR) Sub-Office, Peshawar.
- The Director, Agriculture (Extension), FATA, Khyber Pakhtunkhwa, Peshawar.
- 5. The Section Officer (Estab) FATA Secretariat, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
- All the Agency Agril: Officers in Khyber Pakhtunkhwa. All the Agency Accounts Officers in Khyber Pakhtunkhwa.
- 8. The District Accounts Officers, Bannu, Lakki Marwat and Charsadda.
- Officers concerned.
- 10. Personal file of the Officers.
- 11. PS to Minister for Agriculture, Khyber Pakhtunkhwa:
- 12. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 13. PS to Secretary Agriculture, Pakhtunkhwa.

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(SAKHI-UR-REHMAN) SECTION OFFICER-ESTT:

FINAL SENIORITY LIST OF AGRICULTURAL INSPECTORS AGRICULTURE EXTENSION DEPARTMENT AS IT STOOD ON 1.11.2009 (IN LIGHT OF THE NWFP SERVICE TRIUBNAL, PESHAWAR) DATED 5.11.2008

S.No	NAME OF AGRICULTURALL INSPECTOR	QUALIFICATION	HOME DISTRICT	DATE OF BIRTH	DATE OF IST APPOINTMENT	PATE OF A PROMOTION AS AGRI: INSPECTORS	PLACE OF FOSTING
_(1)	S.Mazhar Ali Shah	M.Sc (Hons)	D.LKhan.	143.7.1957	15.6.1988		DOALT INhan
2.	S. Sartajul Hussain	Matrie	Hangu i	1.5.1955	2.7.1973	26.10.2000	inda, Hangu
3.	Mr. Asmatullah	Matric	D.I.Khan	2.1.1950	21.12.1972	15.12 2000	DOA. F. I Khai:
4.	Mr. Noor Rehman	Matric	S.W.Agency.	15.1.1952	3.5.1973	13.11.2003	AAO, S.W. Agenty.
5.	Mr. Sabit Shah	Matric	FR-D.I.Khan.	10.1.1952	8.9.1973	13.11.2003	AAO, S.W. Agency.
6.	Mr. Fazli Akbar	Matric	Bajour Agency	15.12.1953	3.6.1974	13.11.2003	DOA, Charsadda
7.	Mian Gul Jan	Matric	Bajour Agency	10.4.1954	3.6.1974	13.11.2003	AAO, Baji i Agency
8.	Mr. Ghazi Gul	Matrie	Bajour Agency	7.8.1954	3.6.1974	13.11.2003	AAO, Ro, r Agency
9.	Mr. Tehsinullah	Matrie	Charsadda '	9.1.1958,	13.6.1977	13,11,2003 .	AAO, Mohnlind Agency.
10.	Mr. Abdul Sattar,	Matrie	FR-Bannu	10.10.1959	26.7.1977	13.11.2003	AAQ, N.W. Agency.
11.	Mr. Faizur Rehman	Matric	Bannu	15.5.1957	26.10.1978	13.11.2003	AAO, N.W.Agenzy.
12.	Mr. Amanullah	Matric 7	Charsadda	4.4.1954	4.11.1978	13.11.2(4)3	AAO, Orakzai Agenzy,
13.	Mr. Fazli Mabood	Matric	Charsadda	10.12.1954	23.11.1978	13.11.2003	AAO, Orakzai Agency.
(14)	Mr. Jaffar Khan	Matric	Mardan ,	15.5.1951	24.11.1972	13.5.2006	DOA, Mardan
15.	Mr. Alamzeb	· Matric	Mardan	28.8.1950	25.11.1972	13.5.2006	DOA, Mardan
16.	Mr. Safdar Ali	Matrie	Swabi	10.1.1951	24.11.1972	19.7.2006	DOA, Swabi
17.	Mr. Rehmanullah	Matric	Bannu	3.5,1952	6.5.1974	9.9.2006	DOA, DiKhan
18.	Mr. Shafiullah	Matric	Lakki Marwat	15.9.1953	6.5.1974	9.9.2006	DOA. Lakki Marwit
19. 6	Mr. Gul Sher Khan	Matric .	e DIKhan	5.1.1957	1.8.1975	y 9.9.2006	DOA, DiKlian
20.	Mr. Abdur Razaak	Matric	DIKhan	1,9,1954	25.6.1976	9.9.2006	DOA, DIKhan
21.	Mr. Saifullah Khan	Matric	Lakki Marwat	1.5.1956	23.7.1977	9.9.2006	DOA, Lakki Marwat, 💎
<i>y</i> 22.	Mr. Adil Hosh	M.A.	Swat	1.1.1950	31.7.1973	23.9.2006	DOM, Mad Agency.
25	Mr. Jamshid Khan	Matric	Swat :	3.2.1950	10.7.1974	23.9.2006	DOA. Militaria



				· -			
24:	Mr. Malanimad Ali Rehman	Matrie	Swat	1.4.1953	11,7,1974	22.0.200	
<u> 25</u>	Mr. Fazir Rookhan	Matric	Peshawar	12.11.1951		-23.9.2006	DOA, Mkd Agency,
26.	Mr. Hashim Jan	Matric	Peshawar	25,4.1951	25.11.1972	7.8.2007	DOA. Peshawar
27.	Mr. Gul Sambar Khan	Matric	Chitral	15.11.1951	27.11.1972	7.8.2007	DOA; Peshawar
28.	Mr. Muhammad Iqbal	F.A.	Chitral	1.3.1954	25.7.1975	15.1.2008	DOA, Chitral
29.	Mr. Zaid Said	Matric	Dir		25.7,1975.	15.1.2008 -	DOA, Chitral
(3)	Mr. Hidayatullah	M.A.	, Karak	10.5.1952	21.10.74	15.1.2008	DOA, Malakand
(31)	Mr. Sher Aizal	B.A.		1.4.1963	27.8.1983 🔩	14.2:2008	DOA, Hangu
32.	Mr. Badam Gul	Matric	Karak	1.5.1963	27.8.1983	. 14.2,2008	DOA, Karak
33.	Mr. Mubaraik Shah		Swabi	3.5.1951	24.11.1972	26.4.2008	DOA, Swabi
31)	Mr. Ghulam Dastagir	Matric	Peshawar	15.4.1958	2.11.1978	23.5.2008	AAO, N.W.Agy
35.	Mr. Mumtaz Ali	Matric	Bannu	(4.3.1956	16.8.1980	3.5,2008	
36.	· · · · · · · · · · · · · · · · · · ·	Matric	Mardan	13.4.1951	25.11.1972	20.8.2008	AAO, S.W.Agy
	Mr. Abdur Rahim	Matrie	Battagram	14.6.1954	23.7.1975		DOA, Mardan
37.	Mr. Khalid Ahmad	Matrie	Mansehra	9.9.1950		22.1.2009	DOA, Abbottabad
88.	Mr. Nausher Ali	Matrie -	Battagram .	2.6.1953	28.7.1975	22.1.2009	DOA, Mansehra
9.	Mr. Muhammad Riaz	Matric ·	Mansehra		29.7.1975	22.1.2009	DOA, Battagram
0.	Mr. Alimad Nawaz	Matric	Mansehra	25.5.1956	29.7.1975	22.1.2009	DOA, Abbottabad
1.	Mr. Muhammad Anwar	Matric	Swabi	12.9.1956	5.8.1975	22.1.2009	DOA, Haripur
2.	Mr. Muhammad Sher	Matric		28:9.1951	25.11.1972	. 2.2.2009	DOA, Swabi
3. '	Mr. Muhammad Shuaib	B.A.	Mardan	5.3.1951	27.11.1972	2.2.2009	DOA, Mardan
4.	Mr. Gul Baz		Swat	4.2.1953	3.7.1974	24.4.2()09	DOA, Malakand
	32. 51.2	B.A.	Shangla	1.6.1952	19.6.1976	24.4.2009	DOA, Malakand

DIRECTOR GENERAL AGRICULTURE (EXTENSION)
NWFP, PESHAWSAR.

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To II of

E-08)

**	والمراجع الما	خوصيد	 					أحثي بمغماعك		••			OT DESS	SISTANT_	OF THE	OLLICE	OF DADA	3316-14	
					O DISTRICT				- 2.13	SENIURI	${f PY}$ ${f LLST}$	OR LTI	THE WOL	AT WANTED					
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CONTRACTOR	STATEME	AT SHOWING THE DE				DATE OF APPOINTMENT	PLACE OF DOMICILE.	PAY.
	NO. NAME OF CEFICIALS	The second device the second discovery	ON OTHER	RDS.	DATE OF BIRTH	Dale Or abborning	POSTING.	
	P.T. T.S. on Co. T.CT. I.S.	PATHER NAME. DES.	GNATION	TILLI				8315/-
S.	NO. NAME OF CETTOTAIN				- 40 A05 X	3.6.74	M/shah. Bajaur.	
		the khon khon	A/I	9			khar	8315/-
· ~	Mr. Fazli Akber	Said Akber khan.	~/T	Ŏ.	10.4. 1954.	3.6.74.	pashad "	8315/-
1)	till and a Coll ion	Pinda Gul jan.	W/T	á	7.8.1954	3.6.74.		7555/-
· 2)	Mr, Min Gul jan.	. •	A/L .	7	r = 4060	8.6.1981	khar.	ワワルミノ
ス)	Mr, Ghzi Gul	Mir Alam Shah	F/Asstt;	9 `	5.5.1960	14.5.85.	Inayat killi"	7745/-
7	/Mn Theista Kenman	Ull Miss arem	n	9	9.4.1964	0 6 94	khar	7555/-
بعار	Mr. Mutahir Shah	Laiq Shah.	nt .	á	4. 3. 1957	8,6,81	Nawagai. "	<u>7555/-</u>
5)		Gul Auln	••	9 🔆	6.6.1963	8.6.1981		7555/~
\sim (6)	Mr, Sher nohd;	Niamat Rascol		7	16.10.1966	20 .5.19 85	khar "	7555/
70	Mr.llmer Gul	Said Mohd;	ំដ	9 `	16. D. 1900	·8. 7. 1982.	Kolala "	7555/-
65	Mr Sultan Mond:	Said	R ·	9.	20.2.1961	40 C 402/L	Sikandro "	7175/~
24	Mr, Shah Wali khan	Mond Yousaf	in in	á	13. 2. 1965.	10.6.19 ⁸⁴ •	Inaget killi"	7555/-
-9	All Plan spon	Bakhti Rehman	**	· 6	10.2.1963	7.81982.	THORES HELL	7175/-
-90	Mr. Sham Sher	Abdul Manan	"	7	" O 4063	14.6.1983	kpsz.	7475/
	N A SIPAIUI ABU	kherullah.	rt .	9	4.9.1963	21.5.1985.	11 , "	7175/-
		Kuerurran	tt.	9	15.7.1966.	2 10 70 (17074 0 4 E 400E	Sikandro "	7175/-
	Mr. Ghousur Rehman	Amanullah	. H	á	5. 1. 1966.	21.5.1985.	loy sum "	7745/-
13	of in diousal money	Ajab khan		á	16.6.1965	11 .6. 1 984 .	TOY Sam	
14	Mr, Umer khakim	Mond jan.		フ			M/Shah. "	6340/-
1	Mr, Rahat jan.		12	6	13. 3. 1963.	1. 12. 1987.		6 <i>1</i> 95/ -
**	an a salah Sahman.	amin jan.		9	17.6.1967.	4.9.1986.	Nawagai.X	5180/-
_1	6) Mr. Badshah Rehman.	"Abdulallh Jan.	18	b	05 4: 40.70	24.3.1992.	Raghgan.	E005 /
ماكد	n) Mr Sirajudin	Modern Comin	» II	6 -	25. 1. 1970	E. 6. 1988	Deraka i	5905/-
	8) Mr. Noor Zarin khan	Mohd Zarin	t !	6	1.6.1969.	20 7 2004	FSC Raghgan "	5905/- ~
47	9) Mr, Mohd Husskin.	Gul Pohd khan	11	6	1. 2. 1970	18.3.1991		4745/-
~ 1	g) III, nond ideosa-iii	Habib Kehman.		9	2. 12. 1972	23 . 11997.	Raghgan. "	5180/-
2	O) fir Mohd Nawaz khan	Habibullah khan	и .	6	4B 040.00	23. 3. 1997.	pashat.	11155/
2	Alma Dahi Gul	Sher Behader	fi	6	19. 21972.	23. 1. 1997.	Derakai.	4455/-
2	>) Mr.Nurul Amin.	Dust Dengace	11	6	4. d. 1970.	40 2 3000 2	Takho.	·3730/ -
~	3. Mr. Mohd Roz	Mian Gul	tī	6	11.4.1981	17.3.2002	Mamund "	3730/-
	Mar Man Man	Nohd Ali jan		č	14.3.1974.	19∀7• ∮	*I Chille II C	,
2	4. Mr. Toor Gul	Habiul Rehman.	••	, 6			, ,	
2	5) Mr. Shakil -hmad						in.	7.

NO 306- / EADA Eajaur dated khar 19/3 /2008.

Copy Farwarded to the Director of Agriculture FAT, neshawar for information and Nyaction please.

ATTESTED

Extra Asstt; Director Agriculture, Bajaur Agency at khar.

W ·

Extra Asstt; Director Agriculture, bajaur Agency at khar.

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		· · · · · · · · · · · · · · · · · · ·			25?	6
					Twenty-five percent by	22
Agric	ulture Officers /	At least 2 nd Division M.Sc/	21 to 32		· · · · · · · · · · · · · · · · · · ·	. 1
Agno	outure Officers	B.Sc (Hons) Degree in	years.	promo	II do facto	1
Agric	culture Officers	Agriculture from a		senior		
	ic Relation and	recognized Agricultural		among	st the holders of the post of	
	ication and	University.		Agricu	Itural Inspectors with at	
Instr	ructors (BPS-17).	Offiverony.		least	fifteen years service as	?
	• •			Agricu	iltural Inspector and Field	•
				Assist	ant; and	.
				b). se	venty-five per cent by initia	1
			_	recrui	tment	
		Molvi Fazil or Sanadul	21 to 32	By ini	tial recruitment.	
	ructor Islamiyat	Faraghat from Wafaqi	years.	1		
(BP	S-16).	Madrasa or equivalent				
	•	sanad from a recognized	•			
		religious institution.				
		(a) Secondary School	18 to 28	By ini	tial recruitment.	l
	ipment Engineers	Certificate from a	years.		•	
(BP	°S-16).	recognized Board; and	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
		recognized Board, and			•	
		(b) Diploma in Electronics	}			
1		from a recognized			:	
		Polytechnic Institute or		}		
		College of Technology				
		with two years				
-		experienced of Audio		1		
		Video equipment		1		}
		installation maintenance	1			
		and repair with sufficient				
	•	knowledge of handling		1.		
		such equipment.	18 to 28	Byi	nitial recruitment.	
Ar	tists	(a) Secondary School	1	, Dy '	The contract of the contract o	
	BPS-11).	Certificate from a	years.			Į
	,, _ ,	recognized Board; and		Ì	·	
		(b) Diploma or certificate in)			
		fine art from a		Ì	:	l
	·	recognized institute	•		,	
		with two years				
ļ		experience of	-		!	
		commercial art.			initial recruitment.	
<u>-</u>	lectricians	(a) Secondary School	18 to 2	1 -	Illia recidiment	ļ
	BPS-11).	Certificate from a	years	•	•	
	DI O TAJ.	recognized Board; and	·			
İ		(b) Diploma in Electrical	Ì	Ì		
		from a recognized		ļ	·	
		Institute with		}		
		appropriate technical		\ \		
		knowledge of repairs,	Ì	1		
		maintenance and		1		
		handling of Electric				1
ļ	•	Supply / Lines /	l			
1		equipment.	18 to	28 B	y initial recruitment.	1
9	Penal Operators	(a) Secondary School	year	1	•	
	(BPS-11).	Certificate from a	1 *		1	
	,	recognized Board; ar	14			
		(b) Diploma in Electronic			•	
1		from a recognized	,			
		Institute with sufficier	II			1
		knowledge of handlir	ıy		:	74
1		console / audio video)			12
		equipment and its		Į	i	11
		repair and			<u> </u>	
	,	maintenance.	18 to	728	By initial recruitment.	į
	Physical Instructo	rs Secondary School		1		
10	(BS-11).	Certificate from a	yea	113.	ATTE	- (C) (T)
	(00-11).	recognized Board with	_1		ATTE	
		iunior Diploma in physic	aı	Ì	F-13	<u> </u>
		education or Ex-Service			\[\langle \la	,
		man who hold Seconda	ry		1.4	·
		School Certificate and			W W	
		served the defence force	e			
		for at least five years as	;		1	
		non-commission officer			By initial recruitment.	+
5	Di as-ambione	(a) Secondary School	181		Dy initial recruitments	
	Photographers	Cortificate from a		ars.	1	
11	1		, -	1	43	
11	(BS-11).	recognized Board.	and	1	1	
11	(BS-11).	recognized Board; (b) Certificate in Plestographer for	and			and the second

7					
1			with three years		65)
1	Ì	ļ	experience in portrait /		(23)
			landscape photography		
			with appropriate		
1	-		knowledge and practice	1	, 1
	1	1	of commercial		
	ĺ	1	photography.	ļ	
	12	Video Camera	At least 2 nd Division	18 to 28	By initial recruitment.
	14	Operators	Secondary School	years.	J I I I I I I I I I I I I I I I I I I I
				years.	
		(BPS-10).	Certificate from a		, 1
			recognized Board with four	-	, <u> </u>
-			years experience in	1	
			Outdoor Photography,	[
		i	Documentary, Editing and	1	
		į	Commercial	1	
	13	Artist-cum-	Diploma in Arts from a	18 to 28	By initial recruitment.
	· .	Photographers	recognized Institute of Arts	years.	
-	,	(BSPS-9).	with sufficient experience in	,	
		(Doro-s).			
1	# 27 27	Control of the Contro	photography.		4BV promotion con the basis of
4	14	Agriculture Inspectors	7-	il	ARA DIOMOTION COUNTRY DAYS OF
- 1	, ,	(BPS-9)			seniority₌cum-fitness: from
-	-	•		#	amongst Field Assistants with at
1			· · · · · · · · · · · · · · · · · · ·		least five years service as such.
	15	Field Assistants	(a) At least 2 nd Division in	18 to 28	By initial recruitment.
- [(BPS-6).	Secondary School	years.	
-		(6, 5 5).	Certificate with science	,	
į			from a recognized	.]	
		ı)		.	·
			Board, and	I	
		1	(b) Certificate of passing	1	
		1	two years training	1	
			course from Agricultural	ļ	
i		1	Training Institute.		
	16	Stock Assistants	(a) At least 2 nd Division in	18 to 28	By initial recruitment.
-	10	(BPS-6).	Secondary School	years.	'
- 1		(B) 3-0).	Certificate with science) <u> </u>	i
		1	from a recognized	1	
- }	ı			!	
	i		Board; and	1	
1			(b) Certificate of passing	ļ	
!			two years training		
	ļ		course from Agricultural		
	ĺ		Training Institute.	·	
	17	Laboratory Assistants	At least 2 nd Division in	18 to 28	(a) Fifty percent by promotion,
	١	(BPS-6).	Secondary School	years.	on the basis of seniority-
	į.	(DF 3-0):	Certificate with science	1	cum-fitness, from amongst
			from a recognized Board.	l	Laboratory Attendants with
			Hom a recognized bosts.	ł	three years service as such,
				١.	having Secondary School
				İ	Certificate with science from
]	·	İ	a recognized Board; and
			· l	1	
		1	• 1	l .	(b) Fifty percent by initial
					recruitment.
	18	Pharmacy	Secondary School		By initial recruitment.
•	10	Technicians	Certificate from a		
		,	recognized Board with		
•		(BPS-9).	Dispenser Certificate from		
			Dispenser Certificate from		
			Health Department.	18 to 40	By initial recruitment.
	19	Heavy Duty Driver	Experience in driving		By Hillar red distribution
		(BPS-6).	having heavy vehicle	years.	
			driving lincence.		By promotion, on the basis of
	20	Driver-Cum-Operator	Middle pass having heavy	18 to 40	By promotion, on the basis of
		(BPS-6).	Motor driving lincence and	years.	seniority-cum-fitness, from
		(61, 0 0).	experience in handling		amongst the vehicle drivers with
		l	projector.		three years experience.
	1 24	Designation of the court	Literate possessing a valid	18 to 32	By initial recruitment.
	21	Projectionist-cum-	driving lincence and having	years.	three years experience. By initial recruitment.
	1	Drivers	three years experience in a		M* 1/7
		(BS-6).	relevant field.		/Ne
			Note:- preference will be	·	4
			Note: preference will be	ļ	
			given to the holders of		
			certificate in film projection.		By transfer from amongst Fitter
	22	Mechanics	·		with three years service as such.
		(BPS-5).			
	23		Middle pass certificate from	18 to 28	By initial recruitment.
	40		a recognized Institute.	years.	- Floid
		(BPS-5).	Meddle pass with	18 to 40	By promotion from amongst Field
	24		experience in budding.	years.	Worker/ Malies and Attendants.
		(BPS-5).	experience in budding.	18 to 40	
	25		Secondary School		
		(BPS-5).	Certificate from a	years.	
•)	1 1			$\frac{1}{2}$
•			,		
					ي ا

:	26	Tractor Drivers (BPS-5).	recognized Board with certificate as Electrician. Having tractor driving lincence with two years experience in handling	18 to 40 years.	By initial recruitment.
	27	Vehicle Drivers (BPS-4).	Tractor. Experience in Driving with light vehicle driving tincence.	18 to 40 years.	By initial recruitment.
	28	Thresher Operators (BPS-3).	Middle pass one year experience in the Thresher Operator.	18 to 40 years.	By initial recruitment.
	29 30	Tube Well Operators (BPS-1). Tractor Cleaners / Helpers of Driver	Two years experience in the operating tube wells. One year experience as	18 to 45 years. 18 to 45 years	By initial recruitment. By initial recruitment.
	31 32	(BPS-1). Malies (BPS-1). Carpenters	Experience in flower culture and horticulture. Five years experience as	18 to 45 years 18 to 45 years.	By initial recruitment. By initial recruitment.
	33	(BPS-1). Field Workers / Cook / Depot Colies / Laboratory Attendants / Mess Boys & Sweeper	carpenter. Experience in the relevant field.	18 to 45 years.	By initial recruitment.
		(BPS-1).		J	

PART-II

			MINISTERIAL ST	TAFF	<u>.</u>	
					By promotion, on the basis of	
	34	Assistant Accounts Officers (BPS-17).		ļ	seniority- cum-fitness, from amongst the holders of the posts of Administrative Officers /	
	35 36	Administrative Officers (BPS-16). Superintendents (BPS-16).			Superintendents. "By transfer from amongst the Superintendents". a). Ninety percent by promotion, on the basis of seniority- cum-fitness, from amongst the holders of the posts of Assistant / Accountants with five years service as such; and	
	37	Senior Scale Stenographers (BS-15).		- <u>-</u> ·	b), ten percent by promotion, on the basis of seniority- cum-fitness, from Senior Scale Stenographers with five years service as such. By promotion, on the basis of seniority-cum-fitness, from amongst Junior Scale. Stenographers / Computer Operators with three years	
t	38	Assistants / Accountants (BPS-14).	At least 2 nd Division Bachelor's Degree from a recognized University	18 to 28 years.	(a). Seventy-five percent by promotion, on the basis of seniority-cum-fitness, from Senior Auditors / Seniors Clerks with three years service as such; and (b), twenty-five percent by initial recruitment.	
	39	Junior Scale Stenographers (BPS-12).	(a). Secondary School Certificate or an equivalent qualification from a recognized Board; and (b). a speed of eighty words per minute in	18 to 28 years	By initial recruitment.	14
	40	Computer Operators (BS-12).	shorthand in English and thirty-five words per minute in typing. At least 2 nd Division Bachelor's Degree from a recognized university with one year diploma in Information Technology	18 to 28 years	A	
	4	1 Video Camera Operator (BPS-10).	At least 2 nd Division Secondary School Certificate with two	18 to 28 years.		

years experience in Outdoor Seismograph



	•		- 1	
	.]	Documentary Editing		
	· •	and Commercial.		
	Senior Člerks			By promotion, on the basis of
42				seniority-cum-fitness, from amongst
	(BPS-9).			Junior Clerks / Time Keepers / Store .
	•	•		Keepers and Depot Keepers with two
		i		Reepers and Depot Reepers
}				years service as such.
43	Senior Auditors	- '	-	By promotion, on the basis of
-10	(BPS-8).			seniority-cum-fitness, from amongst
	(BPS-0).			Junior Auditors with two years service
	!	_	'	as such.
			40 40 00	(a) Thirty-three percent by
44	Junior Clerks	(a) Secondary School	18 to 28	(a) Mility-times person by
	(BSPS-7).	Certificate or an	years.	promotion, on the basis of
	(881 87).	equivalent qualification		seniority-cum-fitness, from
,		from a recognized		amongst the holders of all Class-
		Board; and		IV posts provided that they
		(b), a speed of thirty		nossess secondary school
		(b), a speed of tility		certificate with two years service
		words per minute in		as such; and
		typing.		(b) Sixty-seven percent by initial
		4		recruitment.
			and the second	
45	Junior Auditors	Secondary School	18 to 28	By initial recruitment.
45	(BPS-6)	Certificate or an	years.	
1	(BP3-0).	equivalent qualification		
	•	from a recognized		-
		Board;		
1			18 to 28	By initial recruitment.
46	Store Keepers/Time	Secondary School	years.	
İ	Keepers and Deport	Certificate or an	years.	
	keepers (BPS-5)	equivalent qualification		
	, i'	from a recognized		
!		Board.		
1		Three years experience	18 to 32	By initial recruitment.
47	Calligraphers		years.	
!	(BPS-5).	in the art of calligraphy	18 to 45	By promotion, from amongst Naib
48	Daftaries (BPS-2).	Middle Pass.	1	Qasids who are middle passed
.	,		years.	* \$40 CONTO TA NO. 14 LAND
10	Naib Qasids .	Preferably literate.	18 to 45	By initial recruitment.
49		, , , , , ,	years.	
	(BPS-1).	Having experienced in	18 to 45	By initial recruitment.
50	Chowkidars and	maving, experienced in	years.	
	Security Guards	watch and ward duty.	1,77	
	(BPS-1).		1	r 1. = ···
1	1 '		\ .	\sim \sim

SECRETARN TO G THE KHYBER PAKHTUNKHWA, COOP: DEPARTMENT. ACRIL: LIVESTOCK AND

Endst. of even No. & Date.

Copy forwarded for information and necessary action to: -

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

PS to Secretary Agriculture

(MUHAMMAD ZAHID) SECTION OFFICER-ESTT:



tute of at least one year.





					·
		*SCHEDULE (See rule 2)	- l	Method of recruitment	
of Poet	Minimum qualification prescribed for appointment provintial recruitment or by provintial recruitment or by	rainnun dualillation	Age Limit for initial recruitment		
Nomenclature of Post	by initial recruitment or by transfer	by promotion 4	5	V	·

EXTENSION WIGNG

Director General (Extension)

Project Director / Principal

Deputy Director Agriculture/ Deputy Director Agriculture (Economic and Marketing) / Agronomist / Economist / Plant Pretection Officer/Ser.ior Subject Specialist/Senic: Instructor.

By selection on merit from amongst three senior most officers of the Extension Wing in B-19.

Seniority being considered only in case of officers of practically the same standard of merit.

By selection on merit from amongst six senior most officers of the Extension Wing in B-18.

Seniority being considered in the case of officers of practically the same standard of merit, or

(ii) by tranfer.

By promotion on the basis of seriority-cum-fitness from amongst the officers holding any of the posts specified at serial No. 6 with at least five years service as such in the Extension Wing.

de Endorsement No. SOE (AD) 11 (2) 249/88-11/23146-49, dated 3.9.1989.

İ	Table 6-1		The state of the s
(3)	COMMUN. AND WASHINGTON OF		The second secon
1	2	49	(28) 6
4. Statistician	3	4 5	
5. Horticultural (Officer		By promotion on the basis of seriority-cum-fitness from amongst Assistant Statistical Officers in the Extension Wing with at least processing the data obtained therefrom.
6. Extra Assista Agriculture/Ex	ten August		processing the data obtained therefrom. By promotion on the basis of seniority-cum-fitness from amongst such:
Director Agric nomic and Mar tant Plant Protec Assistant Agror tant Publicity Of Specialist/Junic (Supervisory).	ulture (Eco- keting/Assis- ction Officer/ omist/Assis-		By promotion on the basis of seniority-cum-fitness from amongst Agricultural Officer who have at least five years service as such.
7. Assistant Hortice Officer	qualification with specialization in Hortical	21 to 35	By initial recruitment.
8. Agricultural Offic	M.Sc. Agri. or equivalent (a) qualification from a recognised University.		(i) Seventy five per cent by initial recruitment; and
	ATTESTED (b) (t	meate from a necog-	twenty five per cent by promotion, on the basis of seniority- cum-fitness from amongst the holders of the post of as Agricultural Inspector with at least fifteen years total service as Agricultural Inspector and Field Assistant.
		*SCHEDULE - 1	

18		المترامينيين والمرامين ميام المساوريني	
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$\int_{-\infty}^{15}$	Agriculture Inspector		(a) Secondary School Certificate or equivalent from a recognised By promotion on the basis of seniority-cum-fitness from amongst Field Assistants with at least five years service as such.
1	2	3	4 5
9.	Assistant Statistical Officer	Master Degree in Statistics or Maths or Economics with specialization in Statistics, from a recognised University.	21 to 28 (a) Fifty per cent by initial recruitment; and years (b) Fifty per cent by promotion on the basis of seniority-cumfitness from amongst Statistical Investigators with at least five years service as such.
10.	Agricultural Research Officer	B.Sc. Agri. from a recognised University.	21 to 28 By initial recruitment. years
11.	Statistical Investigator	M.Sc. in Statistics, Maths, or Economics with Statistics as one of the subject from a recognised University.	21 to 35 (a) Seventy five per cent by initial recruitment; and years (b) twenty five per cent by promotion on the basis of seniority-cum-fitness from amongst Statistical Computors/Crop Reporters with at least ten years experience of working in the Statistical Cell.
12.	Communication Media Technician	(i) B.Sc. Agri. from a recognised University; or(ii) B.A. from a recognised University with diploma	21 to 28 (a) By promotion on the basis of seniority-cum-fitness from amongst Technical Writers, having at least three years service as such; or (b) If no suitable candidate is available then by initial
		in Journalism from a recognised Institute; or (iii) Diploma in Journalism from a recognised Institute and one year	recruitment.
	·	experience in Publicity work in Government/ Semi Government Organization.	ATTESTED!
13.	Physical Instructor	(i) Secondary School Certificate from a recognised Board with Junior Diploma in Physical Education; or	20 to 40 By initial recruitment. years
۱. رخه ۲۰۰۰			

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	(ii) Ex-serviceman who		•	A Server of the server of the	. *
,	holds Secondary School			The second secon	·
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	ved the Defence Force			Carlotte State of State of	Brance Selection of the Control of t
	for at least five years as				en in the second of the second
	non-commissioned Offi-		,	The state of the s	•
	cer (NCO).			A TOWN THE WATER OF THE E	•
14 Tankai ant M			•	the state of the s	· .
14. Technical Writer	(i) Graduate at least 2nd	`	21 to 28	(a) Fifty per cent by initial re	ecruitment; and
,	Division from a recog-	• •	vears		
	nised University; or			(b) fifty per cent by promo	otion on the basis of seniority-cum-
11 -	GIV Dinlama in to 12		69	City and the familiar common and	المالية المطاهرين
	(ii) Diploma in Journalism			Copiest/proof Readers/	ranslators; or
	from a recognised Insti- tute; or				
4	tate, or			(c) by tranfer if no suitable	person is available for promotion.
	(iii) Field Assistant Training		<i>?</i> *	the state of the s	1
	Course from Agricultu-			The state of the contracting of the state of	** *** *** *** *** *** *** *** *** ***
	ral Training Institute,		, •	within that are the same and the	• • • • • • • • • • • • • • • • • • •
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	ting Technical Articles				
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	given to Pushto writers.	1	•	The second secon	r de la companya de la companya de la companya de la companya de la companya de la companya de la companya de Administrativo de la companya de la companya de la companya de la companya de la companya de la companya de la
15. Agriculture Inspector		(a) Sacandary Cabaal C	(-e		
. 1	• •	(a) Secondary School Cer- tificate or equivalent		Field Assistants with at least f	seniority-cum-fitness from amongst
45. L. VEEL & THE W. AND A MADE SHOWING A STORY	and the second s	from a recognised		ricin Assistants Ain at feast	
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		是的使用,但是可以			
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\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		Poultry from a recognised Institute.				<u> </u>
., -	7	3	4	5	_ 6	
	<u> </u>		(b) Certificate of passing training course from Agricultural Taining Institute of at least one year.	,		
16.	Artist cum Photographer	Diploma in Arts from a recognised Institute of Arts with sufficient experience in photography.	e e	.18 to 25 years	By initial recruitment.	t a
17.	Field Assistant	(a) Secondary School Cer- tificate from a recog- nised Board; and		18 to 25 years	By initial recruitment.	*
	ı	(b) Certificate of passing training course from Agricultural Taraining Institute of at least one year's duration	•	50	,	the department with at least
18.	Mechanic	Middle pass	••	• •	By promotion from amongst fitters of three years service as such.	inc department
19.	Laboratory Assistant	Secondary School Certificate with Science from a recognised Board.	Secondary School Certificate with Science from a recognised Board.	18 to 25 years	(a) Fifty per cent by initial recruitme(b) fifty per cent by promotion on fitness from amongst Laborato three years service as such.	the basis of seniority-cum-
20.	Veterniary Compounder	Secondary School Certifi- cate with Science from a recognised Board with Veterniary Course from a recognised Government	i i i · · · · · · · · · · · · · · · · ·	years	By initial recruitment.	ale de la companya de la companya de la companya de la companya de la companya de la companya de la companya d
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ratory Attendant / Milkman		
Plough man / Gross Cutter Bee Attendant / Mess Boy		63
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Fig. 1 mg [4 Histograms as 2 George and Annal	Entering and Secretary Secretary Secretary Secretary	The second of th
27. Statistical Computor / Crop	Secondary School Certificate from a recognised Board, or	18 to 25 By initial recruitment. years years
STATE OF THE STATE	Trained Field Assistant from	and the second s
	Agricultural-Training-Insti-	·
A Company Cloude Times Vectoral	Secondary School Certifi- Secondary School Certifi-	- 18 to 25 (a) Seventy five per cent by initial recruitment; and
28. **Junior Clerk/Time Keeper/	cate or an equivalent quali- cate or an equivalent quali-	- years (b) Twenty five per cent by promotion on the basis of seniority:
The state of the s	fication from a recognised fication from a recognised Board.	cum-fitness from amongst the holders of the posts of Naio
Service and the service of the servi	<u>.</u>	Qasids and Dastri with two years service as such. In case qualified persens are not available for promotion, then the
handwing to a state of the parties.	The second of th	vacancies shall be filled in by initial recruitmen.
29. Fitter Z	Middle pass with Certificate in the line from a recognised	18 to 25 By initial recruitment. years
	Institute.	s so we will be and Attendants of the
Budders .	Middle pass with experience	18 to 40 By promotion from Field Worker, Malies and Attendants of the years . Department.
Angele Aldinate Antonia	in Budding.	
1 731 A Electrician	Secondary School Certificate from a recognised	18 to 40 By initial recruitment. years
	cate from a recognised Board with certificate as Electrician	
32. Jeep Driver	Experience in driving with light vehicle driving licence.	18 to 40 By initial recruitment.
The second secon		18 to 40 By initial recruitment.
33. Tractor Oniver	Having Tractor Driving Licence with two years experience.	years
they de Sand Se Line	rience in handling Tractor.	

The Additional Chief Secretary FATA, FATA Secretariat, KPK Peshawar.

SUBJECT: DEPARTMENTAL APPEAL FOR THE GRANT
OF PROMOTION FROM FIELD ASSISTANT
TO AGRICULTURE INSPECTOR ON
REGULAR BASIS AND AGAINST THE
NOTIFICATION DATED 30.6.2011
WHEREBY THE PROMOTION AND
UPGRADATION OF THE APPELLANT HAS
BEEN SUCCUMBED

R.SHEWETH:

- 1- That appellant has joined the agriculture Department as Field Assistant (BPS-06) vide order dated 7.8.1982. That right from appointment till date appellant performing his duty quite efficiently and up to the entire satisfaction of his superiors.
- 2- That appellant has served the Department for more than 30 years as Field assistant. That despite of having experience and seniority the appellant has not been promoted to the post of Agriculture Inspector (BPS-11) till date though many other junior colleagues of the appellant has now been working as Agriculture Officers (BPS-17) but the appellant having more than 30 years service and being senior most employee and eligible for promotion has not been promoted till date to the post of Agriculture Inspector (BPS-11).
- 3-That despite of that the respondent Department has issued Notification dated 30.6.2011 due to which the chances of promotion to the post of Agriculture Inspector (BPS-11) has been attached with the condition that " 33% of total sanctioned posts of Agriculture inspector be allowed BPS-11 to BPS-14 as Agriculture supervisor in each wing of Agriculture Department subject to minimum service of 15 years service as Agriculture Inspector or Field Assistant ivthe curriculum of Field Assistant class will be revised and duration of the course will be enhanced from two years to three years (diploma course) for field Assistant and v- six months condensed course in the relevant field in the respective wing of the agriculture Department will be conducted for in-service staff and they will clear the examination in two terms otherwise they will be compulsory retired from service".

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR AMENDED PAGE NO.1

IN APPEAL NO.______/2013

Mr. Siraj-ul-Haq, Field Assistant (BPS-09), O/O the Agency Agriculture Officer, Bajaur at Khar

-- APPELLANT

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 2- The Director Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 3- The Agency Agriculture Officer, Bajaur at Khar.
- 4- Mr. Mazhar Ali shah, Agriculture Officer,
 C/O Directorate of FATA, Agriculture Department.
- 5- Mr. Hidayatullah, Agriculture Officer, C/O Directorate of FATA, Agriculture Department.
- 6- Mr. Sher Afzal, Agriculture Officer, C/O Directorate of FATA, Agriculture Department.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 30-06-2011 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS

PRAYERS:

That on acceptance of this appeal the respondents may very kindly be directed to rectify/modify the impugned Notification dated 30-06-2011 to the extent of appellant and the respondents may further please be directed to consider the appellant for regular promotion to the post of Agriculture Inspector from the date when appellant colleagues/junior colleagues were promoted. Any other remedy which this august Service Tribunal deems fit that also be awarded in favor of the appellant.

R/SHEWETH:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. /0/6___/2013

SIRAJ UL HAQ

VS

A.C.S FATA

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APPELLANT

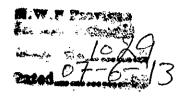
THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO 10/6 /2013

Mr. Siraj Ul Haq, Field Assistant (BPS-09), O/O the Agency Agriculture Officer Bajaur at Khar



..... APPELLANT

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 2- The Director Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 3- The Agency Agriculture Officer, Bajaur at Khar.
- 4- Mr. Mazhar Ali Shah, Agriculture Officer, C/O Directorate of Agriculture Department.
- 5- Mr. Hidayatullah, Agriculture Officer, C/O Directorate of Agriculture Department.
- 6- Mr. Sher Afzal, Agriculture Officer, C/O Directorate of Agriculture Department.

...... RESPONDENTS

SECTION 4 OF UNDER THE PAKHTUNKHWA SERVICE TRIBUNAL **ACT 1974 FOR** DIRECTING THE RESPONDENTS TO REGULARLY **PROMOTED** THE APPELLANT TO THE AGRICULTURE INSPECTOR FROM THE DATE WHEN APPELLANT_COLLEAGUES AND JUNIOR COLLEAGUES WERE PROMOTED AND AGAINST NOT TAKING ACTION THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTARY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the respondents may very kindly be directed to set aside the impugned Notification dated 30.6.2011 being illegal and the respondents may further please be directed to regularly promote the appellant on the post of Agriculture Inspector from the date when appellant colleagues/junior colleagues were promoted. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favour of the appellant.

<u>ŔŹSHEWETH:</u>



nd filed.

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1, 1. Mr. Shahid Hussain Field Asstt;			
2. Mr. Hidayat Hussain Field Asstt.	'	7	1.12.2001
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l. Mr. Abdur Raziq Senior Clerk.	11	. 12	1.12.2001
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3. Mr. Siranjam Khan Junior Clerk	9	10	1.12.2001
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Sd/- (ALI AHMAD)
Dy:Director of Agriculture,
FATA Peshawar.

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ATTESTED For information and noncessary action plea

Dy: Lirector of Agriculture, FATA P e s h a w a r.

ΪDĠ

/2010

Compression till

No.12/2/EstV_

Dated Peshawar: the

The Secretary to Govt. of NWFP, Agriculture, Livestock and Cooperation Department, Peshawar.

Subject:

PROMOTION / POSTING PROPOSAL

Amanullah

N.W.Agency.

Orakzai Agy.

Agril. Inspector o/o AAO,

Memo: In this regard the following Agricultural Inspector BS 9 were cleared for promotion to the post of Agricultural Officer (BS-17) by Departmental Promotion Committee on 16.3.2010 of Agriculture

P-7			No. 1		 ٠
Extension Department.	· ·	No.	Name of Agril.	Inspector	
S.No Name of Agril. Inspector S. Mazhar All Shah S. Sartaj Ul Hassan Noor Rehman Sabit Shah Fazli Akbar Mian Gul Jan Ghazi Gul	s	8.No 9 9 10 11 12 13	Tehseenullah Abdul Sattar Faizur Rehman Amanullah Fazli Mabood Jaffar Khan		
7 (102) 0-1			•		 •

Agril: Officer.

On the disposal of FATA for further posting

necessary action.		To	Remarks	
· · ·	Name of officer		10500	Against the post of Agril.
No.	S. Ivic har Ali Shah	Agril. Inspector o/o DOA, DIKhan.	Agricultural Öfficer, DIKhan	Officer to be vacated by M Ahmad Nawaz promoted to Sup. Post.
\ \		iiitar olo DOA	Agril: Officer, Hangu	
2	S. Sartaj Ul Hassan	Agril. Inspector olo DOA, Hangu	against the vacant post.	
3.	Noor Rehman	Agril. Inspector olo AAO,	Agril: Officer.	further posting. On the disposal of FATA
100	0.000 200	S.W.Agency. Agril. Inspector olo AAO,	Agril: Officer.	Sudbor nocling about in its
4	Satist 8 lah	S.W.Agency.	Agril: Officer.	On the disposal of FATA further posting.
(5)	Fazlı Akbar	Agril. Inspector o/o UCA, Charsadda.		On the disposal of FAT
1/6	Mian Gul Jan	Agril, Inspector o/o AAO,	Agril: Officer.	further posting. On the disposal of FAT
) Ghazi Gui	Bajour Agy. Agril. Inspector o/o AAO	, Agril: Officer.	した abor positioの形態である
10	´ \	Bajour Agy. Agril, Inspector o/o AAC		On the disposal of FAT further posting
8	Tehseenullah	Mohmand Agy	Charai	
9	Abdul Sattei	Agril. Inspector olo AAC N.W.Agency.	Khel, Lakki against th	ne l

ji i				Facel of
,	*11	Agril. Inspector olo AAO,	Agril: Officer.	On the disposal of FATA for further posting.
12.	Fazli Mabood	Orakzai Ayy.	Agril: Officer, Kallang,	
13.	Jaffar Khan	Agril. Inspector olo DOA. Mardan.	Mardan against the	Against the post to be
10.	*	Agril: Officer, Khar, Bajour	post. Agril: Officer, Bara, Khyber Agency.	-compled to the
14.	Zahoorud Din	Agency.		Supervisory posu-
		Agril: Officer, Mamond Bajo	Agricultural Officer, Dakk o/o DOA, Charsadda.	emost queme for
15	S. Ageel Shah	Agency.		

DIRECTOR GENERAL AGRICULTURE (EXTENSION) NWFP, PESHAWAR

GOVERNMENT OF KHYBER PAKHTUNKHWA AGRIL: LIVESTOCK AND COOP: DEPARTMENT:

Dated Peshawar, the 29/6/2010.

NOTIFICATION.

NO. SOE (AD) V-8/2010.— In continuation of this Department's notification of even number dated 22/4/2010, the Competent authority is pleased to order the postings/transfers of the following officers of Agriculture, Extension Department in the interest of public service:-

	<u> </u>	<u> </u>	
S. No	Name of Officers	From	То
1	Mr. Noor Rehman	Agril: Inspector o/o Agency Agril: Officer, SW Agency.	Agril: officer (BS-17) o/o Agency Agril:Officer, SW Agency against vacant post.
2.	Mr. Sabit Shah	Agril: Inspector o/o AAO, SW Agency.	Agril: Officer (BS-17) o/o AAO, Wana SW Agency against vacant post.
3.	Mr. Fazli Akbar	Agril: Inspector o/o DOA, Charsadda.	Agril: Officer (BS-17) o/o AAO, Bajaur Agency Salarzai Circle against vacant post.
4.	Mian Gul Jan	Agril: Inspector o/o AAO, Bajaur Agency.	Agril: Officer (BS-17) o/o AAO Bajaur Agency Mohmand Circle against vacant post.
5.	Mr. Ghazi Gul	Agril: Inspector o/o AAO, Bajaur Agency.	Agril; Officer (BS-17) o/o AAO, Bajaur Agency Vice No.11
6.	Mr. Tehseenullah	Agril: Inspector o/o AAO, Mohmand Agency.	Agril: Officer (BS-17) o/o AAO, Mohmand Agency Ekka Ghund Circle against vacant post.
7.,	Mr. Abdul Sattar	Agril: Inspector o/o AAO, NW Agency.	Agril: Officer (BS-17), Ghazni Khel, Lakki Marwat against vacant post.
8.	Mr Faiz-ur-Rehman	Agril: Inspector o/o AAO, NW Agency.	Agril: Officer (BS-17), Daud Shah, District Bannu against vacant post.
9.	Mr. Amanullah	Agril: Inspector o/oʻAAO, Orakzai Agency.	Agril: Officer (BS-17)o/o AAO, Mohmand Agency (Pendiali Circle) against vacant post.
10.	Mr. Fazli Mabood	Agril: Inspector o/o AAO, Orakzai Agency.	Agril: Officer (BS-17) o/o AAO, Mohmand Agency Lakkaro Circle against vacant post.
11.	Mr. Zahoorud Din	Agril: Officer, Khar Bajor Agency.	Agril: Officer, Bara Khyber Agency against vacant post.
12.	S. Ageel Shah	Agril: Officer o/o AAO. Bajour Agency.	Agril: Officer, Dakki o/o DOA, Charsadda against vacant post.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA AGRIL: L/STOCK AND COOP: DEPTT:

Endst. of even No. & Date.

Copy forwarded for information and necessary action to:-

- 1. The Director General, Agriculture (Extension) Khyber Pakhtunkhwa, Peshawar.
- 2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 3. The Additional Accountant General (PR) Sub-Office, Peshawar.
- 4. The Director, Agriculture (Extension), FATA, Khyber Pakhtunkhwa, Peshawar.
- 5. The Section Officer (Estab) FATA Secretariat, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
- 6. All the Agency Agril: Officers in Khyber Pakhtunkhwa.
- 7. All the Agency Accounts Officers in Khyber Pakhtunkhwa.
- 8. The District Accounts Officers, Bannu, Lakki Marwat and Charsadda.
- 9. Officers concerned.
- 10. Personal file of the Officers.
- 11. PS to Minister for Agriculture, Khyber Pakhtunkhwa.
- 12. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 13. PS to Secretary Agriculture, Pakhtunkhwa.

man

(SAKHI-UR-REHMAN) SECTION OFFICER-ESTT: CSIL

Dated Peshawar, the 30/6/2011

OTIFICATION. Pakhtunkhwa Finance Department (Regulation Wing) letter No. SO(FR)/FD/7 NO. SOE (AD)VI-106/2011.

In pursuance of the Government of Engine 13/2010/Vol.II dated 28-6-2011, the competent authority has been pleased to upgrade 1054 posts of Field Assistant (BS-6) and Agriculture Inspectors (BS-9), working in

Agriculture (Extension) Research, Water Management and Soil Conservation Department, including EATA, as per details mentioned in the minutes of the meeting vide paras 4-7 reprodued below:

	SET	LED AREA.	of norte of
S.No.	Department	No. of posts of Fields Assistant.	No. of posts of Agriculture Inspector.
1.	Agriculture Extension	207	
2.	Agricultural Research	44	4
3.	Soil Conservation water Management Total:	8 796	51
	FATA	AREA	i i i i i i i i i i i i i i i i i i i
S.No.	Department	Fields Assistant	No. of posts of Agriculture
1.	Agriculture Extension FATA	189	
1.	Approliture Research FATA	- 1	1,7

Basic pay scale of Field Assistant at first entry into government service be upgraded from BS-6 to BS-9.

25% of the total posts of Field Assistant may be allowed as Agriculture Inspector BS-11 in each wing of Agriculture Department.

33% of total sanctioned posts of Agriculture Inspector be allowed BS-11 to BS-14 as Agriculture Supervisor in each wing of Agriculture Department subject to minimum service of 15 years as Agriculture Inspector or Field Assistant.

The curriculum of Field Assistant class will be revised and duration of the course will be enhanced from two years to three years (diploma course) for Field Assistant.

06 months condensed course in the relevant field in the respective wing of the Agriculture Department will be Via 17-Est 16HD 9-6 conducted for in service staff and they will clear the examination in two terms otherwise they will be compulsorily Deten (lesh, In Jayretired from service.

vi. The educational qualification for initial appointment of Field Assistant would be the same i.e. Matric with science on account

The DDA (F) of enhancement of course duration from two to three years.

The BDAIP DIA

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA AGRII: L/STOCK & COOP: DEPTT:

ATTESTED

No. 50(FE)/FD/7 13/2010/Vol 11 Dated Pashawar the 30/6/2011 Copy forwarded for information and necessary action to? The Accountant General, Khyber Pakhtunkhwa, Peshawar The Additional Accountant General (PR)Sub-Office, Khyber Peshawar All Enstrict / Agency Accounts Officers, in Knyber Pakhtankhwa (SHAUKAT ULLAH) SECTION OFFICER(FIL) FINANCE DEPARTMENT Endst No.SOI (AD)VI-106/2011 Dated Peshawar, the 30/6/2011. Copy forwarded for information and necessary action to: The Director General, Agriculture (Extension), Khyper Pakhtunkhwa, Peshawar The Director General, Agricultural Research, Knyber Pakhtunkhwa, Peshawar The Director General, On-Farm Water Management, Knyber Pakhtunkhwa, Peshawar The Director General, On-Farm Water Management, Knyber Pakhtunkhwa, Peshawar The Director General, Agricultural Research Institute, Tarnab, Peshawar The Director (FATA) Agricultural Research Institute, Tarnab, Peshawar The Oriector, Soil Conservation, khyber Pakhtunkhva, Peshawar The Ses from Officer Estable FATA Secretarial, Peshawar The Section Officer (FR) Finance Department way to his letter miniber quotien above The Budget Officer-VII, Finance Department. All Section Officers in the Agriculture Department the Manager Government Printing Press, Peshawa The Director of Information, Khyber Pakhtunkhwa, Peshawan PS to Minister for Agriculture, Khyber Pakhtunkhwa, Peshawar 15 to Secretary Agriculture. SECTION, OFFICER-ESTT. DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA, PESHAWAR. 18412-504 Endst. No.18/159-A/Est/ Dated Peshawar, the 5/10 2011. Copy to 1. The Accountant General, Knyber Pakhtunkhwa, Peshawar, 2. The Additional Accountant General (PR) Sub-Office, Peshawar. 3. The Director Agriculture (Extension) FATA, Khyber Pakhtunkhwa, Peshawar, The Principal Agricultural Training Institute, Peshawar, 5. All Executive District Officers Agriculture in Khyber Pakhtunkhwa 6. All District Directors Agriculture in Khyber Pakhtunkhwa. 7. All District / Agency Accounts Officers in Khyber Pakhtunkhwa.
8. All Agriculture Agency Officers in MPK. For information and necessary action. 9. File No.18/1/Estl for record. SUPERINTENDENT (ESTT) To DIRECTOR GENERAL AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA, PESHAWAR Fe prown all some of FDI.

ेत एकक्ष्मका

The Additional Chief Secretary FATA, FATA Secretariat, KPK Peshawar.

SUBJECT: DEPARTMENTAL APPEAL FOR THE GRANT OF PROMOTION FROM FIELD ASSISTANT AGRICULTURE INSPECTOR **BASIS** REGULAR AND **AGAINST NOTIFICATION** DATED 30.6.2011 WHEREBY THE PROMOTION AND UPGRADATION OF THE APPELLANT HAS **BEEN SUCCUMBED**

R.SHEWETH:

- 1- That appellant has joined the agriculture Department as Field Assistant (BPS-06) vide order dated 7.8.1982. That right from appointment till date appellant performing his duty quite efficiently and up to the entire satisfaction of his superiors.
- 2- That appellant has served the Department for more than 30 years as Field assistant. That despite of having experience and seniority the appellant has not been promoted to the post of Agriculture Inspector (BPS-11) till date though many other junior colleagues of the appellant has now been working as Agriculture Officers (BPS-17) but the appellant having more than 30 years service and being senior most employee and eligible for promotion has not been promoted till date to the post of Agriculture Inspector (BPS-11).
- That despite of that the respondent Department has issued 3-Notification dated 30.6.2011 due to which the chances of promotion to the post of Agriculture Inspector (BPS-11) has been attached with the condition that " 33% of total sanctioned posts of Agriculture inspector be allowed BPS-11 to BPS-14 as Agriculture supervisor in each wing of Agriculture Department subject to minimum service of 15 years service as Agriculture Inspector or Field Assistant ivthe curriculum of Field Assistant class will be revised and duration of the course will be enhanced from two years to three years (diploma course) for field Assistant and v- six months condensed course in the relevant field in the respective wing of the agriculture Department will be EI conducted for in-service staff and they will clear the examination in two terms otherwise they will be compulsory retired from service".

- 4- That all the above mentioned conditions of the said Notification are against the existing service structure of the agriculture Department. Further more due to above mentioned conditions the chances of promotion of field Assistant will certainly be stopped.
- 5- That feeling aggrieved appellant prefer this Departmental appeal on the following grounds amongst the others.

GROUNDS:

- A- That the impugned Notification dated 30.6.2011 is against the law, facts, natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That not granting/allowing promotion to the appellant to the post of Agriculture Inspector (BPS-11) from Field Assistant is against the law, facts and norms of natural justice.
- C- That appellant has not been treated by the authorities in accordance with law and rules on the subject noted above and as such the respondent Department violated Article 4 and 25 of the Constitution of Pakistan 1973.
- D- That despite of having more than 30 years service and having eligibility for promotion to the post of Agriculture Inspector the appellant has been ignored from promotion/up gradation to higher scale.
- E- That the Agriculture Department has acted in arbitrary and malafide manner by not promoting the appellant to the post of Agriculture Inspector (BPS-11).
- F- That many of the appellant junior colleagues have now been working as Agriculture Officers BPS-17 and the appellant is still working as Field Assistant (Bi-S-9) thus the appellant has been discriminated and not been treated amongst his similarly placed colleagues.

It is therefore humbly prayed that on acceptance of this Departmental appeal the impugned Notification dated 30.6.2011 may very kindly be set aside and the appellant may very kindly be promoted to the post Agriculture Inspector (BPS-11). Any other remedy which your good self deems fit that may also be awarded in favor of the appellant.

DATED:8.2.2013

ATTESTED

APPELLANT

SIRAJ UL HAQ FIELD ASSISTANT, O/O THE AGENCY ADGRICULTURE OFFICER, BAJAUR AGENCY.

BEFORE THE KHYBER PAKHTUNKHEWA SERVICE TRIBUNAL PESHAWAR

ADDEAL	NIO	/2013
APPEAL	MO_	

Siraj-ul- Hag

VS

A.C.S FATA

APPLICATION FOR SUSPENTION OF OPERATION OF IMPUGNED NOTIFICATION DATED 30-6-2011 TILL THE DISPOSAL OF THIS APPEAL

R/SHEWETH:

- 1- That the appellant filed above mentioned appeal along with this application is pending adjudication before this august service Tribunal in which 10.2.2014 date is fixed for hearing.
- 2- That all the three ingredients necessary for the stay is in favor of the appellant.
- 3- That the impugned Notification dated 30.6.2011 is against the appointment, promotion and transfer rules 1989.
- 4- That the grounds of main appeal is also be considered as integral part of this application.

It is therefore humbly prayed that on acceptance of this application the order dated 30-6-2011 may very kindly be suspended till disposal of this appeal.

APPELLANT

THROUGH:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.1016/2013

Mr. Siraj-ul-Haq, Field Assistants (BPS-09), Appellant o/o the Agency Agriculture Officer Bajour Agency at Khar.

VERSUS

- 1. The Additional Chief Secretary FATA, FATA Secretariat Warsak Road Peshawar.
- 2. The Director Agriculture Department FATA, (Extension) Peshawar.
- 3. The Agriculture Agency Officer, Bajour at Khar.

Para wise comments on behalf of respondents.

RESPECTFULLY SHEWETH,

PRELIMINARY OBJECTIONS

- 1. The appellant has got no cause of action.
- 2. The appeal is time barred.
- 3. The appeal is not maintainable in its present form
- 4. That the instant appeal is bad for mis-jonder and non jonder of necessary parties.
- 5. That the appellant has got no locus standi.

FACTS

Para No.1 Pertain to Record.

<u>Para No.2</u> The Field Assistants are promoted to the post of Agriculture Inspector and from Agriculture Inspector to the post of Agriculture Supervisor and then from Agriculture Supervisor to the post of Agriculture Officer according to Seniority cum-fitness and service rules. All the promotion cases are dealt by the Director General, Agriculture (Extension) Khyber Pakhtunkhwa Peshawar, being head of the department. Therefore this office has no concern with the promotion etc.

<u>Para No.3</u> The Notification No.SOE(AD)VI-106/2011 dated 30.06.2011 issued by the Secretary to Govt. Khyber Pakhtunkhwa Agriculture Livestock and Coop. Department Peshawar in pursuance of the Govt. of Khyber Pakhtunkhwa Finance Department (Regulation Wing) letter No.SO(FR)/FD /13/2010 Vol-II dated 28.06.2011 for all employees of Agriculture Extension Department which is according to law, rules and policy on the subject.

<u>Para No.4</u> As explained in Para No.2.

<u>Para No.5</u> Incorrect. The appeal was rejected by the Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar vide his letter No.18/159-A/Estt. / 2396-97 / DG dated 01.2.2015 (Copy attached).



Feb. 28 2014 08:19AM P1

No.18/159-A/Estt/ Dated Peshawar: the

/DG

Mr. Khaista Rehman,

Reference your appeal dated 7.1.2015.

Mr. Sher Muhammad, Field Assistant office of the AAO, Bajour Agency.

Field Assistant office of the AAO, Bajour Agency.

The names of the Agricultural Inspector shown in your application were moted at that time when the seniority of Field Assistant used to maintain on visional Level. Therefore, your appeals are hereby rejected.

> DIRECTOR GENERAL AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA PESHAWAR 1/6/1/10

100+No. 2398

Copy to the Agriculture Agency Officer, Bajour Agency at Khar for ormation.

16/3/11

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL No.1016/2013

SIRAJ-UL-HAQ

VS

t it was

ACS FATA & OTHERS

REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO THE REPLY SUBMITTED BY THE RESPONDENTS

R/SHEWETH:

All the preliminary objections raised by the respondents are incorrect, baseless and not in accordance with law and rules rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

ON FACTS: (1 to 6)

- 1- Admitted correct hence need no comments.
- Incorrect and not replied accordingly. That the appellant has been appointed as Field Assistant (BPS-6). That later on the appellant was allowed move-over to BPS-11 vide order dated 08.10.2003. That appellant served in the respondent Department as Field Assistant for more than 28 years quite efficiently and upto the entire satisfaction of his superiors. That colleagues and junior colleagues of the appellant have been promoted to the post of Agriculture Inspector but inspite of seniority and having experience in the relevant field the appellant has been ignored from the said promotion.
- 3- Incorrect and not replied accordingly. That vide respondent Department Notification dated 30-06-2011 the chances of promotion to the post of Agriculture Inspector (BPS-11) has been attached with the condition that "33% of total"

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- 4- Incorrect and not replied accordingly hence denied.
- 5- Incorrect and not replied accordingly. That the rejection order of the Departmental appeal of the appellant has not been communicated to appellant till date.

GROUNDS: (A to H):

All the grounds of main writ petition of the petitioner are correct and in accordance with law and prevailing rules and that of the respondents are incorrect and baseless. That the impugned orders dated 30-06-2011 issued by the respondents is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside. That the impugned Notification dated 30-06-2011 has been null and void and having no force of law in light of new Notification dated 20-04-12, therefore the same may be set aside. That respondent Department has acted in arbitrary and malafide manner by not promoting the appellant to the post of Agriculture Inspector BPS-11 inspite of seniority and eligibility.

It is therefore most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may be accepted in favor of the appellant.

APPELLANT

SIRAJ-UL-HAQ

THROUGH:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL No.1016/2013

SIRAJ-UL-HAQ

VS

ACS FATA & OTHERS

REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO THE REPLY SUBMITTED BY THE RESPONDENTS

R/SHEWETH:

All the preliminary objections raised by the respondents are incorrect, baseless and not in accordance with law and rules rather the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

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APPELLANT

SIRAJ-UL-HAQ

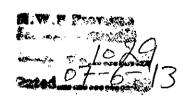
THROUGH:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO<u>|*e*|6</u>/2013

Field Assistant (DDC 00)

Mr. Siraj Ul Haq, Field Assistant (BPS-09), O/O the Agency Agriculture Officer Bajaur at Khar



..... APPELLANT

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 2- The Director Agriculture Department FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa Peshawar.
- 3- The Agency Agriculture Officer, Bajaur at Khar.
- 4- Mr. Mazhar Ali Shah, Agriculture Officer, C/O Directorate of Agriculture Department.
- 5- Mr. Hidayatullah, Agriculture Officer, C/O Directorate of Agriculture Department.
- 6- Mr. Sher Afzal, Agriculture Officer, C/O Directorate of Agriculture Department.

 RESPONDENTS

4 OF UNDER **SECTION APPEAL** PAKHTUNKHWA SERVICE TRIBUNAL **RESPONDENTS** REGULARLY DIRECTING THE TO PROMOTED THE APPELLANT <u>_TO</u> THE POST DATE WHEN AGRICULTURE INSPECTOR FROM THE APPELLANT COLLEAGUES AND JUNIOR COLLEAGUES WERE PROMOTED AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF WITHIN STATUTARY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the respondents may very kindly be directed to set aside the impugned Notification dated 30.6.2011 being illegal and the respondents may further please be directed to regularly promote the appellant on the post of Agriculture Inspector from the date when appellant colleagues/junior colleagues were promoted. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH:

1- That appellant has joined respondent Department as field Assistant (BPS-6) vide order dated 7.8.1982. That right from appointment till date appellant performing his duty quite efficiently and up to the entire satisfaction of his superiors.

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m4 file4.

- That so much so the respondent Department has issued Notification dated 30.6.2011 due to which the chances of promotion to the post of Agriculture Inspector (BPS-11) has been attached with the condition that " 33% of total sanctioned posts of Agriculture Inspector be allowed BPS-11 to BPS- 14 as Agriculture supervisor in each wing of Agriculture Department subject to minimum service of 15 years service as Agriculture Inspector or field Assistant class will be revised and duration of the course will be enhanced from two years to three years (diploma course) for field Assistant and v- six months condensed course in the relevant field in the respective wing of the Agriculture Department will be conducted for in-service staff and they will clear the examination in two terms otherwise they will be compulsory retired from service". Copy of the Notification
- 4- That all the above mentioned conditions of the said Notification are against the service structure of the Agriculture Department. Moreover due to above mentioned condition the chances of promotion of appellant would certainly be stopped.
- 5- That feeling aggrieved appellant prefer Departmental appeal to respondent Department but no reply has been received within the statutory period of ninety days. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure

GROUNDS:

A- That the impugned Notification dated 30.6.2011 is against the law, facts, natural justice and material on the record hence not tenable and liable to be set aside.

- B- That not granting/ allowing promotion to the appellant to the post of Agriculture Inspector (BPS-11) from the post of field Assistant is against the law, facts and norms of natural justice.
- C- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondent Department violated article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- D- That despite of having more than 28 years service and having eligibility for promotion to the post of Agriculture Inspector the appellant has been ignored from promotion to higher scale.
- E- That the respondent Department has acted in arbitrary and malifide manner by not promoting the appellant to the post of Agriculture Inspector (BPS-11) inspite of seniority and eligibility.
- F- That many of the appellant colleagues and junior colleagues have now been working as Agriculture Officers BPS-17 and the appellant is still working as Field Assistant (BPS-9) thus the appellant has been discriminated and not been treated amongst his similarly placed colleagues.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

ΔΡΡΕΙΙ ΔΝΤ

SIRAJ UL HAQ
THROUGH:
NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

	4	1016	
APPEAL NO		1000	/2013

SIRAJ UL HAQ

VS

A.C.S FATA

APPLICATION FOR CONDONATION OF DELAY IN FILING THE ABOVE NOTED APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so for.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUNDS OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that causes should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 10142003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

APPELLANT

SIRAJ UL HAQ

THROUGH:

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