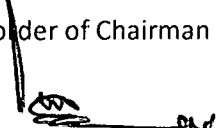


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1425/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/10/2022	<p>The appeal of Mr. Irshad Ullah presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL No. 1425 /2022

IRSHAD ULLAH VS LOCAL GOVT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal with Affidavit	1-3
2.	Application for suspension		4
3.	Advertisement & Appointment Order	A & B	5-9
4.	Copy of Rules	C	10-13
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6.	Departmental appeal and order	E & F	15-16
7.	Transfer Posting policy	G	17-19
8.	Vakalatnama		20


APPELLANT

Through:

NOOR MOHAMMAD KHATTAK
ADVOCATE
SUPREME COURT OF PAKISTAN

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

SERVICE APPEAL NO. _____/2022

Mr. Irshad Ullah, Village Secretary (BPS-09),
Village Council Jandri, District Karak.

..... **APPELLANT**

VERSUS

- 1- The Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Assistant Director, Local Government & Rural Development Department, District Karak.
- 3- Mr. Muhammad Atif, Village Secretary, O/O the Assistant Director LG&RD, District Karak.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED TRANSFER ORDER DATED 26.09.2022 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM VC JANDRI AND AGAINST THE APPELLATE ORDER DATED 28.09.2022 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.

PRAYER:

That on acceptance of this appeal the impugned transfer order dated 26.09.2022 and appellate order dated 28.09.2022 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from the post of village Sectary Village Council Jandri. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

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

- 1- That the appellant was appointed as village Secretary Village Council jandri (BPS-07) vide office dated 23.12.2015. That it is pertinent to mention that proper codal formalities have been adopted by the respondents in the selection process of the appellant. That after appointment the appellant started performing his duty quite efficiently and up to the entire satisfaction of his high ups. Copies of the advertisement and appointment order are attached as Annexure..... **A & B.**

- 2- That as per rules and as per condition of the advertisement the post of the appellant is non transferrable being purely neighborhood/village Council cadre. Copy of the rules is attached as annexure..... **C.**
- 3- That during service the respondents issued impugned transfer order dated 26.09.2022 whereby the appellant has been transferred from VC Jandri to AD Office and posted the Private Respondent No. 4 against the post of the appellant. Copy of the impugned transfer order is annexed as annexure **D.**
- 4- That appellant feeling aggrieved from the impugned transfer order dated 26.09.2022 preferred departmental appeal dated 27.09.2022 before the respondents department which has been rejected by the respondent department through appellate order 28.09.2022 on no good grounds. Copies of the departmental appeal and appellate order are attached as annexure **E & F.**
- 5- That appellant having no other efficacious remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

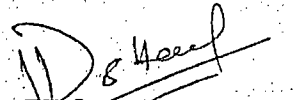
- A- That impugned transfer order dated 26.09.2022 and appellate order dated 28.09.2022 issued by the respondents are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated in accordance with law and rules by the respondent department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the impugned transfer order dated 26.09.2022 appellate order dated 28.09.2022 are also violative of Clause-1, Clause-IV and Clause-XI of transfer/posting policy of Provincial Government. Copy of the policy is attached as annexure **G.**
- D- That the impugned transfer order dated 26.09.2022 appellate order dated 28.09.2022 has been issued by the respondents in arbitrary and mala fide manner, therefore, the same is not tenable in the eye of law and liable to be struck down.
- E- That, the impugned transfer order dated 26.09.2022 appellate order dated 28.09.2022 are not passed in the public interest which is clear violation of judgments passed by this Honourable Tribunal and also the apex Supreme Court of Pakistan hence impugned order dated 26.09.2022 is a void ab initio in its nature.

F- That as per rules and as per condition of the advertisement the post of the appellant is non transferrable being purely neighborhood/village Council cadre.

G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

APPELLANT


IRSHAD ULLAH

Through:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

&


UMAR FAROOQ

-4-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____/2022

IN

SERVICE APPEAL No. _____/2022

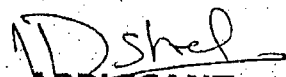
IRSHAD ULLAH VS LOCAL GOVT:

APPLICATION FOR SUSPENSION OF OPERATION OF THE
ORDERS DATED 26.09.2022 AND 28.09.2022 TILL THE
DISPOSAL OF THE ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the applicant/appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That applicant/appellant filed the above mentioned appeal against the impugned transfer order dated 26.09.2022 whereby the applicant/appellant has been transferred from the post of the VC Jandri to AD Office and posted the Private Respondent No.4 against the post of the appellant utter violation of the transfer posting policy, law and rules.
- 3- That all the three ingredients necessary for the stay is in favor of the applicant/appellant.
- 4- That the impugned orders dated 26.09.2022 and 28.09.2022 had been issued by the respondents in utter disregard of law and prevailing rules.
- 5- That all the grounds of the main appeal be consider as part and parcel of this application.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned orders dated 23.05.2022 and 20.09.2022 may very kindly be suspended and the respondent may kindly be directed not to vacate the accommodation form the applicant/appellant till the disposal of the above mentioned service appeal.


APPLICANT
IRSHAD ULLAH

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

**دفتر ڈائریکٹر جنرل محکمہ بلدیات و
دیہی ترقی صوبہ خیبر پختونخوا پشاور**



**اشتہار برائے بھرتی ویلج سیکرٹری برائے
ویلج / خیبر ہڈ کونسل (BPS-07)**

بحوالہ اشتہار نمبر INF(P)2000 ڈائریکٹریٹ جنرل محکمہ بلدیات و دیہی ترقی صوبہ خیبر پختونخوا سرحد
11-04-2015 کو مندرجہ بالا بھرتی کے لیے اشتہار دیا گیا تھا۔ امیدواروں کے تحریری ٹیسٹ کے لیے نیشنل ٹیسٹنگ
سروس کو مندرجہ ذیل معلومات درکار ہیں۔

سہ ماہی	مطلوبہ تعلیم	ڈیوٹی سکیل	نام آسانی	مطلوبہ	نمبر سہ ماہی
18-30	(i) تصدیق شدہ بورڈ سے ایف اے / ایف ایس سی یا اس کے مساوی امتحان پاس کیا ہو۔ (ii) تصدیق شدہ ادارے سے کمپیوٹر سافٹ ویئر 6 ماہ کا کورس پاس کیا ہو۔ MS-Word, Excel, and MS-Word, Excel, Internet/Email Inpage (Urdu) (iii) ان پیج (Inpage) اور انٹرنیٹ پر عبور حاصل ہو۔	07	ویلج سیکرٹری برائے ویلج خیبر ہڈ کونسل	متعلقہ	1

ڈیوٹی شرائط

- (1) متعلقہ ویلج خیبر ہڈ کونسل کے باشندے کو ترجیح دی جائے گی۔
- (2) مذکورہ بالا بھرتی متعلقہ سٹاف کے سرپلس پول میں موجود عملہ (Surplus Staff) کے کھل ترمیمی (Adjustment) کے بعد عمل میں لائی جائے گی۔

مذکورہ بالا شرائط کے لیے درخواستیں

- فارم اور آن لائن ڈیپازٹ سلیپ نیشنل ٹیسٹنگ سروس کی ویب سائٹ www.nts.org.pk پر موجود ہیں اور 06-07-2015 تک این ٹی ایس ہڈ کوارٹرز (1-E, Street No.46, I-8/2, Islamabad) کو موصول ہونی چاہئیں۔
- بذریعہ ڈاک تاخیر سے موصول ہونے کی صورت میں این ٹی ایس ڈسٹرکٹ ہڈ کوارٹرز۔
- بڑا ہڈ کرام این ٹی ایس جو ذریعہ ڈیپازٹ سلیپ کے ذریعے نیشنل ٹیسٹنگ سروس سے روپے Rs.400/- HBL, ABL, UBL, MCB کی کسی بھی آن لائن برانچ میں جمع کرائیں۔
- اقتالی مراکز میں موبائل فون لانے کی اجازت نہیں۔
- جمع شدہ رقم ناقابل واپسی اور ناقابل منتقلی ہے۔

UAN +92-51-844-444-1
NTS™ National Testing Service-Pakistan
Headquarters: 1-E, Street No.46, I-8/2, Islamabad

"B" - 6 -

OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT & RURAL
DEVELOPMENT DEPARTMENT
DISTRICT KARAK

Dated 23rd December 2015

OFFICE ORDER

No. 945 / ADLG&RDD /NK(Recruitment): Consequent upon recommendation of the Selection & Recruitment Committee, the following candidates are hereby appointed as Secretary Village Council in BS-7 (Rs.7490-115-19940) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions given below:

S#	Name of Candidate	Father Name	Vacant VC/NC Against which appointed
1	Alim Azam	Ami Azam	Sabir Abad
2	Mohammad Zahid	Sardar Ali Khan	Delli Mela
3	Fahir Mehmood	Amir Zada	Dhand Edal Khel
4	Rashid Iqbal	Mir Salih Khan	Plosar Sar
5	Asif Hayat	Nasrullah Khan	Chani Khel
6	Amjad Iqbal	Khiyal Marjan	Tarki Khel
7 ✓	Ishah Dullah	Abdul Ghafar	Jandri
8	Shahzada Irfan	Lal Shah Noor	Terkha Koi
9	Qismat Gul	Asaf Gul	Dhooda Khel
10	Mohamad Atif	Asaf Mohammad	Sarat Khel
11	Shahid Rasool	Rasool Khan	Suordog
12	Imamullah	Aqal Badshah	Latamber Sharki
13	Azmatullah	Faizullah Khan	Warana Latamber
14	Umer Sohail	Umer Ghani	Mandawa
15	Mohammad Ijaz ul Haq	Mohammad Tahir Shah	Jatta Ismail Khel
16	Niamatullah	Qinnat Jar	Makori
17	Muhammad Salman zafar	Raham Badshah	Mammi Khel
18	Issa Hassan	Moin Gul	Teri
19	Hazrat Bilal	Zar Badshah	Teri Sapari

**OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNEMENT & RURAL
DEVELOPMENT DEPARTMENT
DISTRICT COURT**

Dated: 23rd December 2015

OFFICE ORDER

NO.946/ADLG&RDD/KK(Recruitment): Consequent upon recommendation of the Selection & Recruitment Committee the following candidates are hereby appointed as Secretary Village Council in BS-7 (Rs.7490-115-19940) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions given below:

S#	Name of Candidate	Father Name	Vacant VC/NC Against which appointed
1.	Alim Azam	Ami Azam	Sabir Abad
2.	Muhammad Zahid	Sardar Ali Khan	Delli Mela
3.	Tahir Mehmood	Amir Zada	Dhand Edal Khel
4.	Rashid Iqbal	Mir Salib Khan	Plosar Sar
5.	Asif Hayat	Nasrullah Khan	Chani Khel
6.	Amjad Iqbal	Khiyal Marjan	Tarki Khel
7.	Irshah Dullah	Abdul Ghafar	Jandri
8.	Shahzada Irfan	Lal Shah Noor	Terkha Kot
9.	Qismat Gul	Asal Gul	Dhooda KHel
10.	Mohammad Atif	Asal Muhammad	Sarat Khel
11.	Shahid Rasool	Rasool Khan	Soordog
12.	Inamullah	Aqal Badshah	Latamber Sharki
13.	Azmatullah	Faizullah Khan	Waranan Latamber
14.	Umer Sohail	Umer Ghani	Mandawa
15.	Mohammad Ijaz ul Haq	Muhammad Tahir Shah	Jatta Ismall Khel
16.	Niamatullah	Qimat Jan	Makori
17.	Muhammad Salman Zafar	Raham Badshah	Mammi Khel
18.	Issa Hussain	Moin Gul	Teri
19.	Hazrat Bilal	Zar Badshah	Teri Sapari

-7-

S/No	Name of Candidate	Father Name	Vacant VC/ NC Against which appointed
20	Mazhar Islam	Farooq Islam	Ahmadi Banda
21	Muhammad Younus	Mohammad Rasool	Isak Khumari
22	Saeed Ur Rehman	Amal Jan	Mardan Khel
23	Zahid Kamal Akhtar	Khan Bad Shah	Gurguri
24	Wajahat Iqbal	Khalid Iqbal	Dagar Nari
25	Mohammad Jehangir	Hamayun Khan	Khuran Mohammad Zai
26	Umer Riaz	Umer Hayat Khan	Saikot
27	Mukhtar Ahmad	Fazal Mir	Warana Mir Hassan Khel
28	Mohammad Zafran	Shahadat Khan	Warana Muskan
29	Mohammad Adnan	Momin Khan	Tatar Khel
30	Farman Ullah	Islam Badshah	Chowkara
31	Hani ur Rehman	Ali Zar Khan	Ghundi Kalla
32	Faisal Aziz Khan	Azir Ur Rehman	Ahmad Abad
33	Mohammad Sabir	Qadir Khan	Khujaki Kala
34	Nadir Ullah	Wazir Mohammad	Yaghi Muskan
35	M.Gul Riaz Khan	Din Mohammad Khan	Siraj Khel
36	Mohammad Haleem	Gul Dar Khan	Sarki Lawgher
37	Asmatullah	Gul Qadir Khan	Bogara
38	Asifayatulla	Noor Syad	Shah Saleem
39	M.Nisar Kausar	Saifullah Khan	Nara
40	Naqibullah Khan	Ghulam Qadir	Kari Dand
41	Masir Mahmood	Taj Mahmood	Nari Pantos

Terms & Conditions

- 1) Their services will be considered regular and they will be eligible for pension/deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
- 2) In case of quitting service they will have to give one month's notice. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Govt.

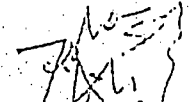
S#	Name of Candidate	Father Name	Vacant VC/NC Against which appointed
20.	Mazhar Islam	Farooq Khan	Ahmedi Banda
21.	Iftikhar Younas	Mohammad Rasool	Esak Khumari
22.	Saeed-Ur Rehman	Amal Jan	Mardan Khel
23.	Zahid Kamal Akhtar	Khan Bad Shah	Gurguri
24.	Wajahat Iqbal	Khalid Iqbal	Dagar Nari
25.	Mohammad Jehangir	Hamayun Khan	Khuram Mohammad Zai
26.	Umer Riaz	Umer Hayat Khan	Saikot
27.	Mukhtar Ahmad	Fazal Mir	Warana Mir Hassan Khel
28.	Mohammad Zafran	Shahadat Khan	Warana Muskin
29.	Mohammad Adnan	Momin Khan	Tatar Khel
30.	Farman Ullah	Islam Badshah	Chokara
31.	Hani fur Rehman	Ali Zar Khan	Gundi Kalla
32.	Faisal Aziz Khan	Aziz Ur Rehman	Ahmad Abad
33.	Muhammad Sabir	Qadir Khan	Khujaki Kala
34.	Nadir Ullah	Wazir Muhammad	Yaghi Muskan
35.	M. Gu Riaz Khan	Din Muhammad Khan	Siraj Khel
36.	Mohammad Haleem	Gul Dar Khan	Sarki Khel
37.	Asmat Ullah	Gul Qadir Khan	Bogaraa
38.	Kifayat Ullah	Noor Syed	Shah Saleem
39.	M. Nisar Kausar	Saifullah Khan	Nara
40.	Naqibullah Khan	Gulam Qadir	Kari Dand
41.	Nasir Mahmood	Taj Mehmood	Nari Panos

Terms & Conditions:

- 1) Their services will be considered regular and they will be eligible for pension/deduction of GP Fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
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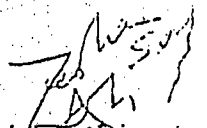
- 3) They will produce health and age certificate from Medical Superintendent DHO Hospital Karak.
- 4) They would be on probation for period of one year extendable for another one year.
- 5) They will be governed by such rules and regulations applicable to government employees as may be issued from time to time.
- 6) 10. TADA will be allowed to the appointees for joining their duty.


Assistant Director
LG & RDD, Karak

Ends: of even No. & Date :

Copy forwarded to the:

- 1) Director General Local Government & Rural Development Department
Khyber Pakhtunkhwa, Peshawar.
- 2) Deputy Commissioner Karak
- 3) District Accounts Officer Karak
- 4) Officials concerned
- 5) Office Order file


Assistant Director
LG & RDD, Karak

- 3) They will produce health and age certificate from Medical superintendent DHO Hospital Karak.
- 4) They would be on probation for period of one year extendable for another one year.
- 5) They will be governed by such rules and regulations applicable to government employees as may be issued from time to time.
- 6) No TA/DA will be allowed to the appointees for joining their duty.

ASSISTANT DIRECTOR
LG & RDD, KARAK

To

The Assistant Director,

LG & RDD Karak.

9-

Subject: Arrival Report

Respected Sir,

In compliance with office order No. 946/ADLG&RDD/KK(Recruitment) dated 23 December 2015 issued by the assistant director LG & RDD Karak.

I beg to submit my arrival report for duty today on 28 December, 2015 (FN).

Thanking You

Yours obediently,

GRSHAD ULLAH

R Shad

Secretary village council Jamdrai.

Assistant Supervisor

For record & report to VC
entered for duty accordingly.

AD LG & RDD Karak

28/12/2015

R

ATTESTED

[Signature]

Government Of Khyber Pakhtunkhwa
Local Government, Elections & Rural
Development Department

NOTIFICATION

D. No. PT/2018/10
DATED 06/04/2018
LG LOCAL GOVERNMENT

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018-

In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkhwa Civil Services (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:-

for serial No. 10 the following shall be substituted, in the respective columns, namely:

"10.	Supervisor	Atleast Second Class Bachelor's Degree from a recognized University.	21 to 30 years.	i) Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such; and ii) Twenty-five (25) per cent by initial recruitment."
------	------------	--	-----------------	---

(b) after serial No. 15, the following new entries shall be inserted, in the respectively columns, namely.

"15A.	Senior Secretary Village / Neighborhood Council.			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such,"; and
-------	--	--	--	--

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

"16.	Junior Secretary Village / Neighborhood Council.	Atleast Second Class Intermediate or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS-Office, Image and	18 to 30 years.	i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village / Neighborhood Council seniority at tehsil le Secondary School Cer second division, in recognized Board or I.
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"C"
-10-

D/DA
9/4
A.D.
06/4/2018

P.P.U

Signature
11

Better Copy

~~Better Copy of Page No. 7 → 4 - 1~~

Government of Khyber Pakhtunkhwa Local Government, Election & Rural
Development Department
Notification
Dated Peshawar, the 05th April, 2018

S. No. SO (LG-112) -188 /SSRC/2018/931.

In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkhwa Civil Servant Appointment, Promotion and Transfer Rules, 1989, the Local Government, Election and Rural Development Department Khyber Pakhtunkhwa in consultation with the Establishment & Administration Department and the Finance Department is hereby direct that in this Department's Notification No. DG(RWP//712-73 dated 26-01-1978 the following further amendment shall be made namely.

Amendment

In the appended
For serial No. 10 the following shall be substituted in the respective columns namely.

10.	Supervisor	At least Second Class Bachelor Degree from recognized university.	21 to 30 years	i. Seventy -five (75) per cent by promotion on the basis of seniority cum fitness from amongst the Senior Secretary village / neighborhood council with at least five (05) years service as such and ii. Twenty -five (25) per cent by initial recruitment.
-----	------------	---	----------------	--

(b) after serial No. 15, the following new entes shall be inserted in the respectively columns.

15A	Senior Secretary Village Neighborhood Council			By promotion on the basis of seniority cum fitness from amongst the junior Secretary village / Neighborhood council with at least ten (10) years service as such and
-----	---	--	--	--

(c) for serial No. 16, the following shall be substituted in the respective columns, namely.

16	Junior Secretary Village Neighborhood Council	At least Second Class Intermediate or equivalent qualification from a recognized board and at least six (06) months certificate in computer from a recognized institution with experience in MS Office, In page and internet.	18 to 36 years	i. Twenty (20) per cent by promotion on the basis of seniority-cum-fitness from amongst the Naib Qaisds and Chowkidars in the village / neighborhood council with seniority at Tehsil level, having SSC certificate in second division from a recognized Board or Instituted with three (03) year service as such and.
----	---	---	----------------	--

Attested

[Signature]

				with atleast five (05) year service as such; and ii) Twenty-five (25) per cent by initial recruitment."
--	--	--	--	--

(b) after serial No. 15, the following new entries shall be inserted, in the respectively columns, namely:

15A.	Senior Secretary Village / Neighborhood Council.			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such; and.
------	--	--	--	---

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

16.	Junior Secretary Village / Neighborhood Council.	Atleast Second Class Intermediate or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS-Office, Impage and Internet.	18 to 30 years.	i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village / Neighborhood Council with seniority at tehsil level, having Secondary School Certificate in second division, from a recognized Board or Institute with three (03) year service as such; and
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				ii) Eighty (80) per cent by initial recruitment: Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates from adjacent Village / Neighborhood Council: Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.
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SECRETARY TO GOVERNMENT OF KP

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				<p>ii. Eighty (80) per cent by initial recruitment. Provided that the candidates shall be preferably a bonafide resident of the same village / neighborhood council. If such candidate is not available in the same village / neighborhood council then the candidates from adjacent village / neighborhood council.</p> <p>Provided further that in case of non availability of candidates from adjacent village / neighborhood council. Then from any other village / neighborhood council. In that Tehsil Council.</p>
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Secretary to Government of KP
Local Govt., Election & Rural Development
Department.

No. SO (LG-1)2-188 SSRC -2018 Dated Peshawar, the 05th April, 2018

Copy forwarded to

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. All Divisional Commissioner in Khyber Pakhtunkhwa
3. The Secretary to Governor Khyber Pakhtunkhwa
4. The PSO to Chief Minister Khyber Pakhtunkhwa Peshawar.
5. The PSO to Chief Secretary Khyber Pakhtunkhwa Peshawar.
6. The Director General LGE & RDD Khyber Pakhtunkhwa Peshawar.
7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. All Head of Attached Department in Khyber Pakhtunkhwa.
9. All deputy Commissioner, Khyber Pakhtunkhwa
10. The Registrar, Peshawar High Court Peshawar.
11. All District & Session Judges, in Khyber Pakhtunkhwa
12. All Assistant Director LG & RDD in Khyber Pakhtunkhwa.
13. The Manager Government Printing Press Peshawar for publication in the next Government Gazette Notification and copies of the Notification may be sent to this department.
14. The PS to Senior Minister for LG & RDD Khyber Pakhtunkhwa.
15. The PS to Secretary LG & RDD Peshawar.
16. The Officer Order File.

Section Officer (Estab)

Mustafa

S. D. Khan



9 6 -12-

**Government Of Khyber Pakhtunkhwa
Local Government, Elections & Rural
Development Department**

NOTIFICATION

Dated Peshawar, the 16th October, 2019.

No. SO(E)LG/2-188/SSRC/2019.- In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- a) Against Serial No. 2, in column No. 6; for the existing entries, the following shall be substituted, namely:
- i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.";
 - ii) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - iii) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";
- Note:** For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.";
- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
- i) "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - ii) Fifty (50) per cent by initial recruitment.";
- c) against Serial No.5, in column No. 6, for the existing entries, the following shall be substituted, namely:
- i) "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
 - ii) Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and
 - iii) Seventy per cent by initial recruitment.";

Attested
Deputy

- 13-
- d) against Serial No. 6, in column No.6, for the words, colon and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall be substituted;
- e) against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and
- f) against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:
- i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
 - ii) Eighty (80) per cent by initial recruitment;

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsil."

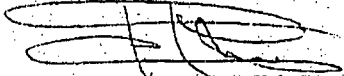
**SECRETARY TO GOVERNMENT OF KHYBER
PAKHTUNKHWA LG,E&RD DEPARTMENT**

No. SO(E)LG/2-188/SSRC/2019.-

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. All Divisional Commissioners in Khyber Pakhtunkhwa.
3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
6. The Director General, LG,E&RDD, Khyber Pakhtunkhwa Peshawar.
7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. All Head of Attached Departments in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. All District and Session Judges in Khyber Pakhtunkhwa.
12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
13. The Manager Government printing press, Peshawar for publication in the next Government Gazette Notification. 100 copies of the Notification may be sent to this Department.
14. The PS to Senior Minister for LG,E&RD Khyber Pakhtunkhwa.
15. The PS to Secretary LG,E&RDD Peshawar.
16. The Office Order file.


(HAJI MUHAMMAD)
SECTION OFFICER (ESTAB)
Phone # 091-9213224

Ahsan
Dham



4/10

-14-

OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT DISTRICT KARAK

Website: www.lgk.gov.pk
Email address: adkarak@gmail.com
Phone Number: 0927-291204

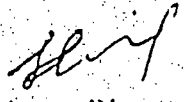
No. 756 /ADLGKK

Dated Karak the, 26/09/2022

OFFICE ORDER:

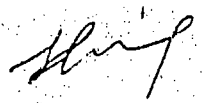
The competent Authority has been pleased to order the following posting/transfer of Secretary Village Councils with immediate effect. No TA/DA is allowed.

S.No	Name of Secretary	From	To
1	Irshad Ullah	VC Jandri	AD Office
2	Muhammad Atif	Waiting for posting	VC/NC Jandri


Assistant Director
LG&RDD Karak

Copy forwarded to,

1. The Deputy Commissioner.
2. The Manager of All concerned Bank.
3. Chairman Village Council Jandri
4. The Official concerned.


Assistant Director
LG&RDD Karak

To,

"E"

-15-

The Assistant Director
Local Government, Election & Rural
Development Department District Karak.

**Subject: DEPARTMENTAL APPEAL AGAINST THE TRANSFER ORDER NO. 756
DATED: 26/09/2022.**

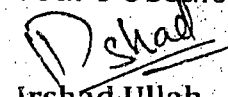
Sir,

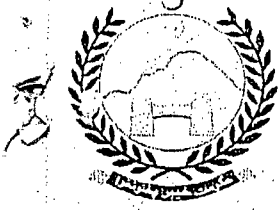
I Mr, Irshad Ullah was appointed as Secretary Village Council against the vacant post of Village Council Jandri, on 23/12/2015. At the time of appointment were made on the basis of domicile and since then I have been performing my duties to the full satisfaction of my superior offices. I have always performed the Service interests over my own personal interest. It is also clarified that, I mentioned a friendly working relation with all elected representative in past as well as the exiting cabinet. Moreover, I hereby to the same Village Council (Jandri) and have worked for at least 07 years and fully acquaint with professional excellence and formalized with a great number of people residing here.

It is also highlighted that this impugned posting will surely jeopardize the smooth functioning of the office and the masses will suffer great difficulty in undertaking their routine matters pertaining to Village Council Jandri.

It is therefore, humbly requested that the impugned transfer order No, 756 Dated: 26/09/2022 may kindly be set aside and the appellant may kindly be retained at VC Jandri.

Your's Obediently


Irshad Ullah
Secretary Village Council
Jandri, District Karak.



OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT, ELECTIONS & RURAL DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA KARAK
Email Address: adkarak@gmail.com

"F"-16-

Website: www.lgkp.gov.pk

Email address: adkarak@gmail.com

Phone Number: 0927-291204

No. 758/AD LG KK

Dated 28/09/2022

To,

Mr, Irshad Ullah Secreatry
District Karak

Subject: DEPARTMENTAL APPEAL AGAINST THE TRANSFER ORDER NO. 756 DATED:
26/09/2022.

Reference your departmental appeal Dated: 27/09/2022 it is hereby informed that your
departmental appeal is filed being merit less.

Assistant Director
LG & RDD KARAK

Endst: No & Date Even:

Copy forwarded to the:

1. PA to Director General LG & RDD Khyber Pakhtunkhwa, Peshawar.

Assistant Director
LG & RDD KARAK

(Handwritten initials)



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants.
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }.
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.
While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detachment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government servants at the station of the residence of their parents.

ATTESTED

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Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI (E&AD) 1-4/2003/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

(Handwritten signature)

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement.
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary, in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
 - a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
 - b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

Added vide Urdu circular letter No. SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

ATTESTED BY
 [Signature]
 Advocate

xiv) Government-servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting/transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.
(Authority: Letter No. SOR-VI/E&AD/1-4/2003 dated 24-6-2003)

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

ATTESTED
to be true copy
ATTESTED

- 20 -

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO: _____ OF 20

Ishad ulch

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

I.G. & etc

(RESPONDENT)
(DEFENDANT)

I/We Ishad ulch (the appellant)
Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 28 / 09 / 202

Ishad
CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK
(BC-10-0853)
15401-0705985-5

Umar
UMAR FAROOQ

Waleed Adnan
WALEED ADNAN

& Muhammad Ayub
MUHAMMAD AYUB
ADVOCATES

OFFICE:

Flat No.(TF) 291-292 3rd floor
Deans trade centre Peshawar cantt: