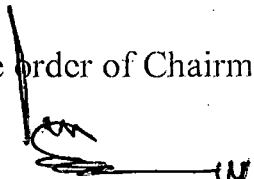


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1502/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1-	18/10/2022	<p>The appeal of Mr. Naqibullah presented today by Mr. Saaddullah Khan Marwat 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 KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 1502/2022

Naqib Ullah

versus

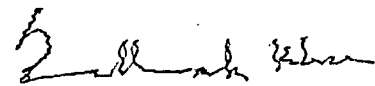
DG & Others

I N D E X

S.#	Description of Documents	Annex	Page
1.	Memo of Appeal		1-6
2.	Establishment Opinion dated 23-12-14	"A"	7
3.	Judgment dated 01-03-2017	"B"	8-11
4.	Final Seniority List dated 15-05-2017	"C"	12-15
5.	Subsequent Final Seniority List, 1-12-19	"D"	16-17
6.	Final Seniority List dated 16-03-2021	"E"	18
7.	Representation of R. No. 04, 01-02-2022	"F"	19
8.	Representation of appellant, 08-03-22	"G"	20-21
9.	Rejecting claim of R. No. 04, 29-03-22	"H"	22
10.	Letter of DD to AD rejecting appeal of R. No. 04 dated 09-05-2022	"I"	23
11.	Tentative Seniority List dated 12-05-22	"J"	24
12.	Objection of appellant over TSL etc , 18-05-2022	"k"	25-27
13.	Correct Final Seniority List dated 09-06-22	"L"	28-29
14.	Objection of R. No. 04 dated 16-06-22	"M"	30
15.	Letter of AD to Directors for remission of cases for promotion dated 22-06-2022	"N"	31
16.	Appellant representation dated 25-07-2022	"O"	32-34
17.	AD letter to appellant and R. No. 04 for meeting dated 20-09-2022	"P"	35
18.	Acceptance of appeal of R. No. 04, 4-10-22	"Q"	36
19.	Application of Interim Relief		37-38

Applicant

Through



(Saadullah Khan Marwat)
Advocate

21-A Nasir Mension,
Shoba Bazar, Peshawar.

Dated: 14-10-2022

Ph: 0300-5872676

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. _____/2022

Naqib Ullah S/O Abdur Rehman Khan,
Senior Secretary, Village Council,
Marmandi Azeem, Lakki Marwat Appellant

Versus

1. Director General, Local Govt.
& Rural Development
Department, Peshawar.
2. Secretary, Govt. of KP,
Local Government &
Rural Development
Department, KP,
Peshawar.
3. Assistant Director, Local Govt.
& Rural Development Department,
Lakki Marwat.
4. Allah Noor S/O Ghulam Sarwar
Secretary, VC Ahmad Khel,
Lakki Marwat. Respondents

**APPEAL UNDER SECTION 4 OF THE SERVICE
TRIBUNAL ACT 1974 AGAINST OFFICE ORDER
NO. DIRECTOR (LG) 3-1 / ESTB / 2022 / 1675-
81 DATED 04-10-2022 OF R. NO. 01 WHEREBY
REPRESENTATION OF R. NO. 04 WAS ACCEPTED
WITH DIRECTION TO PLACE HIM AT THE TOP OF
THE SENIORITY LIST OF THAT CADRE.**

Respectfully Sheweth:

1. That appellant was initially appointed on 30-04-1988 as Secretary Union Council and was posted as such at Village Council Kachi Kamar District Lakki Marwat.
2. That R. No. 04 was appointed as Junior Clerk in Revenue Department on 21-10-1992 and due to re-structuring his services were placed at the disposal of Assistant Director Local Government Department, on 03-02-2002.
3. That on 23-12-2014, Establishment Department tendered opinion to Secretary Local Government, that surplus employees adjusted in other departments they shall be given back dating seniority over the incumbents of parent department / cadre. (Copy as annex "A").
4. That one Hidayat Ullah was also serving the department as Secretary Union Council since 01-09-1979. The department issued Seniority List and one Gul Zaman was placed senior to him, so he filed S. A. No. 733/16 before the hon'ble Tribunal to place him senior which came up for hearing on 01-03-2017 and then the hon'ble Tribunal feeling some mishap remitted the case to respondents with direction to prepare proper seniority list in accordance with law and then make up promotion against the vacant posts after observing the due code formalities. (Copy as annex "B")
5. That in pursuance of the said direction respondents circulated Final Seniority List on 15-05-2017, wherein appellant was placed at S. No. 09, while R. No. 04 was placed at S. No. 25 being correct position. (Copy as annex "C")
6. That in the subsequent Seniority List dated 01-12-2019, covering letter dated 02-01-2020, appellant was placed at S. No. 08 while R. No. 04 at S. No. 24, being the correct position. (Copy as annex "D")

7. That on 16-03-2021, in the Final Seniority List, appellant was placed at S. No. 06, while R. No. 04 at S. No. 20, being correct position. (Copy as annex "E")
8. That on 01-02-2022, R. No. 04 submitted representation before Director General to re-cast Seniority List and he be placed at S. No. 01. Appellant also submitted representation on 08-03-2022 for Issuing direction to Assistant Director, Local Government Department, to follow the Seniority List dated 16-03-2021. (Copies as annex "F" & "G")
9. That on 29-03-2022, Director General decided both representations of appellant viz-a-viz R. No. 04, wherein claim of R. No. 04, regarding re-casting of Seniority List was turned down being time barred as well. (Copy as annex "H")
10. That on 09-05-2022, Deputy Director (Admin) Local Govt. & Rural Development Department wrote letter to Assistant Director Local Govt. & Rural Development Department, Lakki Marwat that R. No. 04 has approached appellate authority after lapse of more than three (03) years, the appeal being time barred could not be considered. (Copy as annex "I")
11. That on 12-05-2022, Tentative Seniority List was issued, wherein R. No. 04 was placed at S. No. 01 while appellant at S. No. 04. This seniority list was of no legal effect as the matter was already dealt with by the respondents. (Copy as annex "J")
12. That the said Tentative Seniority List was objected by appellant as well by Khalid Hayat and Jameel Khan submitted representations on 18-05-2022 to Assistant Director Local Govt. to kindly place them at proper position which appeals were accepted on 07-06-2022. (Copies as annex "K")
13. That in pursuance of the said direction Final Seniority List was circulated on 09-06-2022 by placing appellant at S. No. 02, while R. No. 04 at S. No. 15. (Copy as annex "L")

14. That the said Seniority List was again objected by R. No. 04 on 16-06-2022, submitting representation before Director General to place him on top of Seniority List. (Copy as annex "M")
15. That on 22-06-2022, Assistant Director (Admin), LG & RDD wrote letter to all Directors of the respective quarters to remit cases for promotion of senior Village Secretaries B-11 to the post of Supervisors B-14 and for the purpose meeting was scheduled on 05-07-2022 wherein others were promoted and no decision was made in respect of appellant. (Copy as annex "N")
16. That on 25-07-2022, appellant also submitted the representation before Director General for determination of seniority list of the Secretaries at Lakki Marwat. (Copy as annex "O")
17. That on 20-09-2022, Assistant Director (Admin) wrote letter to appellant viz-a-viz R. No. 04 to attend meeting to be held on 22-09-2022 in respect of seniority list of Senior Village Secretaries which directions were complied with and thereafter Director General LG & RDD Peshawar Issued office order on 04-10-2022 wherein appeal of R. No. 04 was accepted to be placed at the top of list of that cadre. (Copies as annex "P" & "Q")

Hence this appeal, inter alia, on the following grounds.

GROUND S:


- a. That since 30-04-1988, appellant was serving the department to the best of his ability and without any complaint.
- b. That R. No. 04 was initially appointed as Junior Clerk in Revenue Department in the year 1992 and was adjusted in Local Govt. Department on 03-02-2002. How he could be placed senior over appellant who was appointed in parent department as Secretary Union Council on 30-04-1988 and R. No. 04 was initially appointed as Junior Clerk in Revenue Department on 21-10-1992 and was adjusted in Local Govt. Department on 03-02-2002.
- c. That numerous seniority lists were circulated wherein appellant was not only placed senior to R. No. 04 but also at correct position.

- d. That request for seniority of R. No. 04 was turned down on 09-05-2022 and later on too, he should have challenge that order and thereafter the matter of seniority was closed once for all.
- e. That cadre of appellant viz-a-viz R. No. 04 was altogether different. Appellant was hailing in parent department while R. No. 04 was to Revenue Department.
- f. That R. No. 01 misinterpreted the law and those who were adjusted in other departments were to be placed at the bottom and not over the incumbents of the parent departments.
- g. That R. No. 04 cannot compete with appellant being of parent department, while he of alien to Local Govt. Department.
- h. That seniority list dated 15-05-2017 was made in pursuance of the direction of the hon'ble Peshawar High Court, Peshawar which cannot be interpreted by any authority of any department to issue direction to place him senior over the incumbents of parent department.
- i. That the impugned order dated 04-10-2022 of R. No. 01 is not per the mandate of Law. Policy cannot overrule settled law in respect of any terms and conditions of service of any individual.
- j. That the impugned order is not only against the law and rules but is also based on favoritism and malafide.

It is, therefore, most humbly prayed that on acceptance of the appeal, the impugned Order dated 04-10-2022 of R. No. 01 be set aside and Final Seniority List dated 09-06-2022 be restored with all consequential benefits, with such other relief as may be deemed proper and just in the circumstances of the case.


Appellant

Through


Saadullah Khan Marwat

Arbab Saif-ul-Kamal


Amjad Nawaz
Advocates

Dated: 14-10-2022

CERTIFICATE:

As per instructions of my client, no such like Service Appeal has been earlier filed by the appellant before this hon'ble Tribunal.


Advocate

AFFIDAVIT

I, Naqib Ullah S/O Abdur Rehman Khan, Senior Secretary, Village Council, Marmandi, Azeem, Lakki Marwat (appellant), do hereby solemnly affirm and declare that contents of **Service Appeal** are true and correct to the best of my knowledge and belief.


DEPONENT



A 7 23-12-14

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Regulation Wing)**

No.SOR.IV(ED)/G-1/2014
Dated Peshawar, 23rd December 2014

To

*The Secretary to Government of Khyber Pakhtunkhwa
Local Government & RD Department.*

Subject: **PROMOTION OF SECRETARIES UC TO THE POSTS OF SUPERVISOR.**

Dear Sir,

I am directed to refer to Local Government Department letter No.SO(LG-I)2-176/Vol-V dated 18th November, 2014. on the subject noted above and to state that para 6 (d) of the Surplus Pool Policy covers adjustment of a surplus employee against a lower post in his parent department/cadre which he previously held before his promotion to the higher post rendered surplus. As regards the contention of the judgment of the Supreme Court of Pakistan, forbidding backdating seniority, it covers the absorption of employees of another departments/cadres. Therefore, both the provision of the Policy and the judgment can go side by side. There is nothing contradictory.

Yours faithfully

(ISHTIAQ AHMAD)
Section Officer (R-IV)

B 8

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 733/2016

Date of Insitution 15.07.2014

Date of judgment..... 01.03.2017

Hidayt Ullah,

Secretary Union Council, Laki Marwat.

.....**Appellant**

Versus

1. The secretary Government of Khyber Pakhtunkhwa, Local Government & Rural Development Department, Civil Secretariat, Peshawar.
2. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa Peshawar.
3. Mr. Gul Zaman, Supervisor, O/O the Assistant Director, Local Government & Rural Development Department, Laki Marwat.

.....**Respondents**

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974,
AGAINST THE IMPUGNED ORDER DATED:
26.05.2015 WHEREBY THE JUNIOR TO APPELLANT
PRIVATE RESPONDENT HAS BEEN PROMOTED AS
SUPERVISOR BY IGNORED THE APPELLANT AND
AGAINST NOT TAKING ANY ACTION ON THE
DEPARTMENTAL APPEAL OF THE APPELLANT
WITHIN STIPULATED PERIOD OF 90 DAYS.**

Mr. Muhammad Asif Yousafzai, Advocate.

For Appellant

Mr. Ziaullah, government Pleader

For respondents

Mr. Ashfaque Taj

Member Judicial

Mr. Ahmad Hassan

Member Executive

JUDGMENT

ASHFAQUE TAJ MEMBER: Hidayat Ullha, Secretary Union Council, Lakki Marwat, hereinafter called the appellant has preferred instant service appeal in terms of section-4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the

impugned order dated 26.05.2015 vide which junior to appellant was promoted while the appellant was ignored.

2. Facts in brief are that appellant joined the respondent-department as Secretary Union Council vide order dated 01.09.1979. That the appellant was adjusted as Supervisor vide orders dated 18.04.1998 and 10.06.2014. That according to rules, the post of Supervisor is to be filled in as 25% by initial recruitment and 75% by selection on merit with due regard to the seniority from amongst the holders of the post of the Village Secretary/Union Council Secretary with at least five years service as such. The appellant according to these rules was fully eligible for promotion to the post of Supervisor in the year 1996 when two posts were available at the time and the appellant was also holding the post of Supervisor by virtue of order dated 18.04.1998. That on 26.05.2015 the respondent-department in utter violation of rules and seniority promoted the junior most officer (Private Respondent No. 3) to the post of Supervisor by ignoring the appellant. That the appellant agitated the matter before the Hon'ble Peshawar High Court, Peshawar but the said Writ Petition was dismissed on basis of jurisdiction with observation that the appellant has not filed departmental appeal. That then the appellant in light of observations of the Hon'ble Peshawar High Court preferred a departmental appeal on 15.03.2016 which was not responded within the stipulated period and hence the instant service appeal.

3. Learned counsel for appellant argued that the impugned order dated 26.05.2015 is against the law, rules, norms of justice and material on record therefore, not tenable. He further argued that the appellant has not been treated according to law and rules and has been kept deprived from his legal right of promotion in an arbitrary manner. He contended that the appellant was senior most official and at serial No. 1 of the seniority list while the private respondent No. 3 was at serial No. 18/19 of the seniority list and thus the respondents have violated the basic principle of with due regard to seniority as mentioned in the rules. He further contended that the appellant has more than 36 years

Attuned

service and in year 1998 when the post of Supervisor was available the appellant was eligible being senior most for the post at that time. Learned counsel for appellant in last argued that the Hon'ble Supreme Court of Pakistan held in many cases that promotion in a quota will always to be made from the date when the post was available for an official in his quota and the official cannot be deprived from his rights merely because the concerned department did not carry out the process of promotion in time and in last prayed that the impugned order dated 26.05.2015 might be set-aside and appellant may be promoted to the post of supervisor from the date 18.04.1998 when the vacancy was available for promotion quota.

4. On the other hand, learned Government Pleader for respondents resisted the appellant counsel arguments by submitting that the appellant joined the department on 01.09.1979 in BPS-6 while the private respondent No. 3 who was Senior Clerk in BPS-07 was surplus and was adjusted in the Department on 23.08.2001. According to the provisions of Esta Code when a government servant having higher scale is adjusted in a lower scale of pay he shall be given seniority and finally seniority list was prepared where the private respondent No. 3 was at serial No. 3 while the appellant was at serial No. 7. He further argued that the appellant was entrusted with the additional charge of a vacant post of Supervisor in 1998 and 2014 but was not adjusted or promoted to the post of Supervisor. In last he prayed that the instant appeal being devoid of any merits liable to be dismissed with costs.

5. From perusal of the record it transpires that the appellant joined the department as Secretary Union Council/Village Secretary vide order dated 01.09.1979 while private respondent No. 3 (Mr. Gul Zaman) Senior Clerk in BPS-07 who was in surplus pool and adjusted in the department on 23.08.2001. On record there are two seniority lists available one annexed by the appellant with his appeal and other by respondents with their reply as annexure-A. Both seniority lists were issued in year 2015, in first seniority list Mr. Hidayatullah (appellant) who joined service in year 1979 was shown

Alfies

at serial No. 1 while Mr. Gul Zaman (private respondent No. 3) was shown at serial No. 7 in the later seniority list Mr. Gul Zaman (Private respondent No. 3) was placed on serial No. 1 and Mr. Midayatullah (appellant) at serial No. 7. Record is completely silent to the effect that whether these seniority lists were ever circulated amongst all the officials for inviting any legal objections. Needless to mention that it was informed during the course of arguments that private respondent No. 3 Mr. Gul Zaman got retirement from service be that as it may the appellant according to the later seniority list is at serial No. 7 despite the fact that he had joined service on 01.09.1979 and in terms of service he is senior most. Without giving any other findings on the seniority lists at this stage this service appeal is remitted with direction to respondents to prepare a proper seniority list in accordance to rules and procedure and circulate it amongst all the officials and provide them appropriate opportunity for objections and accordingly to make promotion on the vacant post after doing all the afore-said legal formalities. This service appeal in hand stands disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
01.03.2017

Ed. Shafiqul Kabir, Member
Ed. Ahmad Hassan, Member



10-1600
2-
12-
13-03-2017
13-03-17
13-03-17

Signature
Assistant Director
Local Govt. & Rural Devt.
Department of Local Govt. & Rural Devt. (M)



OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVT. & RURAL DEVELOPMENT
DEPARTMENT, LAKKI MARWAT.

No. 4013-4
Dated May 15, 2017.

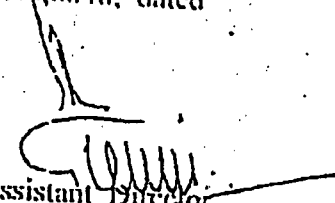
To

All the Secretaries
Village & Neighborhood Councils
in District Lakki Marwat.

SUBJECT:- FINAL SENIORITY LIST OF SECRETARIES VILLAGE AND
NEIGHBORHOOD COUNCILS IN DISTRICT LAKKI MARWAT.

Memo.

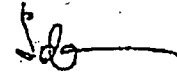
Final Seniority List of Secretaries Village and Neighborhood Councils in District Lakki Marwat is hereby circulated amongst all Secretaries VCs/NCs, after inviting objections/suggestions vide this office letter No. 0048, dated 29.03.2017, for your information and record.


Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

Even No. & Date.

Copy forwarded to:-

The Director General, Local Govt. & Rural Development Department, KPK,
Peshawar for information please.


Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

Seniority list of Secretaries Village & Neighborhood Councils
in District Lakkī Marwat.
(2017 -Final).

13

Sl. No.	Name of Secretary UC	Father's Name.	Date of birth	Date of appointment	Date of adjustment	Parent Deptt:	Qualification	Remarks.
1.	Hidayatullah Khan.	Samiullah Khan.	04.09.1961	01.09.1979	-	LGRDD	B.A.	Secy UC
2.	Abdul Majeed Khan.	Muzaffar Khan.	09.10.1961	07.09.1981	-	LGRDD	F.A.	Secretary
3.	Dadshah Khan.	Mir Ghulam Khan.	01.11.1961	27.03.1984	-	LGRDD	M.A.	-do-
4.	Mir Alam Khan.	Quli Khan.	20.06.1963	18.09.1984	-	LGRDD	B.A.	-do-
5.	Abdul Jalil.	Guldar Khan.	30.04.1961	30.04.1981	-	LGRDD	B.A.	-do-
6.	Yousaf Jan.	Meharwan Khan.	02.01.1962	30.04.1981	-	LGRDD	M.A.	-do-
7.	Sher Afzal Khan.	Qasim Khan.	10.11.1960	30.04.1988	-	LGRDD	F.A.	-do-
8.	Khalid Hayat Khan.	M. Hayat Khan.	15.01.1965	30.04.1988	-	LGRDD	M.A.	-do-
9.	Naqibullah Khan.	Abdur Rahim Khan.	16.06.1968	30.04.1988	-	LGRDD	B.A.	-do-
10.	Jamil Khan.	Salim Khan.	18.01.1969	30.04.1988	-	LGRDD	B.A.	-do-
11.	M. Yousaf Khan.	Tehsil Khan.	04.01.1966	19.07.1990	-	LGRDD	B.A.	-do-
12.	Karim Khan.	Shadi Khan.	01.01.1963	06.08.1990	-	LGRDD	F.A.	-do-
13.	Ikramullah Khan.	Sherin Jan.	04.08.1972	26.12.1992	-	LGRDD	F.A.	-do-
14.	Irfanullah Khan.	Saadullah Khan.	08.08.1967	26.12.1992	-	LGRDD	F.A.	-do-
15.	Siffatullah Khan.	Bahadar Khan.	10.04.1974	03.10.1995	-	LGRDD	F.A.	-do-
16.	M. Humayun Khan.	Akhar Khan.	02.04.1974	05.10.1995	-	LGRDD	F.A.	-do-
17.	M. Zaman.	Bayaz Khan.	02.11.1974	26.12.1992	03.06.2001	-do-	Matric	Ex-I/Clerk
18.	Dil Nawaz Khan.	M. Aslam Khan.	01.09.1975	08.10.1995	30.06.2001	LGRDD	Matric	-do-
19.	M. Yousaf	Shadi Khan.	11.05.1964	29.05.1966	23.08.2001	R&E	M.Com	-do-
20.	Saeedur Rehman.	Shaista Khan.	02.01.1971	16.03.1995	23.08.2001	C&W	F.A.	-do-
21.	Karim Bakhsh	Fazal Mehmood.	12.03.1971	09.08.1993	31.08.2001	R&E	Matric	-do-
22.	Mir Shahadat Khan.	Afzal Khan.	20.03.1974	21.11.1992	10.09.2001	LGRDD	Matric	-do-
23.	Dilawar Khan.	Sarfraz Khan.	25.12.1971	21.06.1995	17.09.2001	C&W	B.A.	-do-
24.	Mani Khan.	Rahim Khan.	03.07.1961	03.07.1982	02.02.2002	Agri.	Matric	Ex-S/Clerk
25.	Allah Noor.	Ghulam Sarwar.	03.08.1967	21.10.1992	03.02.2002	R & E	B.A.	-do-
26.	M. Iqbal.	Habibullah Khan.	12.09.1974	12.02.1996	06.08.2003	R&E	Matric	Ex-S/Clerk
27.	Samiullah Khan.	Zarwali Khan.	20.09.1972	10.10.1992	03.04.2004	Edu.	F.A.	-do-
28.	Ijaz Khan.	Taj Ali Khan.	18.09.1975	05.07.1995	31.01.2005	C&W	Matric	-do-
29.	Hakim Jan	Nadir Khan	01.12.1983	26.01.2016	26.01.2016	LGRDD	M.A.	Secy VC/NC
30.	Jamshed Khan	M. Nawaz	11.03.1985	26.01.2016	26.01.2016	LGRDD	B.A.	-do-
31.	Muhammad Iqbal	Sher Dil Khan	01.09.1985	26.01.2016	26.01.2016	LGRDD	M.A.	-do-
32.	Ghanjur Rehman	Abdul Rehman	01.09.1985	26.01.2016	26.01.2016	LGRDD	M.A.	-do-
33.	Inamullah	Mosam Khan	17.01.1986	26.01.2016	26.01.2016	LGRDD	M.Phil.	-do-

34.	Sami Ullah	Balst Khan	05.03.1986	26.01.2016	26.01.2016	LGRDD	M.A	-do-
35.	Abdul Rauf Khan	Abdul Rahim	12.08.1986	26.01.2016	26.01.2016	LGRDD	M.A	-do-
36.	Ghafoor Ahmad	Ghulam Daud	05.02.1987	26.01.2016	26.01.2016	LGRDD	B.A	-do-
37.	Sallinullah	Sahib Noor	14.07.1987	26.01.2016	26.01.2016	LGRDD	M.A	-do-
38.	Ziaullah Khan	Rahim Dil Jan	11.08.1987	26.01.2016	26.01.2016	LGRDD	M.A	-do-
39.	Farmanullah	Saif Ullah Khan	02.09.1987	26.01.2016	26.01.2016	LGRDD	M.A	-do-
40.	Muhammad Saqif	M. Yousaf	15.03.1996	26.01.2016	26.01.2016	LGRDD	B.A	-do-
41.	M. Ishfaq Khan	Hamid Khan	01.04.1988	26.01.2016	26.01.2016	LGRDD	B.A	-do-
42.	Samiullah Khan	Inayat Ullah Khan	05.04.1988	26.01.2016	26.01.2016	LGRDD	M.A	-do-
43.	Abdul Basir	Abdul Hameed	16.04.1988	26.01.2016	26.01.2016	LGRDD	M.A	-do-
44.	Irfanullah Nawaz	Amir Nawaz	05.09.1988	26.01.2016	26.01.2016	LGRDD	M.A	-do-
45.	Samiullah	Noor Khatam Khan	08.01.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
46.	Sabir Shah	Muhammad Zaman	16.02.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
47.	Ghulam Ishaq Khan	Adam Khan	15.03.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
48.	Dil Jan	Waris Khan	01.10.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
49.	Rizwanullah Khan	M. Zaman	02.11.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
50.	Rizwanullah	Faiz Ullah Khan	02.11.1989	26.01.2016	26.01.2016	LGRDD	B.A	-do-
51.	Aftab Ahmed Khan	Amir Ahmed Khan	11.11.1989	26.01.2016	26.01.2016	LGRDD	M.Phil	-do-
52.	Waris Khan	Muzamil Khan	20.12.1989	26.01.2016	26.01.2016	LGRDD	M.A	-do-
53.	Amir Jan	Amir Khan	03.07.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
54.	Rafiqullah Khan	Latif Ullah	05.02.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
55.	Hazratullah	Khan Badshah	05.02.1990	26.01.2016	26.01.2016	LGRDD	B.A	-do-
56.	Zahid Ali Khan	Zar Wali Khan	17.02.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
57.	Khalid Khan	Rahil Gul	02.03.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
58.	Abdul Qadir	Shah Jahan	05.03.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
59.	Muhammad Rizaz	M. Akram Khan	12.03.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
60.	Javedullah	Raisul Khan	25.03.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
61.	Noman Khan	Abdul Qayum Khan	01.04.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
62.	Zeshan Ahmad	Nazeef Khan	01.04.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
63.	Halinullah	M. Zaman	06.07.1990	26.01.2016	26.01.2016	LGRDD	B.A	-do-
64.	M. Anwar Ullah	M. Abbas Khan	02.08.1990	26.01.2016	26.01.2016	LGRDD	M.A	-do-
65.	Faridullah	Rustam Khan	04.02.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
66.	Ashraf Ali Khan	Nawab Ali Khan	01.03.1991	26.01.2016	26.01.2016	LGRDD	B.A	-do-
67.	Idrees Khan	Races Khan	20.03.1991	26.01.2016	26.01.2016	LGRDD	B.A	-do-

70.	Raziullah	Ghulam Habibani	15.04.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
71.	Kalirhullah Khan	Bahadursher Khan	15.04.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
72.	Ikraniullah	Hashim Khan	20.04.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
73.	Maqsood Ali	M.Hussain	25.07.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
74.	Ishaq Ahmad	Abdul Mannan	15.08.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
75.	Ahmad Rasheed	Daulat Khan	01.12.1991	26.01.2016	26.01.2016	LGRDD	M.A	-do-
76.	Muhammad Tawab	M. Ibrahim Khan	05.03.1992	26.01.2016	26.01.2016	LGRDD	M.A	-do-
77.	Muhammad Ilyas	Amir Nawaz	07.03.1992	26.01.2016	26.01.2016	LGRDD	M.A	-do-
78.	Alamgir Khan	Ghulam Dastagir	25.04.1992	26.01.2016	26.01.2016	LGRDD	M.A	-do-
79.	Awais Khan	Umer Daraz Khan	20.05.1992	26.01.2016	26.01.2016	LGRDD	M.A	-do-
80.	Attar Rehman	Ashiq Khan	25.09.1992	26.01.2016	26.01.2016	LGRDD	B.A	-do-
81.	Ihsanullah Khan	Shahbaz Khan	28.11.1992	26.01.2016	26.01.2016	LGRDD	M.A	-do-
82.	Inamul Haq	M. Anwar	05.12.1992	26.01.2016	26.01.2016	LGRDD	B.A	-do-
83.	Irfanullah	Inayat Ullah Khan	05.03.1993	26.01.2016	26.01.2016	LGRDD	M.A	-do-
84.	M. Shaqiq Khan	Mahadar Khan	24.03.1993	26.01.2016	26.01.2016	LGRDD	B.A	-do-
85.	Barkatullah	Hukam Zad Khan	22.05.1993	26.01.2016	26.01.2016	LGRDD	M.A	-do-
86.	Noor Ayyaz Khan	Nawaz Khan	05.04.1994	26.01.2016	26.01.2016	LGRDD	M.A	-do-
87.	Faran Gul	Sair Ur Rehman	30.03.1995	26.01.2016	26.01.2016	LGRDD	F.A	-do-
88.	Shafiqullah	Yar Muhammad	10.04.1995	26.01.2016	26.01.2016	LGRDD	B.A	-do-
89.	Siffatullah.	Abdul Sattar.	21.01.1986	20.04.2016	20.04.2016	LGRDD	F.A	-do-
90.	Afnanullah.	Arbistag.	01.12.1988	20.04.2016	20.04.2016	LGRDD	B.A	-do-
91.	Naveed Ali Shah	Bakht Ali Shah.	10.03.1992	20.04.2016	20.04.2016	LGRDD	M.A	-do-
92.	Ziaullah.	Faridullah Khan.	07.02.1995	20.04.2016	20.04.2016	LGRDD	M.Sc.	-do-
93.	Salamullah Khan.	Saadullah Khan.	06.01.1994	20.12.2016	20.12.2016	LGRDD.	F.A	-do-

(Signature)
Assistant Director

Local Govt. & Rural Development
Department, Lakkī Marwat.

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Final Seniority list of Senior Secretaries Village & Neighborhood Councils
in District Larki Marwat as stood on 01.12.2019

#	Name of Secretary UC	Father's Name.	Date of birth	Date of appointment	Date of adjustment	Parent Deptt:	Qualification	Remarks.
1	Abdul Majeed Khan.	Muzaffar Khan.	09.10.1961	07.09.1981	-	LGRDD	F.A.	-do-
2	Badshah Khan.	Mir Ghulam Khan.	01.11.1961	27.03.1984	-	LGRDD	M.A.	-do-
3	Mir Alam Khan.	Quli Khan.	20.06.1963	18.09.1984	-	LGRDD	B.A.	-do-
4	Sher Afzal Khan.	Qasim Khan.	10.11.1960	30.04.1988	-	LGRDD	F.A.	-do-
5	Abdul Jalil.	Guldad Khan.	30.04.1961	30.04.1988	-	LGRDD	B.A.	-do-
6	Yousaf Jan.	Meharwan Khan.	02.01.1962	30.04.1988	-	LGRDD	M.A.	-do-
7	Khalid Hayat Khan.	M. Hayat Khan.	15.01.1965	30.04.1988	-	LGRDD	M.A.	-do-
8	Naqibullah Khan.	Abdur Raheem Khan.	16.06.1968	30.04.1988	-	LGRDD	B.A.	-do-
9	Jamil Khan.	Saim Khan.	18.01.1969	30.04.1988	-	LGRDD	B.A.	-do-
10	M. Yousaf Khan.	Tehsil Khan.	04.01.1966	19.07.1990	-	LGRDD	B.A.	-do-
11	M. Yousaf Khan.	Shadi Khan.	01.01.1963	06.08.1990	-	LGRDD	F.A.	-do-
		Saadullah Khan.	08.08.1967	26.12.1992	-	LGRDD	F.A.	-do-
		Sherin Jan.	04.08.1972	26.12.1992	-	LGRDD	F.A.	-do-
14	Sifatullah Khan.	Bahadar Khan.	10.04.1974	03.10.1995	-	LGRDD	F.A.	-do-
15	M. Humayun Khan.	Akbar Khan.	02.04.1974	05.10.1995	-	LGRDD	F.A.	-do-
16	M. Zaman.	Bayaz Khan.	02.11.1974	26.12.1992	03.06.2001	LGRDD	Matric	Ex-J/Clerk
17	Dil Nawaz Khan.	M. Aslam Khan.	01.09.1975	08.10.1995	30.06.2001	LGRDD	Matric	-do-
18	M. Yousaf	Shadi Khan.	11.05.1964	29.05.1966	23.08.2001	R&E	M.Com	-do-
19	Saeedur Rehman.	Shalsta Khan.	02.01.1971	16.03.1995	23.08.2001	C&W	F.A.	-do-
20	Karim Bakht	Fazal Melimood.	12.03.1971	09.08.1993	31.08.2001	R&E	Matric	-do-
21	Muhammad Khan.	Afzal Khan.	20.03.1974	21.11.1992	10.09.2001	LGRDD	Matric	-do-
22	Dilawar Khan.	Sarfaraz Khan.	25.12.1971	21.06.1995	17.09.2001	C&W	B.A.	-do-
23	Mani Khan.	Rahim Khan.	03.07.1961	03.07.1982	02.02.2002	Agri.	Matric	Ex-S/Clerk
24	Allah Noor.	Ghulam Sarwar.	03.08.1967	21.10.1992	03.02.2002	R & E	B.A.	-do-
25	M. Iqbal.	Habibullah Khan.	12.09.1974	12.02.1996	06.08.2003	R&E	Matric	Ex-J/Clerk
26	Samlullah Khan.	Zarwali Khan.	20.09.1972	10.10.1992	03.04.2004	Educ.	F.A.	-do-
27	Ijaz Khan.	Taj Ali Khan.	18.09.1975	05.07.1995	31.01.2005	C&W	Matric	-do-

Assistant Director
LGRDD, Larki Marwat
Govt. & Rural Development
Director

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7-1-19
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OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVT. & RURAL DEVELOPMENT
DEPARTMENT, LAKKI MARWAT.

No... 516 20
Dated Jan. 07, 2019.

To

All the Secretaries
Village & Neighborhood Councils
in District Lakki Marwat.

**SUBJECT:- FINAL SENIORITY LIST OF SECRETARIES VILLAGE AND
NEIGHBORHOOD COUNCILS IN DISTRICT LAKKI MARWAT AS
STOOD ON 01.12.2019**

Memo.

Final Seniority List of Secretaries Village and Neighborhood Councils
in District Lakki Marwat as stood on 01.12.2019 is hereby circulated amongst
all Secretaries VCs/NCs, after inviting objections/suggestions vide this office
letter No. 40-41, dated 10.12.2019, for your information and record.

Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

Even No. & Date.

Copy forwarded to:-

The Director General, Local Govt. & Rural Development Department, KPK,
Peshawar for information please.

Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

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16-03-2021

**FINAL SENIORITY LIST OF SENIOR SECRETARIES VILLAGE & NEIGHBOR HOOD COUNCILS IN DISTRICT
LAKKI MARWAT STTOD ON 16-03-2021.**

S. #	Name of Senior Secretary	Fathers Name	D.O. Birth	D.O. Appointment	D.O. Adjustment	Parent Deptt.	Education	Remarks
1	Abdul Majid Khan	Muzzafar Khan	09.10.1961	23.08.1981		LGRDD	F.A	do
2	Badshah Khan	Mir Ghulam Khan	01.11.1961	27.03.1984		LGRDD	M.A	do
3	Abdul Jalil	Guldad Khan	30.04.1961	30.04.1988		LGRDD	B.A	do
4	Yousaf Jan	Meharwan Khan	02.01.1962	30.04.1988		LGRDD	M.A	do
5	Khalid Hayat Khan	Muhammad Hayat Khan	15.01.1965	30.04.1988		LGRDD	M.A	do
6	Naqib Ullah Khan	Abdur Rahim Khan	16.06.1968	30.04.1988		LGRDD	B.A	do
7	Jamil Khan	Salim Khan	18.01.1969	30.04.1988		LGRDD	B.A	do
8	M. Yousaf Khan	Tehsil Khan	04.01.1966	19.07.1990		LGRDD	B.A	do
9	Irfan Ullah Khan	Saadullah Khan	08.08.1967	16.12.1992		LGRDD	F.A	do
10	Ikram Ullah Khan	Sherin Jan	04.08.1972	26.12.1992		LGRDD	F.A	do
11	Siffatullah Khan	Bahader Khan	10.04.1974	03.10.1995		LGRDD	F.A	do
12	M. Hamayun Khan	Akbar Jan	02.04.1974	05.10.1995		LGRDD	F.A	do
13	M. Zaman	Bayaz Khan	02.11.1974	26.12.1992	30.06.2001	LGRDD	Matric	Ex-J/Clerk
14	Dil Nawaz Khan	M. Aslam Khan	01.09.1975	08.10.1995	30.06.2001	LGRDD	Matric	do
15	M. Yousaf	Shadi Khan	11.05.1964	29.05.1966	23.08.2001	R&E	M.Com	do
16	Saeed Ur Rehman	Shajista Khan	02.01.1971	16.03.1995	23.08.2001	C&W	F.A	do
17	Karim Bakhsh	Fazal Mehmood	12.03.1971	09.08.1993	31.08.2001	R&E	Matric	do
18	Mir Shahadat Khan	Afzal Khan	20.03.1974	21.11.1992	10.09.2001	LGRDD	Matric	do
19	Mani Khan	Rahim Khan	03.07.1976	03.07.1982	02.02.2002	Agri.	Matric	Ex-S/Clerk
20	Allah Noor	Ghulam Sarwar	03.08.1967	21.10.1992	03.02.2002	R&E	B.A	do
21	M. Iqbal	Habibullah Khan	12.09.1974	12.02.1996	06.08.2003	R&E	Matric	Ex-J/Clerk
22	Samiullah Khan	Zarwali Khan	20.09.1972	10.10.1992	03.04.2004	Educ.	F.A	do
23	Ijaz Khan	Taj Ali Khan	18.09.1975	05.07.1995	31.01.2005	C&W	Matric	do
24								Vacant
25								Vacant
26								Vacant
27								Vacant

This seniority list is already made by the present AD Masam Khan. Dated: 16-03-2021

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1-2-22

To
The Director General,
Local Government & Rural Development
Department Khyber Pakhtunkhwa

Subject: IMPLEMENT OF THE JUDGEMENT IN W.P. NO. 873-B-2017 MANI KHAN VS GOVERNMENT OF KHYBER PAKHTUNKHWA

Memo:

It is submitted that inspite of clear direction of Directorate General LG&RDD regarding implementation of the subject judgment vide your Directorate letter No. Director (LG) 3-7/Court Cases/2019 dated 28-05-2019 vide (Annexure A) the Assistant Director LG&RDD Lakki Marwat has not yet implemented the direction of the court as well as your directorate as evident from seniority list issued on 01-12-2019 at (Annexure B).

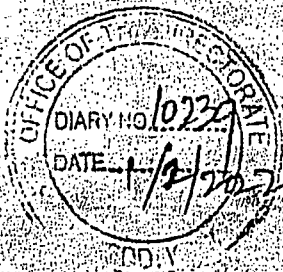
As per direction of the court as well as your Directorate the undersigned was to be placed at serial No.2 as per surplus pool policy, but, instead undersigned was placed at serial No.24 of the seniority list, which is an unjust and clear deviation from Rules, policy and directions of the court and Directorate General Local Government Khyber Pakhtunkhwa.

As per Surplus Pool Policy surplus, in case of adjusted against, a post lower than his original scale he shall be placed on the top of the seniority list of the cadre (Annexure C)

In this regard, Mr. Mani Khan, Secretary V/C Abdul Khel (Senior to me now retired) the undersigned had once before submitted an application before your good self for implementation of the judgement vide application at 28-01-2020 at (annexure D) which was forwarded by Directorate General LG&RDD to Assistant Director Local Government Lakki Marwat, but yet no action has been taken nor the court direction & Directorate General instructions have been implemented.

Keeping in view the fact and figures mentioned above, it is requested that in light of the Surplus Pool Policy, the High Court direction as well as instruction of Directorate General LG&RDD Khyber Pakhtunkhwa, the impugned seniority list may kindly be re-casted and the undersigned may please be placed at serial No.1 of the seniority list accordingly in best interest of justice.

DATED:



[Signature]

ALLAH NOOR KHAN
Mob#0345-9855651
Secretary V/C Ahmad Khel
District Lakki Marwat

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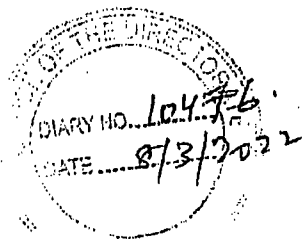
8-3-22

Before the Reverend Director General Local Govt: K.P.K

Subject: To refrain Asst: Director Local Govt: Disst: Lakki Marwat from Modifying the seniority list dated: 16-03-2021 already prepared by the said officer.

Respected Sir,

- (1) That I joined the local Govt: Deptt: as Secretary village council dated 30-04-1988
- (2) That I worked with zeal & Zest for the last 35 years.
- (3) The rules and guidelines for promotion as well as making the seniority list was circulated by the high Ups from post of secretary village council to the post of supervisor.
- (4) Some time the assistant director by passed the direction issued by High UPS of our deptt: which resulted unrest amongst the deserved employee qualified to be promoted to the post of supervisor.
- (5) Those who were deprived of their vested rights then resorted to sought their remedies through court of law and ultimately accommodated.
- (6) The sonority list for the purpose of promotion of village council secretaries were prepared by the Asstt: Director concern on the basis of said seniority list prepared by the present Asstt: Director Secretary village council were promoted to the post of supervisor the examples of Abdul Majeed whose name is present in the said seniority list at serial no 1 now retired.
- (7) The seniority list annexed with application was prepared by the present Asstt: Director Lakki Marwat on 16-03-2021 wherein the applicant stood at serial no 6 which also available in the D.G Office too.
- (8) That from the said seniority list Abdul Majeed who stood at serial no 1 was promoted as supervisor now retired.
- (9) The names mention at serial no 2, 3, and 4 of the said list already retired after completion of their qualified services.
- (10) Now confronting the said list at serial no 5 Khalid Hayat Khan would be at serial no 1 as a result of retirement of Abdul Majeed, Yousdaf Jan, Badshah Khan and Abdul Jalil meaning thereby that the applicant will promoted at serial no 2 of the said list.
- (11) It is incumbent upon the Asstt: Director Lakki Marwat to further proceed according to that said seniority list but in avertedly follows his own whims. And bent upon not only to promote Mr. Allah Noor Khan secretary Village council who stood at serial no 20 in the seniority list dated 16-03-2021 and place the same at the top of list which is a gross violation of the rules mention in ESTA Code but also against the verdict of Supreme Court both clarify that the employee who absorbed in other deptt: would be treated and placed at the bottom of seniorty list for the purpose of



Dis (A/HR)

8/3/2022


promotion and so the case of Allah Noor Khan who joined the deptt: Local Govt: As a absorbee and his parent deptt: was Executive i.e Commissioner Officer Bannu.

(12) The Assistant Director such like omission would further create unrest for the rest of secertries of village council and would lead to litigation in the court of law would further result the deprivation of other further promotion.

(13) I myself put personal appearance before the asstt: Director Local Govt: Lakki Marwat and submitted that according to ESTA code rules as well as apex code verdict that the seniority list dated 16-03-2021 is according to the above facts and by placing Allah Noor Khan at serial nor 1 of the seniority list mention above is against rules law and policy but my submission bore no fruit so aggrieved from the said situation I got no other alternative but to invoke at the door of this office.

So,

It is humbly prayed that direction may be issued to the asstt: Director local Govt: Lakki Marwat to follow already prepared seniority list dated 16-03-2021 in letter and spirit.


1.3.22

Naqeeb Ullah Secretary Village
Council Lakki Marwat at Serial No 6
(Petitioner)

Dated: 01-03-2022

MINUTES OF THE MEETING REGARDING THE TENTATIVE SENIORITY LIST OF VILLAGE/NEIGHBORHOOD COUNCIL SECRETARIES, LAKKI MARWAT ON 29-03-2022 IN DIRECTORATE GENERAL OF LOCAL GOVT & RURAL DEVT DEPT

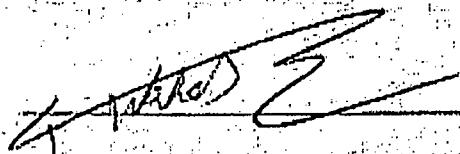
Meeting on the subject was held under the Chairmanship of Director (Admin/HR) on 29/03/2022 at 11:00 hours in his office to seminize the objections raised over the Seniority List of Village/Neighborhood Council Secretaries District Lakki Marwat. List of participants attached. After detailed discussion, the Committee decided that the Assistant Director being Appointing/Competent Authority is mandated to formulate and issue inter service seniority of the officials from BPS-1 to-11 subject to fulfillment of all codal formalities. Appeal against final seniority could be made to the Director General L&RD being appellant authority within prescribed time of 30 days as laid down under Section 3 of the North West Frontier Provincial Civil Servants Appeal Rules, 1986.

However in the instant case the aggrieved has approached the appellant authority after lapse of more than three years. Without prejudice to merit of the case the Committee recommends that appeal being time barred could not be considered.

Meeting ended with the vote of thanks to and from the Chair.



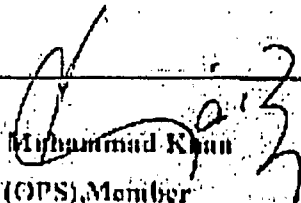
Mr. Nisar Ahmad
Deputy Director (Admin/HR)
Member cum Secretary



Qazi Noor Ul Wahab
Deputy Director Operations (Co-Opted Member)



Mr. Asadullah
Deputy Director (PMDU/AB), Co-Opted member



Mr. Faiz Muhammad Khan
Director (OPS), Member



Mr. Israrullah
Director (Admin/HR)/Chairman



DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA

No. Director (L.G) 3-1/Establishment/2021/20338
Dated Peshawar, the 9th May, 2022

20338

To

The Assistant Director
LG & RDD, Lakki Marwat.

Subject:

1. MEETING REGARDING IMPLEMENTATION OF THE JUDGMENT IN W.P.NO. 873-B-2017
2. TO REFRAIN ASST. DIRECTOR LOCAL GOVT. DISST. LAKKI MARWAT FROM MODIFYING THE SENIORITY LIST DATED: 16-03-2021 ALREADY PREPARED BY THE SAID OFFICER

I am directed to refer to the minutes of meeting held on 29.03.2022 on subject cited above and to convey that Mr. Allah Noor has approached the appellant authority after lapse of more than three years without prejudice & merit of the case, the appeal being time barred could not be considered. However, you are directed to regularly issue tentative seniority list as per law/rules in future.

DEPUTY DIRECTOR (ADMIN/HR)
for LG&RD

Copy forwarded to:

1. The Director (Admin/HR) in Directorate General LG & RD, Khyber Pakhtunkhwa.
2. The Director (Operations) in Directorate General LG & RD, Khyber Pakhtunkhwa.
3. Deputy Director (AB/PMDU/Litigation) in Directorate General LG & RD, Khyber Pakhtunkhwa.
4. Deputy Director (M&E) in Directorate General LG & RD, Khyber Pakhtunkhwa.
5. PA to Director General, LG&RDD, Khyber Pakhtunkhwa.

DEPUTY DIRECTOR (ADMIN/HR)
for LG&RD

J

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12-5-22

Tentative Seniority List of VCs/NCs District Lakki Marwat STOOD ON: 12-05-2022

No	Name of Secretary VC	Father's Name	Date of Birth	Date of Appointment	Date of Adjustment	Parent Deptt:	Qualification	Remarks
1	Allah Noor	Ghulam Sarwar	03.08.1967	21.10.1992	03.02.2002	R&E	B.A	Ex-S/Clerk
2	Khalid Hayat Khan	M. Hayat Khan	15.01.1965	30.04.1988	-	LGRD	M.A	-do-
3	Naqibullah Khan	Abdur Rahim Khan	16.06.1968	30.04.1988	-	LGRD	B.A	-do-
4	Jamil Khan	Salim Khan	18.01.1969	30.04.1988	-	LGRD	B.A	-do-
5	M. Yousaf Khan	Tehsil Khan	04.01.1966	19.07.1990	-	LGRD	B.A	-do-
6	Irfanullah Khan	Saadullah Khan	08.08.1967	26.12.1992	-	LGRD	F.A	-do-
7	Ikramullah Khan	Sherin Jan	04.08.1972	26.12.1992	-	LGRD	F.A	-do-
8	Sifat Ullah Khan	Bahadar Khan	10.04.1974	03.10.1995	-	LGRD	F.A	-do-
9	M. Humayun Khan	Akbar Khan	02.04.1974	05.10.1995	-	LGRD	F.A	-do-
10	M. Zaman	Bavaz Khan	02.11.1974	26.12.1992	30.06.2001	LGRD	Matric	Ex-J/Clerk
11	M. Nawaz Khan	M. Aslam Khan	01.09.1975	08.10.1995	30.06.2001	LGRD	Matric	-do-
12	M. Yousaf	Shadi Khan	11.05.1964	29.05.1966	23.08.2001	R&E	M.Com	-do-
13	Saeed Ur Rehman	Shaista Khan	02.01.1971	16.03.1995	23.08.2001	C&W	F.A	-do-
14	Karim Bakhsh	Fazal Mehmood	12.03.1971	09.08.1993	31.08.2001	R&E	Matric	-do-
15	Mir Shahadat Khan	Afzal Khan	20.03.1974	21.11.1992	10.09.2001	LGRD	Matric	-do-
16	M. Iqbal	Habibullah Khan	12.09.1974	12.02.1996	06.08.2003	R&E	Matric	Ex-J/Clerk
17	Samiullah Khan	Zarwali Khan	20.09.1972	10.10.1992	03.04.2004	Educ.	F.A	-do-
18	Ijaz Khan	Taj Ali Khan	18.09.1975	05.07.1995	31.01.2005	C&W	Matric	-do-
19	Hakim Jan	Nadir Khan	01.12.1983	26.01.2016	26.01.2016	LGRD	M.A	Sec.VC/NC
20	Ghani Ur Rehman	Abdul Rehman	01.09.1985	26.01.2016	26.01.2016	LGRD	M.A	-do-
21	Muhammad Iqbal	Sher Dil Khan	01.09.1985	26.01.2016	26.01.2016	LGRD	M.A	-do-
22	Inam Ullah	Mosam Khan	17.01.1986	26.01.2016	26.01.2016	LGRD	M.Phil	-do-
23	Irfan Ullah	Baist Khan	05.03.1986	26.01.2016	26.01.2016	LGRD	M.A	-do-
24	Sami Ullah	Baist Khan	05.03.1986	26.01.2016	26.01.2016	LGRD	M.A	-do-
25	Abdul Rauf Khan	Abdul Rahim	12.08.1986	26.01.2016	26.01.2016	LGRD	M.A	-do-
26	Ghafoor Ahmad	Ghulam Daud	05.02.1987	26.01.2016	26.01.2016	LGRD	B.A	-do-
27	Salimullah	Sahib Noor	14.04.1987	25.10.2005	26.01.2016	LGRD	M.A	-do-
28	Vacant	...	...	...	...	...	...	...
29	Vacant	...	...	...	...	...	...	...
30	Vacant	...	...	...	...	...	...	...
31	Vacant	...	...	...	...	...	...	...

(Signature)
Assistant Director
LG & RDD Lakki Marwat

To
The Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

25

18-5-22

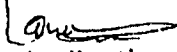
**SUBJECT:- OBJECTIONS/SUGGESTIONS ON TENTATIVE SENIORITY LIST OF
VCS/NCs SECRETARIES AS STOOD ON 12.05.2022 INVITED
THROUGH WHATSAPP ON 12.05.2022**

Dear Sir,

Reference is invited to the subject noted above. I the undersigned do hereby submit my objections/suggestions on the subject Tentative Seniority List of VCs/NCs Secretaries of District Lakki Marwat. That in the said Tentative Seniority list my name has been placed at Serial No.3 which is not correct, totally unjust, void, mala fide, contrary to the rules and regulations. I am liable to be placed at Serial No.2 on the following grounds:-

1. That my date of birth is 16.06.1968 and appointment date is 30.04.1988
2. That I have been given right place in the Seniority Lists of VCs/NCs Secretaries finalized during the last three 3 consecutive years. The finalization of Seniority Lists took place inviting objections and suggestions from all concerned.
3. That promotion of 2 or 3 Senior Most Secretaries took place on the instant Seniority Lists so finalized during the last 3 years.
4. That one Allah Noor, Secretary has been given top position in the seniority list on prepared on 12.05.2022.
5. That the said Mr. Allah Noor, Secretary filed an appeal before the appellate authority challenging seniority list dated 16.03.2021, of VCs/NCs Secretaries of District Lakki Marwat. A committee so constituted by the Appellate Authority decided the said appeal that "In the instant case the aggrieved has approached the appellate authority after lapse of more than three years. Without prejudice to merit of the case the Committee recommends that appeal being time barred could not be considered."
6. That minutes of the said committee were provided to your good office by the Appellate Authority vide Deputy (Admin/HR) letter No. 20338 Director (LG) 3 - 1/ Establishment/2021, dated 09-05-2022 under title "To refrain AD, LGRDD, Lakki Marwat from modifying the seniority list dated 16.03.2021 already prepared by the said officer."
7. That the seniority list finalized during the last three years and lastly finalized on 16.03.2021 is liable to be maintained. No modification can be made as per directions of the Director General, LGRDD, KPK. as head of the Department.
8. Any modification of the seniority List finalized on 16.03.2021 will be gross violation of the relevant rules.

Dated: 18.05.2022

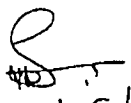

Yours Obediently 18/05/2022
Naqibullah Khan

Senior Secretary Village Council Marmandi Azim

District Lakki Marwat

M.No - 03469504507

Received


18/5/2022 J/c

26

To
The Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

**SUBJECT:- OBJECTIONS/SUGGESTIONS ON TENTATIVE SENIORITY LIST OF
VCS/NCs SECRETARIES AS STOOD ON 12.05.2022 INVITED
THROUGH WHATSAPP ON 12.05.2022**

Dear Sir,

Reference is invited to the subject noted above. I the undersigned do hereby submit my objections/suggestions on the subject Tentative Seniority List of VCs/NCs Secretaries of District Lakki Marwat. That in the said Tentative Seniority list my name has been placed at Serial No.2 which is not correct, totally unjust, void, malafide, contrary to the rules and regulations. I am liable to be placed at Serial No.1 on the following grounds:-

1. That my date of birth is 15.01.1965 and appointment date is 30.04.1988
2. That I have been given right place in the Seniority Lists of VCs/NCs Secretaries finalized during the last three 3 consecutive years. The finalization of Seniority Lists took place inviting objections and suggestions from all concerned.
3. That promotion of 2 or 3 Senior Most Secretaries took place on the instant Seniority Lists so finalized during the last 3 years.
4. That one Allah Noor, Secretary has been given top position in the seniority list on prepared on 12.05.2022.
5. That the said Mr. Allah Noor, Secretary filed an appeal before the appellate authority challenging seniority list dated 16.03.2021, of VCs/NCs Secretaries of District Lakki Marwat. A committee so constituted by the Appellate Authority decided the said appeal that "In the instant case the aggrieved has approached the appellate authority after lapse of more than three years. Without prejudice to merit of the case the Committee recommends that appeal being time barred could not be considered."
6. That minutes of the said committee were provided to your good office by the Appellate Authority vide Deputy (Admin/HR) letter No. 20338 Director (LG) 3 - 1/ Establishment/2021, dated 09-05-2022 under title "To refrain AD, LGRDD, Lakki Marwat from modifying the seniority list dated 16.03.2021 already prepared by the said officer."
7. That the seniority list finalized during the last three years and lastly finalized on 16.03.2021 is liable to be maintained. No modification can be made as per directions of the Director General, LGRDD, KPK. as head of the Department.
8. Any modification of the seniority List finalized on 16.03.2021 will be gross violation of the relevant rules.

It is therefore, requested that my name may kindly be placed at the top in the Seniority List of VCs/NCs Secretaries of District Lakki Marwat as required under the rules.

Dated: 18.05.2022

Yours Obediently

Khalid Hayat Khan

Senior Secretary Village Council

District Lakki Marwat

03129797010

Received

S/c



26/5/2022

27

The Assistant Director
Local Govt. & Rural Development
Department, Lakki Marwat.

**SUBJECT:- OBJECTIONS/SUGGESTIONS ON TENTATIVE SENIORITY LIST OF
VCS/NCs SECRETARIES AS STOOD ON 12.05.2022 INVITED
THROUGH WHATSAPP ON 12.05.2022**

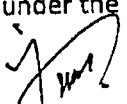
Dear Sir,

Reference is invited to the subject noted above. I the undersigned do hereby submit my objections/suggestions on the subject Tentative Seniority List of VCs/NCs Secretaries of District Lakki Marwat. That in the said Tentative Seniority list my name has been placed at Serial No.4 which is not correct, totally unjust, void, malafide, contrary to the rules and regulations. I am liable to be placed at Serial No.3 on the following grounds:-

1. That my date of birth is 18.01.1969 and appointment date is 30.04.1988
2. That I have been given right place in the Seniority Lists of VCs/NCs Secretaries finalized during the last three 3 consecutive years. The finalization of Seniority Lists took place inviting objections and suggestions from all concerned.
3. That promotion of 2 or 3 Senior Most Secretaries took place on the instant Seniority Lists so finalized during the last 3 years.
4. That one Allah Noor, Secretary has been given top position in the seniority list on prepared on 12.05.2022.
5. That the said Mr. Allah Noor, Secretary filed an appeal before the appellate authority challenging seniority list dated 16.03.2021, of VCs/NCs Secretaries of District Lakki Marwat. A committee so constituted by the Appellate Authority decided the said appeal that "In the instant case the aggrieved has approached the appellate authority after lapse of more than three years. Without prejudice to merit of the case the Committee recommends that appeal being time barred could not be considered."
6. That minutes of the said committee were provided to your good office by the Appellate Authority vide Deputy (Admin/HR) letter No. 20338 Director (LG) 3 - 1/ Establishment/2021, dated 09-05-2022 under title "To refrain AD, LGRDD, Lakki Marwat from modifying the seniority list dated 16.03.2021 already prepared by the said officer."
7. That the seniority list finalized during the last three years and lastly finalized on 16.03.2021 is liable to be maintained! No modification can be made as per directions of the Director General, LGRDD, KPK. as head of the Department.
8. Any modification of the seniority List finalized on 16.03.2021 will be gross violation of the relevant rules.

It is therefore, requested that my name may kindly be placed at Sr. No.3 in the Seniority List of VCs/NCs Secretaries of District Lakki Marwat as required under the rules.



Dated: 18.05.2022


Yours Obediently
Jamil Khan

Senior Secretary Village Council Kot Kashmir
District Lakki Marwat

0302-5763810

Received

 
Jle ADLG Lakki 18/5/2022

2 28

9-6-22

Final Seniority List of VCs/NCs District Lakki Marwat STOOD ON: 09-06-2022

S.No	Name of Secretary VC	Father's Name	Date of Birth	Date of Appointment	Date of Adjustment	Parent Deptt:	Qualification	Remarks
1	Khalid Hayat Khan	M. Hayat Khan	15.01.1965	30.04.1988	-	LGRD	M.A	-do-
2	Naqibullah Khan	Abdur Rahim Khan	16.06.1968	30.04.1988	-	LGRD	B.A	-do-
3	Jamil Khan	Salim Khan	18.01.1969	30.04.1988	-	LGRD	B.A	-do-
4	M. Yousaf Khan	Tehsil Khan	04.01.1966	19.07.1990	-	LGRD	F.A	-do-
5	Irfanullah Khan	Saadullah Khan	08.08.1967	26.12.1992	-	LGRD	F.A	-do-
6	Ikramullah Khan	Sherin Jan	04.08.1972	26.12.1992	-	LGRD	F.A	-do-
7	Siffat Ullah Khan	Bahadar Khan	10.04.1974	03.10.1995	-	LGRD	F.A	-do-
8	M. Humayun Khan	Akbar Khan	02.04.1974	05.10.1995	-	LGRD	F.A	-do-
9	M. Zaman	Bayaz Khan	02.11.1974	26.12.1992	30.06.2001	LGRD	Matric	Ex-J/Clerk
10	Dil Nawaz Khan	M. Aslam Khan	01.09.1975	08.10.1995	30.06.2001	LGRD	Matric	-do-
11	M. Yousaf	Shadi Khan	11.05.1964	29.05.1966	23.08.2001	R&E	M.Com	-do-
12	Saeed Ur Rehman	Shaista Khan	02.01.1971	16.03.1995	23.08.2001	C&W	F.A	-do-
13	Karim Bakhsh	Fazal Mehmood	12.03.1971	09.08.1993	31.08.2001	R&E	Matric	-do-
14	Mir Shahadat Khan	Afzal Khan	20.03.1974	21.11.1992	10.09.2001	LGRD	Matric	-do-
15	Allah Noor	Ghulam Sarwar	03.08.1967	21.10.1992	03.02.2002	R&E	B.A	Ex-S/Clerk
16	M. Iqbal	Habibullah Khan	12.09.1974	12.02.1996	06.08.2003	R&E	Matric	Ex-J/Clerk
17	Samiullah Khan	Zarwali Khan	20.09.1972	10.10.1992	03.04.2004	Educ.	F.A	-do-
18	Ijaz Khan	Taj Ali Khan	18.09.1975	05.07.1995	31.01.2005	C&W	Matric	-do-
19	Hakim Jan	Nadir Khan	01.12.1983	26.01.2016	26.01.2016	LGRD	M.A	Sec.VC/NC
20	Ghani Ur Rehman	Abdul Rehman	01.09.1985	26.01.2016	26.01.2016	LGRD	M.A	-do-
21	Muhammad Iqbal	Sher Dil Khan	01.09.1985	26.01.2016	26.01.2016	LGRD	M.A	-do-
22	Inam Ullah	Mosam Khan	17.01.1986	26.01.2016	26.01.2016	LGRD	M.Phil	-do-
23	Sami Ullah	Baist Khan	05.03.1986	26.01.2016	26.01.2016	LGRD	M.A	-do-
24	Abdul Rauf Khan	Abdul Rahim	12.08.1986	26.01.2016	26.01.2016	LGRD	M.A	-do-
25	Ghafoor Ahmad	Ghulam Daud	05.02.1987	26.01.2016	26.01.2016	LGRD	B.A	-do-
26	Salimullah	Sahib Noor	14.04.1987	25.10.2005	26.01.2016	LGRD	M.A	-do-
27	Vacant	...	...	...	...	...	...	...
28	Vacant	...	...	...	...	...	...	...
29	Vacant	...	...	...	...	...	...	...
30	Vacant	...	...	...	...	...	...	...
31	Vacant	...	...	...	...	...	...	...

Reza Mirza
Assistant Director
IG & RDD Lakki Marwat

29

9-6-22



OFFICE OF THE ASSISTANT DIRECTOR LOCAL GOVERNMENT
& RURAL DEVELOPMENT DEPARTMENT LAKKI MARWAT

Phone #: 0969-538043
No. 969 /AD/LG/RD

Email: adlakkimarwat@gmail.com
Dated: 07/06/2022

To

The All Secretaries
Village & Neighborhood Councils
District Lakki Marwat

Subject:-

FINAL SENIORITY LIST OF VCS/NCs SECRETARIES IN DISTRICT
LAKKI MARWAT STOOD ON: 09/06/2022.


Memo:

In pursuance of the directions contained in the Directorate General, Local Govt: & Rural Development, Department, KP. letter No. Director(LG)3-1/Establishment/2021/20338, dated 09-05-2022, the seniority list of VCs/NCs Secretaries has been finalized after inviting objection/suggestions from all the secretaries, as provided under the rules. A copy of the final Seniority List of Secretaries VCs/NCs of District Lakki Marwat as stood on 09-06-2022 is enclosed herewith for your information and record.

Assistant Director
Local Govt: & Rural Development
Department, Lakki Marwat

Even No & Date:

Copy forwarded to the Director General Local Govt: & Rural Development Department Khyber Pakhtunkhwa, Peshawar for information w/r to above please.


Assistant Director
Local Govt: & Rural Development
Department, Lakki Marwat

M
The Director General
Local Govt. & Rural Development
Deptt. Khyber Pakhtunkhwa.



DD (AS)
16/6/2022

SUBJECT:- APPEAL BEFORE THE APPELLATE AUTHORITY AGAINST THE FINAL SENIORITY LIST OF VC/NC SECRETARIES OF DISTRICT LAKKI MARWAT CIRCULATED ON 09.06.2022.

Respected Sir,

Most respectfully it is submitted that the Assistant Director, LGRDD, Lakki Marwat has circulated Final Seniority List of VCs/NCs Secretaries on 09.06.2022. The said list is quite incorrect, unlawful. Hence the present appeal under the Khyber Pakhtunkhwa Civil Servants (Appcal) Rules, 1973 with the following facts and grounds:-

1. That, the competent authority of the appellant issued no seniority list of VCs/NCs Secretaries as required under Section-8(5) of the Khyber Pakhtunkhwa Civil Servants Act, 1973. So he lodged an appeal for the same. But his appeal was considered to be against the seniority lists of previous years. Therefore the said appeal was filed being time barred vide your office letter dated 13.05.2022 but without prejudice and merit of the case and the competent authority was directed to regularly issue seniority list every year as per law/rules in future (copy of letter dated 13.05.2022 is as Annexure-A).
2. That, in pursuance of the said letter dated 13.05.2022 the AD, LGRDD Lakki Marwat circulated a tentative list on 12.05.2022 where in the appellant appeared at Sr. No.1. The appellant having rightful position did not file any objection or suggestion. But in the final seniority list the appellant name appeared at Sr.No.15. (Copies of both the lists are at Annexure-B & C respectively).
3. That, the appellant was surplus from Revenue Deptt. as Senior Clerk in BPS-7 and was adjusted as Village Secretary in BPS-6 on 03.02.2002. He was rightful to be placed at the top of the Seniority List in pursuance of Adjustment Policy vide Para-6(d) which provides that "In case of adjustment against a post lower than his original scale, he shall be placed at the top of seniority list of that cadre, so as to save him from being rendered surplus again & becoming junior to his juniors."
4. That, the Department adopted the said policy vide circular letter dated 12.02.2015 (copy of circular letter dated 12.02.2015 is as Annexure-D).
5. That, the above said policy was also adopted by the Department while implementing judgment dated 19.03.2019 of PHC Bannu Bench in Writ Petition No.873-B/2017 titled Mai Khan VS.Govt. (Copy of implementation is as Annexure-E).

Keeping in view the above facts and grounds it is earnestly requested that the appellant may be placed at the top of the seniority list of VCs/NCs Secretaries as required under the rules and obliged.

Yours obediently

ALLAH NOOR

16/6/2022



To

31 . 22-6-22
**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

No. Director (LG) 3-21/Meeting/2022 / 1311-12
Dated Peshawar, the 22nd June, 2022

All the Assistant Directors,
LG&RD, Khyber Pakhtunkhwa
(Except Bannu, Charsadda, Chitral Lower, Chitral Upper,
Dir Lower, Haripur, Swabi, Tank, Torghar, Khyber, Mohmand, Bajaur,
South Waziristan, North Waziristan, Orakzai & Kurrum).

Subject: **MEETING OF DEPARTMENT PROMOTION COMMITTEE**

I am directed to refer to the subject cited above and to state that the Departmental Promotion Committee meeting for consideration of promotion cases of Senior Village Secretaries (BPS-11) to the post of Supervisors (BPS-14) has been scheduled on Tuesday dated **05.07.2022 at 10:00 a.m.** in the office of Director General LG & RDD, Hayatabad Peshawar.

You are, therefore, requested to make it convenient to attend the said meeting on the date, time & venue mentioned above.


You are further requested to ensure submission of cases complete in all aspects and provide deficient documents (if any) **on or before 27.06.2022.**


(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD

Endst: No. & date even:

Copy forwarded to the:

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


(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD

32
The Director General,
LG & RDD Khyber Pakhtunkhwa
Peshawar



Subject:

**REVIEW PETITION/REPRESENTATION UNDER RULE 4 OF THE
SERVICE TRIBUNAL ACT, 1974, REGARDING DETERMINATION OF
SENIORITY OF SECRETARIES VCS/NC LAKKI MARWAT.**

Respected Sir,

I have the honour to submit that I am the bonifide resident of Village Marmandi Multan District Lakki Marwat and hereby submit my review petition/representation in the light of Rule 4 of the Service Tribunal Act, 1974 as under:-

FACTS.

1. That basically, I was appointed as a Secretary Union Council on 30.04.1988 and presently is serving as a Secretary BPS-11 upto now under the control of Assistant Director, LG & RDD Lakki Marwat.
(Attested copy of my service book showing all required particulars prescribed for promotion to the next higher pay scale has already been submitted to your good offices for DPC).
2. That keeping in view my seniority, I was upgraded from the post of Secretary BPS-09 to the post of Senior Secretary BPS-11 on 01.02.2018.
3. Now some dispute over seniority raised an illegally by one Mr. Allah Nor Secretary claimed his seniority then me and the whole process of further promotion disturbed thus depriving me from my fundamental rights in violation of Rule 8 and 11A of the Civil Servant Act, 1973.
4. In this respect, I hereby clarified that Mr. Allah Noor was basically a senior clerk in Commissioner Office Bannu and his 1st appointment as shown in the seniority list is 21.10.1992 and due to devolution after declaring him as a surplus in 2001, he was adjusted in LG & RDD on 03.02.2002.
5. Assistant Director LG & RDD Lakki Marwat being Competent Authority shall caused inter-se seniority of the Secretaries of parent department and adjusted from other department strictly as per prescribed rules 8 & 11A of the Civil Servant Act, 1973 and Rule 17 of Civil Servant (Appointment, Promotions and Transfer Rules, 1989).

Nagibullah


6. It is evident from all the available service record of both the officials, and rules on subject, I am clearly senior to him from the date of 1st appointment and rendered my services in my parent department since 30.04.1988 and Mr. Allah Noor Secretary appointed on 21.10.1992.
7. It is further clarified and justified that the Provincial Government has also made addition in the rules as provided in Rule 17 b (3) as under:-
"In the event of merger/restructuring of the departments, attached departments or subordinate offices, the inter se seniority of civil servants affected by the merger/restructuring as aforesaid shall be determined in according with the date of their regular appointment to a cadre post.
8. The above rules itself clarified that seniority of all the officials may be determined in accordance with the date of their regular appointment but some of the departments wrongly consider interpretations of the aid amendments as officials declared surplus whereas the above named respondent officials neither affected from merger/restructuring nor having any vested rights of the seniority in LG & RDD and his objection, petition is totally malafide, against the rules and regulations and wasting time and energy of other officials.
9. Rule 11A of the Civil Servant Act, 1973 has only protected his pay and allowances and not any vested rights provided for seniority which is also clarified and circulated by Establishment Department Khyber Pakhtunkhwa vide letter No. SOR-IV/ED/G-1/2014 dated 23.12.2014 (Photostat copy enclosed for ready reference).
To this effect one of the official Mr. Hidayat Ullah the then seniority of V/Cs/NC no retired as Supervisor knocked at the door of Service Tribunal in this respect of seniority of the official. The Services Tribunal decided the case of afore mentioned official on dated 01.03.2017 vide order No. 733/2016 whereby a direction were issued through order dated 01.06.2017 to the Department LG & RDD to prepare seniority list of Secretaries VCs/NC according to law and rules. Which was prepared in 2017 accordingly. Whereby Mr. Hidayat Ullah was placed at serial No. 1 while the petition i.e. Naqib Ullah was placed at serial No 9 while placing respondent Allah Noor at serial No. 25 and the same was mentioned without any objection till 2019 and than 2021. Which is quite evident that Allah Noor is just wasting the precious time of the competent authority the judgment of worthy Service Tribunal is attached for worth perusal and on the basis of seniority in 2017 Mr. Hidayat Ullah was promoted and than one Abdul Majeed also promoted in the light of judgment of Service Tribunal dated 01.03.2017.
(Photostat of Judgment, Service Tribunal & Order of Mr. Hidayat Ullah is attached)
10. Moreover, departmental appeal of the respondent official regretted by the Competent Authority with consultation of a prescribed committee in its meeting held on 29.03.2022 and circulated vide DG LG & RDD Khyber Pakhtunkhwa letter No. Director (LG)/3-1/Estab:/2021/20338 dated 09.05.2022 (Photostat copy enclosed).
11. As regards to Para 10 and on the directions of Competent Authority, the original seniority as per 1st and regular appointment has been determined by Assistant Director LG & RDD Lakki Marwat on 09.06.2022 wherein I along with other officials basically appointed in LG & RDD have been placed at S/No. 2 and Mr. Allah Noor placed at his appropriate place at Serial No. 15, circulated vide letter No. 969/AD/LG/RD dated 09.06.2022 (Photostat copy enclosed).

12. It is pointed out that the respondent official is submitting lame excuses to all concerned, disturbing the whole process of promotions and my vested rights due to which delay in my promotion is occurred wasting our time and energy showing misappropriation and interpretation of rules.
13. It is further highlighted that this issued has also been agitated and litigated by other officials but in vain rules/regulations quoted in this respect is very clear as per adjustment policy/notified by the Provincial Government of Khyber Pakhtunkhwa for the officials of surplus pool caused due to devolution in 2001.
14. Photostat copies of the Final Seniority list 2017, 2019, 2021 & 2022 which is crystal clear and based on facts, are attached for ready reference).

PRAYER

As discussed above, I very humbly prayed that:-

1. The respondent official may be instructed to refrain from such like illegal/malafide requests.
2. The Final Seniority List issued on 09.06.2022 which is correct and in accordance with rules, may be considered final and correct for the purpose of further promotions of the officials concerned.
3. I being senior most official in the list of Secretaries may kindly be promoted to the post of Supervisor BPS-14 in the office of AD LG & RDD Lakki Marwat is lying vacant since last about one year.


25/07/22 Thanking You Sir,
Yours Most Obedient Servant

Naqib Ullah , Senior Secretary
Village Council Marmandi Azim
District Lakki Marwat.
CNIC No: 11201-3564623-1
Cell No: 0346-9504507



To

35
20-9-22

**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

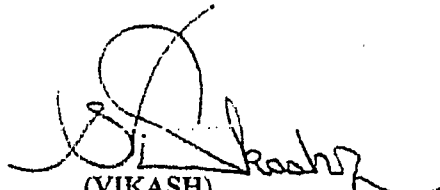
No. Director (LG) 3-21/Meeting/2022-23
Dated Peshawar, the 20th September, 2022 / 930-31

1. Assistant Director,
LG & RDD Lakki Marwat.
2. Mr. Allah Noor,
Senior Village Secretary,
O/O Assistant Director LG&RDD Lakki Marwat.
3. Mr. Naqih Ullah,
Senior Village Secretary,
O/O Assistant Director LG & RDD, Lakki Marwat.

Subject: **MEETING**

I am directed to refer to the subject cited above and to state that a meeting is scheduled to be held on 22nd September, 2022 at 1400 HOURS in the O/O Director General in Directorate General LG & RDD, Peshawar regarding issues in respect of Seniority List of Senior Village Secretary.

In light of the above you are hereby requested to make it convenient to attend the meeting alongwith all the relevant record on the above mentioned date, time & venue, please.


(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD

Copy forwarded to:

1. Director (Admin/HR) in Directorate General LG&RDD, Khyber Pakhtunkhwa.
2. Director (Operations & Policy) in Directorate General LG & RDD, Khyber Pakhtunkhwa.
3. Deputy Director (Admin/HR) in Directorate General LG & RDD, Khyber Pakhtunkhwa.
4. PA to Director General, LG&RDD, Khyber Pakhtunkhwa.


(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD



36 4-10-22

**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

Dated Peshawar, the 4th October, 2022

ORDER

No. Director (LG) 3-1/Establishment/2022-1675-81 The Director General LG&RDD being Appellate Authority heard the appeal on 22.09.2022 at 2:00 pm in his office in which the appellant Mr. Allah Noor and the defendant Mr. Naqib Ullah Village Council Secretaries were personally present.

2. After examination of the record, personal hearing of the appellant Mr. Allah Noor and defendant Mr. Naqib Ullah Village Council Secretaries, District Lakki Marwat, it was found that the appellant was adjusted against a post lower than his original scale.

3. Para 6(d) of the Surplus Pool Policy, states that: "*In case of adjustment against a post lower than his original scale, he shall be placed at the top of the seniority list of that cadre, so as to save him from rendering surplus again & becoming junior to his juniors*"

4. In light of the above, the appeal of the appellant Mr. Allah Noor, Village Council Secretary Lakki Marwat is accepted and Assistant Director LG&RDD Lakki Marwat shall issue the seniority list of Village/Neighborhood Council Secretaries, afresh accordingly.

-sd/-

**DIRECTOR GENERAL
LG & RDD**

Endst. Of even No.& Date.

Copy of the above is forwarded to the:

1. All Directors in Directorate General LG&RDD Khyber Pakhtunkhwa, Peshawar.
2. Assistant Director LG&RDD, Lakki Marwat.
3. PA to Director General LG&RDD, Khyber Pakhtunkhwa.
4. Officials concerned.
5. Office file.

**DEPUTY DIRECTOR (ADMIN/HR)
LG&RDD**

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. _____ /2022

Naqib Ullah

versus

DG & Others

APPLICATION FOR INTERIM RELIEF:

Respectfully Sheweth:

1. That applicant filed the subject Appeal before this hon'ble Tribunal today.
2. That at present, two (2) posts of promotion to the post of Supervisor B-14 are lying vacant with the department and the respondents are going to fill up the same by inviting cases for the purpose from respondents.
3. That if the said posts are filled up, then the purpose of appeal becomes in-fractious.
4. That prima facie case exists, balance of convenience lies in favor of applicant and is hopeful of the success of the appeal.
5. That facts and grounds of the appeal be treated as integral part of this application for grant of Interim relief.

It is, therefore, requested that respondents be directed not to fill up the said posts till the decision of the case.



Applicant

Through



(Saadullah Khan Marwat)

Advocate

Dated: 14-10-2022

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. _____ /2022

Naqib Ullah

versus

DG & Others

AFFIDAVIT

I, Naqib Ullah, Applicant, do hereby solemnly affirm and declare that contents of **Application** are true and correct to the best of my knowledge and belief.


DEPONENT

