

121

2

11. **Muhammad Amjid Ayaz**, s/o Muhammad Ayaz r/o House No. 3 FATA Colony Warsak Road Peshawar, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat. *(Surplus post of DC Abbottabad)*

12. **Zahidullah, Naib** s/o Nek Nawaz Khan r/o FATA Colony House No.E-4 Warsak Road Peshawar, Naib Qasid (BPS-02), Law & Order Department Merged Areas Secretariat. *Public Health & Engineering Department.*

**VERSUS**

1. **Government** of Khyber Pakhtunkhwa, through Advocate General, Peshawar.
2. **Government** of Khyber Pakhtunkhwa, through Chief Secretary at Civil Secretariat, Peshawar.
3. **Government** of Khyber Pakhtunkhwa, through Additional Chief Secretary Merged Areas at Warsak Road, Peshawar.
4. **Government** of Khyber Pakhtunkhwa, through Additional Chief Secretary P & D Department, Khyber Pakhtunkhwa, Peshawar.
5. **Secretary** to Government of Khyber Pakhtunkhwa, Administration Department at Civil Secretariat, Peshawar.
6. **Secretary** to Government of Khyber Pakhtunkhwa, Establishment Department at Civil Secretariat, Peshawar.
7. **Secretary** to Government of Khyber Pakhtunkhwa, Finance Department at Civil Secretariat, Peshawar.

**...Respondents**

8. **Sabir Shah**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
9. **Safdar AH Shah**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
10. **Arshad Khan**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
11. **Inamullah**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.

**ATTESTED**

122

3

12. **Hidayatullah**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
13. **Nishat Khan**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
14. **Maqsood Jan**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
15. **Muhammad Hussain**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
16. **Misbahullah**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
17. **Shabir Khan**, Naib Qasid (BPS-02), Law & Order Department Merged Areas Secretariat.
18. **Dost Muhammad**, Naib Qasid (BPS-02), Mineral Directorate Merged Areas Secretariat.
19. **Nehad Badshah**, Mali (BPS-02), A, I&C Department Merged Areas Secretariat.
20. **Jawad Khan**, Mali (BPS-01), A, I&C Department Merged Areas Secretariat.
21. **Khalid Khan**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
22. **Waqas Khurshid**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
23. **Muhammad Tanveer**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
24. **Wakeel Khan**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
25. **Bawar Khan**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
26. **Dost Ali**, Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
27. **Altaf ur Rehman**, Chowkidar (BPS-02), A, I&C Department Merged Areas Secretariat.
28. **Samiullah**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.
29. **Said Anwar**, Naib Qasid (BPS-01), A, I&C Department Merged Areas Secretariat.

ATTESTED

123

4

30. **Muhammad Sharif** & Naib Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
31. **Kemya Gul**, Chowkidar (BPS-02), A, I&C Department Merged Areas Secretariat.
32. **Azizullah**, Chowkidar (BPS-02), A, I&C Department Merged Areas Secretariat.
33. **Yasir Arafat**, Chowkidar (BPS-02), A, I&C Department Merged Areas Secretariat.
34. **Muhammad Saleem**, AC Cleaner/N/Qasid (BPS-02), A, I&C Department Merged Areas Secretariat.
35. **Daud Khan**, AC Cleaner (BPS-02), A, I&C Department Merged Areas Secretariat.
36. **Muhammad Alt**, Driver (BPS-05), A, I&C Department Merged Areas Secretariat.
37. **Inamullah**, Driver (BPS-05), A, I&C Department Merged Areas Secretariat.
38. **Abdul Qadar**, Driver (BPS-05), A, I&C Department Merged Areas Secretariat.
39. **Mina Jan**, Driver (BPS-04), A, I&C Department Merged Areas Secretariat.
40. **Waheedullah Shah**, Driver (BPS-05), A, I&C Department Merged Areas Secretariat.
41. **Mubashir Alam**, Driver (BPS-05), Law & Order Department Merged Areas Secretariat.
42. **Zamarud Khan**, Chowkidar (BPS-02), A, I&C Department Merged Areas Secretariat.
43. **Farhad Gul**, Naib Qasid (BPS-01), Law & Order Department Merged Areas Secretariat.
44. **Hameed Khan**, Naib Qasid (BPS-01), Law & Order Department Merged Areas Secretariat.
45. **Alam Zeb**, Mali (BPS-01), A, I&C Department Merged Areas Secretariat.
46. **Kifayat Ullah** Naib (Qasid BPS-02) A, I&C Department Merged Areas Secretariat.

ATTESTED

124

**CIVIL PETITION FOR LEAVE TO APPEAL UNDER SUB-ARTICLE (3) OF  
ARTICLE 185 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF  
PAKISTAN FROM THE JUDGMENT DATED 05.12.2019 PASSED BY THE  
PESHAWAR HIGH COURT, PESHAWAR IN WRIT PETITION NO.3704-  
P/2019**

Respectfully sheweth:

The instant CPLA involves the consideration and determination of the following substantial questions of law by this august Court:

**QUESTIONS OF LAW**

- A. Whether the judgment dated 05.12.2019 passed by the hon'ble High Court in Writ Petition No. 3704-P/2019 ("impugned judgment") is in consonance with settled principles of law and the facts on record?
- B. Whether the petitioners have been denied equal treatment by the respondents under Article 25 of the Constitution as they have been outrightly discriminated against vis-à-vis other similarly placed employees of Agency Planning Cells in P&D Department of the erstwhile FATA Secretariat (now Merged Areas Secretariat) who were not declared surplus (unlike the petitioners) and were also adjusted in the Khyber Pakhtunkhwa (KP) Civil Secretariat in its P&D and Finance Departments (not Attached Directorates) without affecting their seniority unlike the petitioners who have been adjusted in the Attached Directorates instead of the Establishment & Administration Department thereby losing their seniority and other service rights earned after putting 14 years of service?
- C. Whether being Secretariat employees of various Departments of erstwhile FATA Secretariat (now Merged Areas Secretariat), the petitioners (with the exception of petitioner No. 6) are liable to be appointed/adjusted as Secretariat employees against the same cadre posts in the concerned Department of KP Civil Secretariat i.e. the Establishment & Administration Department, particularly when vacant posts are available and some of the petitioners' services have also been requisitioned therefor?
- D. Whether petitioner No. 6 being an employee of Mineral Development Directorate in the erstwhile FATA Secretariat (now Merged Areas Secretariat) is liable to be adjusted against the same cadre post in the Directorate General of Mines and Minerals under the Mineral Department of the KP Civil Secretariat?
- E. Whether in the absence of any valid reason to adjust the petitioners against same cadre posts in the Establishment & Administration Department (and, in case of petitioner No. 6, the Directorate General of Mines and Minerals) of KP Civil Secretariat, the respondents are guilty of denying a service structure to the petitioners as repeatedly directed by the hon'ble High Court in its judgment dated 07.11.2013 passed in Writ Petition No. 969/2010 and reiterated in subsequent orders passed in contempt proceedings against the respondents?
- F. Whether for their persistent contumacious conduct in defying the repeated directions of hon'ble High Court since its judgment dated 07.11.2013 passed in Writ Petition No. 969/2010 regularizing the petitioners' services to notify and implement a proper service structure for the employees of erstwhile FATA Secretariat (now Merged Areas Secretariat), no leverage

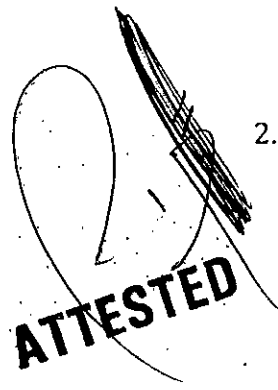
**ATTESTED**

can be allowed to the respondents in further damaging the 14-year service career and rights of the petitioners by means of outright discrimination and misapplication of KP Surplus Pool Policy-2001?

- G. Whether the hon'ble High Court has grossly erred in law and facts by assuming without any substantiation from the record that abolition of FATA somehow *ipso facto* resulted in abolition of entire FATA administration, as if the merged areas of erstwhile FATA did not require any administration whatsoever with all posts therein liable to being abolished under the Government of KP's Surplus Pool Policy-2001; whereas, on the other hand, 56,983 employees of civil administration of FATA continue to work till date against duly sanctioned budgeted posts and only 117 of them working at FATA Secretariat (including the petitioners) have been singled out and wrongfully declared surplus under the KP Surplus Pool Policy-2001?
- H. Whether the KP Surplus Pool Policy-2001, by its own terms, applied only where a post, setup or organization was duly abolished as envisaged in the said Policy; whereas, the Departments of Merged Areas Secretariat, to which the petitioners originally belonged, continue to work with only their reporting line changed to the Secretaries of relevant Departments in KP Civil Secretariat and former FATA Development Corporation employees have been recently adjusted therein together with services some of those declared surplus alongwith the petitioners also having been requisitioned thereto?
- I. Whether the impugned judgment has failed to appreciate that the KP Surplus Pool Policy-2001 did not apply to the petitioners since the same was specifically made and meant for dealing with the transition of District System and resultant restructuring of governmental offices under the devolution of powers from Provincial to local governments and, as such, the petitioners' service in the erstwhile FATA Secretariat (now Merged Areas Secretariat) had no nexus whatsoever with the same?
- J. Whether the conditionalities and prerequisites specified in KP Surplus Pool Policy-2001 for declaring a post surplus and for providing option for retirement before adjustment of incumbents having not been met, the application of said Policy to the petitioners was unlawful even otherwise?
- K. Whether the impugned judgment fails to appreciate that the matter of being declared surplus was not a term or condition of the petitioners' service and, as such, the hon'ble High Court failed to exercise jurisdiction vested in it by erroneously refusing to enter upon the issue of their wrongful adjustment under the KP Surplus Pool Policy-2001 by invoking Article 212 of the Constitution?

**FACTS**

- 1. That in 2003, 157 regular posts were created and sanctioned for the then newly established Governor Secretariat (FATA) which was later renamed as FATA Secretariat.
- 2. The petitioners along with others applied for the abovementioned posts and after fulfilling all the required formalities, they were appointed on contract basis. Their appointments were notified through an order dated 01.12.2004.



**ATTESTED**

(126)

3. That the contract of the petitioners was renewed from time to time. In 2009, the Government of Khyber Pakhtunkhwa (KP) promulgated the KP Employees (Regularization of Services) Act, 2009, whereby, all the employees "including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31<sup>st</sup> December, 2008 or till the commencement of the Act" were to be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post.
4. That pursuant to the promulgation of KP Employees (Regularization of Services) Act, 2009, the petitioners approached the then Additional Chief Secretary (FATA) for regularization of their appointments. However, no decision was taken on the plea of the petitioners following which the petitioners filed a Writ Petition No.969/2010 in the Hon'ble Peshawar High Court at Peshawar.
5. That later, through an Office Memorandum No.10/30/2008-R.II dated 29.08.2008, the Establishment Division directed the regularization of services of the contractual employees working in FATA.
6. That a Division bench decided the aforesaid W.P 969/2010 in favour of Petitioners as prayed for, but since the hon'ble Peshawar High Court had only examined the provisions of KP Employees (Regularization of Services) Act, 2009, and not the regularization policy of the Federal Government, the august Supreme Court remanded on appeal by the Government of KP remanded the case back to the hon'ble Peshawar High Court with the direction that the case be heard by a larger Bench of 3 hon'ble Judges.
7. That the larger bench, through its order dated 07.11.2013, decided in favour of the petitioners and the respondents were directed to not only regularize the petitioners but also to put in place a service structure for them with the whole process to be completed within 3 months. However, the respondents started employing delaying tactics forcing the petitioners to file a contempt petition in the hon'ble Peshawar High Court for the implementation of its order. Resultantly, the petitioners were regularized w.e.f. 31.12.2008.  
01.07.2008
8. That however, the direction regarding formulating and implementing a service structure for the petitioners, was still not implemented for which a fresh contempt petition was filed in the hon'ble Peshawar High Court following which a draft of rules was presented before the hon'ble High Court and it was further clarified that the Federal Government will approve the draft service rules after due deliberations.
9. That meanwhile, the 25<sup>th</sup> Constitutional Amendment in the Constitution was passed and the erstwhile Federally Administered Tribal Areas (FATA) were merged with the Province of Khyber Pakhtunkhwa and the matter of approving the service rules was put in the cold storage.
10. That as a result of the integration of FATA into the Province of Khyber Pakhtunkhwa, all Departments and Attached Directorates of the erstwhile FATA Secretariat have been shifted and placed under the administrative supervision and control of the Secretaries of relevant Departments of the KP Civil Secretariat. Their line of reporting is to the Secretary of KP Civil Secretariat's concerned Department. It may be mentioned that the

  
**ATTESTED**

127

Secretary is the official head of the Department as provided in rule 4 read with rules 2(h) and 2(s) of the KP Rules of Business, 1985 and, as such, the Departments of erstwhile FATA Secretariat are to be deemed as Departments of the KP Civil Secretariat.

11. That the Government of KP through a Summary duly approved by the Chief Minister requested the Federal Government to *inter alia*, transfer the budget of the employees appointed by FATA Secretariat and Line/Attached Directorates to the Provincial Government. In para 7(i) of the Summary it was proposed that the requisite funds (recurrent as well as development) for erstwhile FATA may be transferred to the Government of KP for the next financial year 2019-20 onward pending new NFC Award. Similarly, in terms of 7(ii) "After/on the proposed transfer as given at S.No. (i) above, the Provincial Government shall invariably ensure payment of salaries and other obligatory expenses, including terminal benefits as well, of all the employees (presently drawing salaries from the regular budget and Development Budget) against the regular sanctioned 56,983 posts of the administrative department /attached directorates /field formations of erstwhile FATA ..."
12. That FATA Secretariat also moved a Summary/Note for the Chief Secretary dated 15.01.2019 for its own employees as well as for the employees of FATA Development Corporation (FATA DC) containing following Proposals:-
  - (a) Terminal benefits of the employees of defunct FATA DC may be ensured by the Finance Department Khyber Pakhtunkhwa as per decision of the Supreme Court of Pakistan. Moreover, their service record and budget should be centrally located in Home & Tribal Affairs Department irrespective of their adjustment/Posting.
  - (b) A committee may be constituted by the Establishment Department Khyber Pakhtunkhwa to determine the status of 113 employees recruited by FATA Secretariat.
13. That the Establishment and Administration Department (E&AD) of Khyber Pakhtunkhwa instead of retaining the petitioners in the concerned/corresponding departments of KP Civil Secretariat, since they were hitherto the employees of erstwhile FATA Secretariat and ought to have been adjusted in the KP Civil Secretariat, declared them as surplus through a Notification No. SO(O&M)/E&AD/3-18/2019 dated 25.06.2019 under the KP Surplus Pool Policy-2001.
14. That the said notification was challenged by the petitioners in W.P. No. 3704-P/2019 before the hon'ble Peshawar High Court, seeking the same to be set aside, being illegal, unlawful against the KP Surplus Pool Policy-2001 itself and in violation of the rights of the petitioners along with the further relief that petitioners' services may also be retained in the Civil Secretariat of Establishment & Administration Department having similar cadre as the rest of the Civil Secretariat employees.
15. That the hon'ble Peshawar High Court rejected the contentions of the petitioner through its judgment dated 05.12.2019, which is now being impugned before this august Court on, among other, the following

ATTESTED

(128)

G R O U N D S

- a) That the KP Surplus Pool Policy-2001 ("Policy") of the Province of Khyber Pakhtunkhwa was made to cater for absorption/adjustment of Government Servants declared as surplus in view of the transition of District System and resultant re-structuring of the Government Organizations/Departments etc. Thus, it could not be *ipso facto* applied to the situation arising out of the merger of erstwhile FATA with Khyber Pakhtunkhwa in pursuance of the 25<sup>th</sup> Amendment to the Constitution.
- b) That the omnibus notification declaring 117 employees of the erstwhile Fata Secretariat as surplus and placing them in the surplus pool of the Establishment & Administration Department of KP Civil Secretariat is illegal, void and is an unfettered use of the executive power.
- c) That in fact, the petitioners' case is not of abolition of posts, or service or setup to begin with and the concerned Departments and Attached Directorates together with the posts continue to exist and have not been abolished.
- d) That no conscious application of mind has been undertaken nor a speaking reasoned order has been passed and the KP Surplus Pool Policy-2001 has been senselessly applied to the petitioners.
- e) That the impugned notification has been issued in flagrant violation of the Policy itself and deserves to be set aside on this score alone. However, the impugned judgment has not appreciated this fact and has resultantly resulted in misapplication of the law.
- f) That in terms of Para 5 of the Policy before transferring an employee to the surplus pool, he has to be given the option either:
  - i) To proceed on retirement with normal retiring benefits under the existing rules; or
  - ii) To opt for the readjustment/absorption against a future vacancy of his status/BPS which may not necessarily be in his original cadre/Department

However, no option has been given to the petitioners before issuing the impugned notification. This is all the more important in view of the *non obstante* clause in the aforesaid para which signifies the overriding effect of the para-5.

- g) That grave injustice has been meted out to the petitioners in the sense that after fighting tooth and nail for regularizing their employment and finally after getting regularized, they were still deprived of the service structure/rules despite the specific direction of the 3-member bench of hon'ble Peshawar High Court in its judgment dated 07.11.2013 passed in Writ Petition No. 969/2010. The said direction has still not been implemented and the matters were made worse when impugned notification was passed which directly affects the seniority and the future career prospects of the petitioners after putting in 14 years of service. Half of their service has already been wasted in litigation but to no avail.

ATTESTED



62/20  
131  
**IN THE SUPREME COURT OF PAKISTAN**  
**(APPELLATE JURISDICTION)**

**PRESENT:**  
**MR. JUSTICE GULZAR AHMED, HCJ**  
**MR. JUSTICE IJAZ UL AHSAN**

**CIVIL PETITION NO. 881 OF 2020.**  
*(Against the judgment dated 05.12.2019 passed  
by the Peshawar High Court, Peshawar in Writ  
Petition No. 3704-P of 2019).*

Tauseef Iqbal and others.

...Petitioner(s)

**Versus**

Government of KPK through Advocate General,  
Peshawar and others.

...Respondent(s)

For the Petitioner(s): Mr. Afnan Karim Kundi, ASC.  
Syed Rafaqat H. Shah, AOR.

For the Respondent(s): N.R.

Date of Hearing: 04.08.2020.

**ORDER**

**IJAZ UL AHSAN, J.-** Leave to appeal is sought against a judgment of the Peshawar High Court, Peshawar dated 05.12.2019. Through the impugned judgment, a constitutional petition bearing No.3704-P of 2019 filed by the petitioners was dismissed by a learned Division Bench of the High Court and the relief of declaring notification No.SO(O&M)/E&AD/3-18/2019 dated 25.06.2019 as illegal and unlawful was declined. One of the grounds that prevailed with the learned High Court in refusing the relief as aforesaid was that the High Court lacked jurisdiction in terms of Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

**ATTESTED**

Senior Court Associate  
Supreme Court of Pakistan  
(Islamabad)



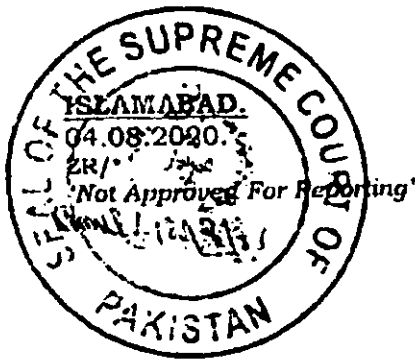
133

limitation may come in the way of the petitioners who have arguably been pursuing their remedy before the wrong forum.

4. We are sanguine that if and when the petitioners approach the competent forum and move an appropriate application for condonation of delay the same shall justly and sympathetically be considered in accordance with law. This petition is accordingly dismissed as not pressed.

Sd/-HCJ  
Certified to be True Copy  
Sd/-

Senior Court Associate  
Supreme Court of Pakistan  
Islamabad



No.	11227/20
Date	04-08-20
Page	900
Page	9
Received	5-00
Completed	5-58
Completed	10-58
Date	17/8/20
Date	13-08-2020
Signature	<i>[Handwritten Signature]</i>



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)

Finance Department Civil Secretariat Peshawar

Facebook: GovtPKPFED

Twitter: GovtPKPFED

No.SO(B&A)FD/NMAs/4-1/2019/SNE /185

Dated Peshawar the 11<sup>th</sup> June, 2020

Secretary,  
Government of Khyber Pakhtunkhwa,  
Establishment Department.

Subject: SHIFTING AND CREATION OF POSTS OF IN DIFFERENT ADMINISTRATIVE DEPARTMENTS CONSEQUENT UPON MERGER OF FATA WITH KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to your Department letter No. SOE-IV(E&AD)/1-33/202, dated 22.01.2020 on the above captioned subject and to state that Finance Department agrees to creation of 235 (two hundred & thirty five) posts of different categories in the Administrative Departments, Khyber Pakhtunkhwa with immediate effect as per following details:-

S.No	Designation	BPS	No of Posts
<b>I</b>	<b>Finance Department</b>		
1	Private Secretary	17	1
2	Superintendent	17	5
3	Sr. Scale Stenographer	16	2
4	Assistant	16	5
5	Junior Scale Stenographer	14	5
6	Senior Clerk	14	5
7	Junior Clerk	11	9
8	Driver	5	3
9	Qasid	4	1
10	Naib Qasid	3	10
	<b>Total</b>		<b>46</b>
<b>II</b>	<b>Home &amp; Tribal Affairs (L&amp;O)</b>		
1	Private Secretary	17	1
2	Superintendent	17	3
3	Assistant	16	3
4	Personnel Assistant	16	1
5	Senior Scale Stenographer	16	1
6	Junior Scale Stenographer	14	3
7	Senior Clerk	14	1
8	Junior Clerk	11	6
9	Driver	5	3
10	Qasid	4	1
11	Naib Qasid	3	6
	<b>Total</b>		<b>29</b>
<b>III</b>	<b>Local Government</b>		
1	Private Secretary	17	1
2	Superintendent	17	3
3	Personnel Assistant	16	1
4	Assistant	16	3
5	Senior Scale Stenographer	16	1

FIVE RUPEES

ATTESTED

SYED RIFAQAT HUSSAIN SHAH  
Advocate/Advocate on Record  
Supreme Court of Pakistan

134

Amended

PAKISTAN  
COURT FEE



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)**



Finance Department Civil Secretariat Peshawar

www.gkp.gov.pk

www.gkp.gov.pk

www.gkp.gov.pk

135

6	Junior Scale Stenographer	14	3
7	Senior Clerk	14	2
8	Junior Clerk	11	5
9	Driver	6	3
10	Qasid	4	1
11	Naib Qasid	3	6
	<b>Total</b>		<b>29</b>
<b>IV</b>	<b>Health Department</b>		
1	Superintendent	17	2
2	Personnel Assistant	16	1
3	Assistant	16	2
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	2
6	Senior Clerk	14	2
7	Junior Clerk	11	2
8	Driver	6	2
9	Naib Qasid	3	4
	<b>Total</b>		<b>18</b>
<b>V</b>	<b>Environment Department</b>		
1	Superintendent	17	1
2	Personnel Assistant	16	1
3	Assistant	16	1
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	1
6	Senior Clerk	14	1
7	Junior Clerk	11	2
8	Driver	6	2
9	Naib Qasid	3	3
	<b>Total</b>		<b>13</b>
<b>VI</b>	<b>Information Department</b>		
1	Superintendent	17	1
2	Assistant	16	1
3	Senior Scale Stenographer	16	1
4	Junior Scale Stenographer	14	1
5	Senior Clerk	14	1
6	Junior Clerk	11	1
7	Driver	6	1
8	Naib Qasid	3	2
	<b>Total</b>		<b>9</b>
<b>VII</b>	<b>Agriculture Department</b>		
1	Superintendent	17	3
2	Assistant	16	3
3	Personnel Assistant	16	1
4	Senior Scale Stenographer	16	2
5	Junior Scale Stenographer	14	3
6	Senior Clerk	14	1
7	Junior Clerk	11	5
8	Driver	6	3
9	Naib Qasid	3	6
	<b>Total</b>		<b>27</b>

Contd next page...

**ATTESTED**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
Civil Secretariat Peshawar



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)**

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.gov.pk>

facebook.com/GoKPFDD

twitter.com/GoKPFDD

136

<b>VIII</b>	<b>Irrigation Department</b>		
1	Superintendent	17	2
2	Assistant	16	2
3	Junior Scale Stenographer	14	2
4	Senior Clerk	14	1
5	Junior Clerk	11	1
6	Naib Qasid	3	2
	<b>Total</b>		<b>10</b>
<b>XI</b>	<b>Mineral Department</b>		
1	Superintendent	17	2
2	Assistant	16	2
3	Personnel Assistant	16	1
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	2
6	Senior Clerk	14	1
7	Junior Clerk	11	3
8	Driver	6	2
9	Naib Qasid	3	4
	<b>Total</b>		<b>18</b>
<b>X</b>	<b>Elementary &amp; Secondary Education</b>		
1	Superintendent	17	2
2	Assistant	16	2
3	Personnel Assistant	16	1
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	2
6	Senior Clerk	14	1
7	Junior Clerk	11	3
8	Driver	6	2
9	Naib Qasid	3	4
	<b>Total</b>		<b>18</b>
<b>XI</b>	<b>Higher Education</b>		
1	Superintendent	17	2
2	Assistant	16	2
3	Personnel Assistant	16	1
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	2
6	Senior Clerk	14	1
7	Junior Clerk	11	3
8	Driver	6	2
9	Naib Qasid	3	4
	<b>Total</b>		<b>18</b>
	<b>Grand Total</b>		<b>235</b>

**ATTESTED**

Advocate  
Supreme Court of Sindh  
0323-5166048 0621-9944400

Contd next page...



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)



Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

facebook.com/GoKPF

twitter.com/GoKPF

137

2- The expenditure involved is debitible to the relevant function cum object classification and shall be met out form within the Sanctioned Budget Grant (2020-21), under Grant No.-61-Nelwy Merged Areas (NMAs)

Yours faithfully,

*(Signature)*  
SECTION OFFICER-B&A

**Endst: No & date even.**

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director (FMIU), Finance Department, Khyber Pakhtunkhwa.
3. PS to Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
4. PS to Special Secretary-II (NMAs), Khyber Pakhtunkhwa Finance Department.

*(Signature)*  
SECTION OFFICER-B&A

*(Signature)*  
**ATTESTED**

STATE RECORDS DEPARTMENT  
Advocate/Attorney at Law  
Supreme Court of Pakistan  
0333-3166648 0321-9542460

کریمنل جج صاحب کی طرف سے درخواستیں

138 اصل برائے دائرہ / ایڈیشنل سیکریٹری

FATA

سزاوارتہ تلاش ہے کہ ہم اعلان سائل FATA کے ملازمین میں  
انہوں نے ایڈیشنل سیکریٹری (FATA) کے پاس درخواستیں  
میں شامل کیا گیا ہے اور وہ ان کے مطابق ملازمین فور  
ملازمین کو اپنے ضلع میں ایڈیشنل سیکریٹری کے پاس بھیج  
ضلع ایسٹ آباد میں یہ ڈی ڈسپوزل پر رکھا گیا۔ لیکن یہ  
صاحب کے داخلہ احکامات اور جلی کوٹ میں یہ کے باوجود  
D.O سوشل ویلفیئر ایسٹ آباد نے کوئی باقاعدہ آرڈر  
جاری نہیں کیا بلکہ ایسٹ وائل سے کام لے رہے ہیں۔

بنا بعلی!

غیر ملکی تاجر کے کہیں ہمارا جائز کام نہیں ہو سکا  
اور کئی ایسی چیزیں کہیں سے ہم اور ہمارا قانون ثابت ہے  
کے لیے یہی کا شکار ہے۔  
انہوں نے درخواست ہے کہ ہمیں کاغذات کی پیشکش میں متعلقہ  
کام کو ہمارے ایڈیشنل سیکریٹری کے احکامات کے مطابق  
شکریہ

الحاج

ATTESTED

Chief Officer  
Soyl of the  
13/7

Ex. No 1  
Ex. No 2  
Report FATA



DISTRICT GOVERNMENT ABBOTTABAD  
OFFICE OF THE DISTRICT OFFICER  
SOCIAL WELFARE, SPECIAL EDUCATION  
& WOMEN EMPOWERMENT DEPARTMENT  
ABBOTTABAD

139

No. DGSW/SP/AB/ 2020/527 Dated, Abbottabad the 07.07.2020


To  
The Director,  
Social Welfare, Special Education  
& Women Empowerment Department  
Khyber Pakhtunkhwa Peshawar

Subject:- ADJUSTMENT OF SURPLUS STAFF OF FALA  
FIRST WILE SECRETARIAT.

Kindly refer to Deputy Commissioner, Abbottabad letter  
No. 150-202 I-BB dated 01-07-2020 (copy attached) on the subject cited  
above and to say that the official concerned may be adjusted accordingly in  
District Abbottabad on the following available vacant posts.

S.#	Nomenclature of post	BPS	Institute	No of Vacant Post
01	Naib Qasid	03	Government Institute for the Blind Abbottabad	01
02	Naib Qasid	03	Welfare Home Abbottabad	01


You are therefore requested please issue adjustment order  
of the official concerned.

  
DISTRICT OFFICER  
SOCIAL WELFARE DEPARTMENT  
ABBOTTABAD

Endost; No & Dated as above.

Copy to:-

1. The Deputy Commissioner, Abbottabad for information.
2. The official concerned.

  
DISTRICT OFFICER

  
ATTESTED



OFFICE OF THE  
DEPUTY COMMISSIONER  
ABBOTTABAD

No. 450 20 /2/1-EB  
Dated: 01/07/2020

140

To

The District Officer,  
Social Welfare Department,  
Abbottabad.

Subject: - ADJUSTMENT OF SURPLUS STAFF OF ERSTWHILE FATA SECRETARIAT.  
Memo:

Reference your letter No. DO/SW/DC/Atd/10916-18 dated 30.06.2020 on the subject cited above.

As per existing surplus pool policy circulated vide No. SOE-V(E&AD)/2-5/2008 dated 21.03.2014 by the Establishment Department, Khyber Pakhtunkhwa, Peshawar, the Deputy Commissioner of the District is authorized to adjust the surplus staff against the post of respective cadre in any department in the district against vacant post.

Therefore, the said officials were adjusted according to the said rules/ policy and their adjustment is legal.

~~M. A. Khan~~  
DEPUTY COMMISSIONER  
ABBOTTABAD

Endst: No. & Date Even:

Copy forwarded alongwith copy of above referred letter & its enclosures to the Section Officer (E-III), Establishment & Administration Department (Establishment Wing) Khyber Pakhtunkhwa, Peshawar for information w/r to his letter No. SOE-III (E&AD) 1-3/2019/Erstwhile FATA dated 19.07.2019.

~~M. A. Khan~~  
DEPUTY COMMISSIONER  
ABBOTTABAD

~~M. A. Khan~~  
ATTESTED

y  
141

**DISTRICT GOVERNMENT ABBOTTABAD  
OFFICE OF THE DISTRICT OFFICER  
SOCIAL WELFARE, SPECIAL EDUCATION  
& WOMEN EMPOWERMENT DEPARTMENT  
ABBOTTABAD.**

No. DO/SW/VP/Atd 10756 Dated, Abbottabad The 24-02-2020

To

The Deputy Commissioner  
Abbottabad

Subject:- DETAIL OF VACANT POST/ADJUSTMENT OF  
SURPLUS STAFF.

In continuation of this office letter No DO/SW/VP/Atd/10041 dated 19-08-219 on the subject noted above and to confirm that the following posts are vacant till date.

S.#	Nomenclature of post	BPS	Institute	No of Vacant Post
01	Naib Qasid	03	Government Institute for the Blind Abbottabad	01
02	Sweeper	03	Government Institute for the Blind Abbottabad	01
03	Naib Qasid	03	Welfare Home Abbottabad	01

*Jacob Khan*

DISTRICT OFFICER  
SOCIAL WELFARE DEPARTMENT  
ABBOTTABAD

*2*  
**ATTESTED**

DISTRICT GOVERNMENT ABBOTTABAD  
OFFICE OF THE DISTRICT OFFICER  
SOCIAL WELFARE, SPECIAL EDUCATION  
& WOMEN EMPOWERMENT DEPARTMENT  
ABBOTTABAD

142


No. DO/SW/DC/Atd/ 10916-18 Dated, Abbottabad The 30<sup>6</sup>/2020

To,

The Deputy Commissioner  
Abbottabad.

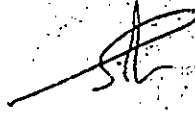
SUBJECT; - ADJUSTMENT OF SURPLUS STAFF OF ERSTWHILE FATA  
SECRETARIAT.

Your attention is invited to the subject noted above and to find to  
enclose a self explanatory letter No 17/08/KC/DSW/5207-09 dated 16-02-2020  
received from Deputy Director (Admin) Directorate of Social Welfare Peshawar  
for further necessary action at your end please.

  
DISTRICT OFFICER  
SOCIAL WELFARE DEPARTMENT  
ABBOTTABAD

Endost; No & Dated as above  
Copy to

1. Director, Social Welfare Special Education & Women  
Empowerment Department Khyber Pakhtunkhwa, Peshawar.
2. Section Officer-II, Social Welfare Special Education & Women  
Empowerment Department Khyber Pakhtunkhwa, Peshawar.

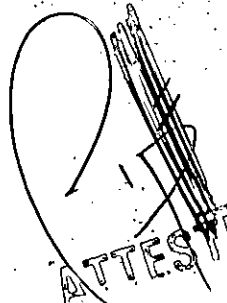
  
DISTRICT OFFICER  
SOCIAL WELFARE DEPARTMENT  
ABBOTTABAD

AE

2

VDC 30/06/20

2/1-EB

  
ATTESTED





Government of Khyber Pakhtunkhwa  
Government of Khyber Pakhtunkhwa  
Directorate of Social Welfare, Special Education and  
Directorate of Social Welfare, Special Education and  
Women Empowerment Jamrud Road Peshawar

143

No. 17/08/KC/DSW/ 5207-08  
No. 17/08/KC/DSW/ 5207-07

Dated Peshawar the 16/6/2020

To

The District Officer  
Social Welfare Department  
Abbotabad.

Subject:

ADJUSTMENT OF SURPLUS STAFF OF ERSTWHILE FATA  
SECRETARIAT.

I am directed to refer to your office letter No. DO/SWD/Deaf/Atd/10781-83 dated 06.03.2020 on the subject noted above and to state that since the officials concerned of the erstwhile Fata Secretariat have been placed at the strength of District Administration Abbotabad, so it is appropriate that they may be adjusted in the District Administration.

I am further directed to request you to inform the District Administration Abbotabad accordingly.

Deputy Director  
(Administration)

Copy to:

1. Section Officer-II Social welfare w/r to letter No. SOII/SWD/2-3/Staff Officials/2017-18/Vol-VII/365-66 dated 17<sup>th</sup> of March, 2020.
2. PA to DSW

Deputy Director  
(Administration)

16/6/2020

ATTESTED



144

DISTRICT GOVERNMENT ABBOTTABAD  
OFFICE OF THE DISTRICT OFFICER  
SOCIAL WELFARE, SPECIAL EDU: & WOMEN EMP: DEPARTMENT  
DISTRICT ABBOTTABAD

No.DO/SW/Deaf/Atd/10781-83 Dated Abbottabad the 6-3-2020

To

The Director,  
SW, SE & WE Khyber Pakhtunkhwa Peshawar.

Subject: - ADJUSTMENT OF SURPLUS STAFF OF ERSTWHILE FATA SECRETARIAT.

Kindly refer to Deputy Commissioner Abbottabad office letter No 1902-05/2/1-EB dated 04-03-2020 (copy attached) on the subject cited above and to say that the posts of Naib Qasid are vacant in the following Institute.

S.No	Name of Institute	Posts Vacant
01	Government Institute for the Blind Abbottabad	01
02	Welfare Home Abbottabad	01

The services of two Class -IV employees of erstwhile FATA Secretariat are placed at disposal of undersigned for further adjustment against vacant posts vide above referred letter.

You are therefore requested to kindly issue order of adjustment of the concerned employees under the relevant Rules please.

District officer,  
Social Welfare, Spl: Edu: & Women Emp:  
District Abbottabad

Copy for information to;

1. Deputy Commissioner, Abbottabad.
2. Official Concerned.

ATTESTED

District officer,  
Social Welfare, Spl: Edu: & Women Emp:  
District Abbottabad



OFFICE OF THE  
DEPUTY COMMISSIONER  
ABBOTTABAD

No. 1902-5/2/1-EE  
Dated: 4/13/2019

145

To

The District Officer,  
Social welfare Department,  
Abbottabad.

Subject: - ADJUSTMENT OF SURPLUS STAFF OF ERSTWHILE FATA SECRETARIAT.

Memo:

The following Class-IV employees of erstwhile FATA Secretariat whose services were earlier placed at the disposal of the District Education Officer (Male), Abbottabad are hereby repatriated from Education Department and their services are hereby placed at your disposal for further adjustment against vacant posts as conveyed vide your letter No. DO/SW/VP/Atd/10756 dated 24.02.2020:-

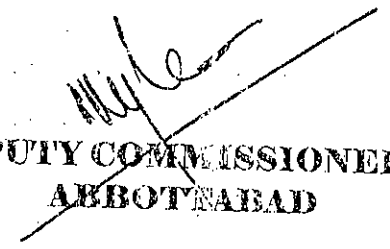
S. No.	Name	Designation
1.	Muhammad Amjad Ayaz	Naib Qasid
2.	Waqas Khurshid	Naib Qasid

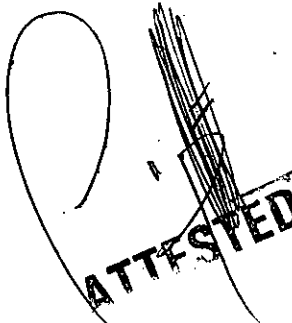
  
DEPUTY COMMISSIONER  
ABBOTTABAD

Endst: No. & Date Even:

Copy for information to the:-

1. Section Officer (E-III), Government of Khyber Pakhtunkhwa, Establishment & Administration Department (Establishment Wing), Peshawar with refers to his letter No. SOE-III (E&AD) 1-3/2019/erstwhile FATA dated 19.07.2019.
2. District Education Officer (Male), Abbottabad with reference to his letter No. 1424/EB-III/DC Office dated 20.02.2020.
3. Officials concerned with the direction to report to the DO, Social Welfare, Abbottabad immediately.

  
DEPUTY COMMISSIONER  
ABBOTTABAD

  
ATTESTED

DISTRICT GOVERNMENT ABBOTTABAD  
OFFICE OF THE DISTRICT OFFICER  
SOCIAL WELFARE, SPECIAL EDUCATION  
& WOMEN EMPOWERMENT DEPARTMENT  
ABBOTTABAD

146

No. DO/SW/VP/Atd 10756 Dated, Abbottabad The 24-02-2020

To

The Deputy Commissioner  
Abbottabad

Subject:-

DETAIL OF VACANT POST/ADJUSTMENT OF  
SURPLUS STAFF.

In continuation of this office letter No DO/SW/VP/Atd/  
10041 dated 19-08-219 on the subject noted above and to confirm that the  
following posts are vacant till date.

S.#	Nomenclature of post	BPS	Institute	No of Vacant Post
01	Naib Qasid	03	Government Institute for the Blind Abbottabad	01
02	Sweeper	03	Government Institute for the Blind Abbottabad	01
03	Naib Qasid	03	Welfare Home Abbottabad	01

*Jacob Khan*

DISTRICT OFFICER  
SOCIAL WELFARE DEPARTMENT  
ABBOTTABAD

*[Signature]*  
**ATTESTED**





GOVERNMENT OF KHYBER  
PAKHTUNKHWA  
INTER PROVINCIAL COORDINATION  
DEPARTMENT

Block: Peshawar  
City: Peshawar  
Phone No: 091-221770  
Fax No: 091-222110

Dated Peshawar the 4<sup>th</sup> September, 2019 / 4675-

147

OFFICE ORDER

NO.SO(G)/IPCD/3-19/2019/: Consequent upon the Deputy Commissioner, Peshawar order No.00200/EA dated 20<sup>th</sup> August, 2019, the Competent Authority has been pleased to adjust the following officials from surplus pool in Inter Provincial Coordination Department in their own pay Scale with effect from 20.08.2019.

S.No.	Name & Designation of Official	from	To
01.	Muhammad Kamran, Chowkidar (BPS-01)	Surplus pool	General Section, IPC Department
02.	Muhammad Amir, Chowkidar (BPS-02)		
03.	Karan, Sweeper (BPS-02)		

Secretary,  
Inter Provincial Coordination Department  
Govt. of Khyber Pakhtunkhwa

Enclst: & No. even

Copy forwarded to:

1. The Accountant General Khyber Pakhtunkhwa.
2. The Deputy Commissioner, Peshawar
3. The Section officer (Admin), Administration Department
4. All Section officers, IPC Department
5. PS to Secretary Inter Provincial Coordination Department.
6. The Accountant, IPC Department Khyber Pakhtunkhwa.
7. Officials Concerned

*[Signature]*  
04/09/19  
Section Officer (General)

*[Signature]*  
**ATTESTED**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS AND HUMAN  
RIGHTS DEPARTMENT.

(148) Dated Peshawar, the 11/09/2019

OFFICE ORDER:

No: E&A/LD/2-7/2019: In pursuance of Deputy Commissioner Peshawar Order No. 00238/EA dated: 06/09/2019 and consequent upon their arrival report Mr. Zeeshan, Naib Qasid (BS-02) and Mr. Arshad Khan, Naib Qasid (BS-02) surplus employees of Merged Areas (Erstwhile FATA) Secretariat is hereby adjusted in Law, Parliamentary Affairs and Human Rights Department against the vacant posts of Naib Qasid with immediate effect till further orders.

Consequent upon above, the following posting/transfer amongst the officials are hereby made:-

Sr. No	Name & Designation	From	To
01.	Mr. Zeeshan, Naib Qasid	On arrival	O/O Deputy Secretary (Admn)
02.	Mr. Arshad Khan, Naib Qasid	On arrival	O/O Deputy Secretary (Admn)

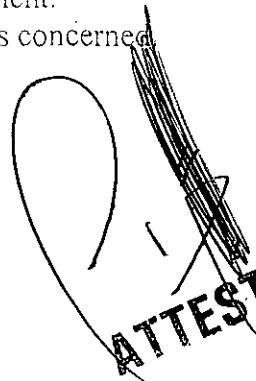
DEPUTY SECRETARY (ADMN)  
LAW, PARLIAMENTARY AFFAIRS & HUMAN  
RIGHTS DEPARTMENT.

ENDST: NO: & DATE EVEN:

17483-27

Copy forwarded to:

1. Deputy Commissioner Peshawar w/r to his letter quoted above.
2. Section Officer (E-III), Establishment Department Khyber Pakhtunkhwa.
3. PS to Secretary-Law-Parliamentary-Affairs and Human Rights Department.
4. Incharge Biometric System, Law Parliamentary Affairs and Human Rights Department.
5. Officials concerned.

  
ATTESTED

  
SECTION OFFICER (GENERAL)



**DIRECTORATE OF PROSECUTION  
KHYBER PAKHTUNKHWA**

No. DP/PEA/1166/8122-23  
Dated Peshawar 19/8/2020.  
Office Phone # 091-9212559  
Fax # 091-9212559  
E-mail kpprosecution@yahoo.com

To

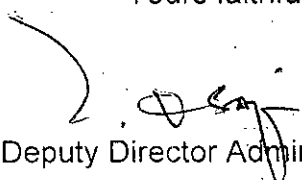
✓ Mr. Hanif-Ur-Rehman, Assistant.  
Mr. Shahid Ali Shah, Computer Operator  
Directorate of Prosecution.

Subject: - DETERMINATION OF SENIORITY AS PER HON'BLE  
PESHAWAR HIGH COURT, PESHAWAR JUDGMENT DATED: 05-  
12-2019 IN W.P. BI, 3704-P OF 2019.

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith self explanatory copy of letter No. SO (Pros)/HD/1-27/2019/Vol-I Dated: 04-08-2020 received from Section Officer (Prosecution), Home Department alongwith copy of Establishment Department letter No. SOE-III (E&AD)1-3/2020/Erstwhile FATA Secretariat Dated: 22-07-2020 for information and necessary action.

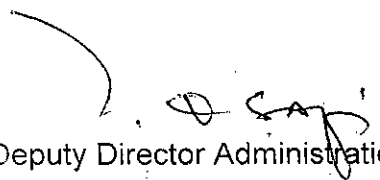
Yours faithfully,

  
Deputy Director Administration

Encl: (as above)

Copy forwarded for information to the: -

1. PA to Director General Prosecution, Khyber Pakhtunkhwa.
2. Office record.

  
Deputy Director Administration

  
**ATTESTED**

To

The Director General (Prosecution),  
Directorate of Prosecution, Khyber Pakhtunkhwa,  
Peshawar.

150

Subject: **DETERMINATION OF SENIORITY AS PER HON'ABL PESHAWAR HIGH COURT PESHAWAR  
JUDGEMENT DATED 05.12.2019**

Respected Sir,

I have the honor to bring the following facts/points in the notice of your goodself for favorable consideration and appropriate necessary action, please;

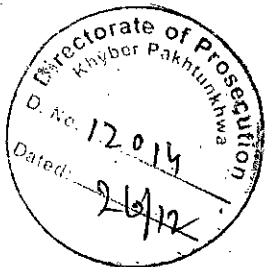
- 1) That I was appointed on contract basis against the regular sanctioned post in the year 2009 after fulfillment of all codal formalities in the Governor's Secretariat (then re-named as FATA Secretariat).
- 2) Later on, in pursuance of judgement of the Larger Bench of Peshawar High Court Peshawar in Writ petition No.969/2010 dated 07.11.2013, my services, were regularized with effect from 02.03.2009, accordingly.
- 3) Meanwhile, FATA merged with the Province of Khyber Pakhtunkhwa by virtue of 25<sup>th</sup> Amendment in the Constitution of Islamic Republic of Pakistan.
- 4) That after merger, 117 employees, appointed by FATA Secretariat-including the undersigned, was declared as "Surplus" by the Establishment Department, KP vide Notification No.SO(O&M)/E&AD/3-18/2019 dated 25.06.2019.
- 5) That my services were placed at the disposal of Home & Tribal Affairs Department, KP for onward adjustment in the Directorate of Prosecution which were adjusted/absorbed in the Directorate on 29.10.2019, accordingly.
- 6) That as soon as the employees declared as "Surplus", some of my colleagues filed a Writ Petition No.3704P/2009 before the hon'abl Peshawar High Court Peshawar to set-aside the surplus Notification dated 25.06.2019 and the hon'abl Peshawar High Court Peshawar disposed off/dismissed the Writ Petition No.3704P/2009, being infructuous. However, operative part of the judgement in Para-5, is as under;

"Needless to mention and we expect that keeping in view the ratio as contained in the Judgement titled Tikka Khan and others Vs.Syed Muzaffar Hussain Shah and others(2018 SCMR 332), the seniority would be determined accordingly"

Sir,

Above, in view, it is humbly requested that my seniority may kindly be fixed/determined from the date of my regular appointment at the Directorate of Prosecution, Khyber Pakhtunkhwa, Peshawar, as per court judgement mentioned above, please.

Regards!



26-12-19  
MA  
26/12

Yours Faithfully  
Shahid Ali Shah  
(Computer Operator)  
Directorate of Prosecution, Peshawar.

ATTESTED

Attachments:

- 1) Judgement in Writ Petition No.969/2010 dated 07.11.2013.
- 2) Regularization Order w.e.f 02.03.2009.
- 3) Surplus Notification of Establishment Department, KP dated 25.06.2019.
- 4) Adjustment order in the Directorate of Prosecution dated 29.10.2019
- 5) Writ Petition No.3704P/2009 alongwith Judgement of Peshawar High Court Peshawar dated 05.12.2019



**DIRECTORATE OF PROSECUTION  
KHYBER PAKHTUNKHWA**

No. DP/E/A/1(66)1991  
Dated Peshawar 07/02/2020  
Office phone # 091-9212559  
Fax # 091-9212559  
E-mail kpprosecution@yahoo.com

(151)

To

The Secretary to the Government of Khyber Pakhtunkhwa,  
Home & TAs Department, Civil Secretariat, Peshawar.

Subject: - DETERMINATION OF SENIORITY AS PER HON'ABL PESHAWAR HIGH COURT PESHAWAR JUDGEMENT DATED 05.12.2019 IN W.P NO.3704-P OF 2019

Dear Sir,

I am directed to enclose herewith a copy of a self-explanatory application alongwith its enclosures submitted by Mr. Shahid Ali Shah, Computer Operator (BS-16) on the subject noted above for determining his seniority as per Para-5 of the Judgement dated 05.12.2019 passed in W.P No. 3704-P of 2019 (copy enclosed). P-169. P-201

It is pertinent to mention that the services of Mr. Hanif-ur-Rehman, Assistant (BS-16) and Mr. Shahid Ali Shah, Computer Operator (BS-16) surplus pool employees were placed at the disposal of Home & TAs Department, KP for their further adjustment in the Directorate of Prosecution vide Establishment Department, Khyber Pakhtunkhwa Notification No.SOE-III(E&AD)1-3/2019/Erstwhile FATA dated 10.10.2019 (copy enclosed). Accordingly, the officials were adjusted/absorbed in the Directorate of Prosecution, KP under the provision of Sr.No.2(ii) of Rule-4 Appointment, Promotion and Transfer Rules, 1989 read with Para-5(c)(i) of the Surplus Pool Policy. P-201

In view of the above, Establishment Department, KP may please be approached to advice this Directorate as to whether the seniority of the above adjusted/absorbed officials will be determined under the Surplus Pool Policy or in light of Para-5 of the Hon'able Peshawar High Court Peshawar judgement dated 05.12.2019.

Encl:As Above

Yours Faithfully,

*Zia ul Qamar Safi*  
(Zia ul Qamar Safi)

Deputy Director Administration  
Prosecution

Copy forwarded to the:

- PA to Director General Prosecution, KP Peshawar.

*Zia ul Qamar Safi*  
Deputy Director Administration  
Prosecution

ATTENDED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

NO. SO (Pros)/HD/1-27/2019/Vol-I,  
Dated Peshawar the 24<sup>TH</sup> February, 2020.

152

To

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

Subject: **DETERMINATION OF SENIORITY AS PER HON'BLE PESHAWAR  
HIGH COURT PESHAWAR JUDGMENT DATED 05-12-2019 IN W.P.  
NO. 3704-P OF 2019.**

I am directed to refer to the subject noted above and to enclose herewith a copy of Directorate of Prosecution, Khyber Pakhtunkhwa letter NO. DP/E&A/1(66)/1991, dated 07-02-2020, alongwith its enclosures, which is self-explanatory and to state that Mr. Hanif Ur Rehman, Assistant (BS-16) and Mr. Shahid Ali Shah, Computer Operator (BS-16) were posted in the Directorate of Prosecution from the surplus pool. Accordingly, they were adjusted/absorbed in the Directorate of Prosecution in light of S.No. 2 (ii) of Rul-4 of Khyber Pakhtunkhwa APT Rules 1989 read with para-5(c) (i) of the Surplus Pool Policy.

02. Now, the above named officials have requested to determine their seniority from the date of their regular appointment and adjust them in light of the para-05 of the Peshawar High Court Judgement dated 05-12-2019.

03. I am, therefore, further directed to request to furnish advice of the Establishment Department in the subject matter for further processing, please.

Yours faithfully

Encl: as above

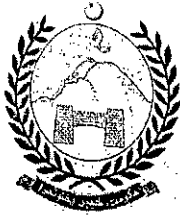
25-2-20  
DA  
325/2  
Section Officer (Prosecution)

Copy forwarded to:-

- 1. The Directorate of Prosecution, Khyber Pakhtunkhwa.
- 2. PS to Secretary, Home & Tribal Affairs Department.

ATTACHED  
Directorate of Prosecution  
Khyber Pakhtunkhwa  
D. No. 1902  
07-25-2-2020

25/2  
supdt/PA/S  
MPC  
325/2  
Section Officer (Prosecution)  
24/02/2020



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

NO. SO (Pros)/HD/1-27/2019/Vol-I,  
Dated Peshawar the 04<sup>TH</sup> August, 2020.

153

To

The Director General Prosecution  
Khyber Pakhtunkhwa.

Subject:

**DETERMINATION OF SENIORITY AS PER HON'BLE PESHAWAR  
HIGH COURT PESHAWAR JUDGMENT DATED 05-12-2019 IN W.P.  
NO. 3704-P OF 2019.**

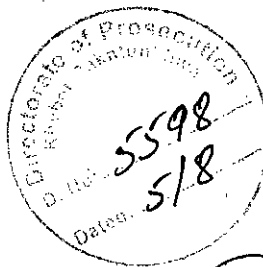
I am directed to refer to your letter NO. DP/E&A/1(66)/1991, dated 07-02-2020, on the subject noted above and to enclose herewith a copy of Establishment Department, Khyber Pakhtunkhwa letter No. SOE-III(E&AD)/1-3/2020/Erstwhile FATA Sectt, dated 22-07-2020 which is self-explanatory, for further necessary action, please.

Encl: as above

Section Officer (Prosecution)

Copy forwarded to PS to Secretary, Home & Tribal Affairs Department.

5.8.20  
DA  
112  
D.A.A.  
B 5/8  
ADA PL



ATTESTED

5/8  
Supdt 1/11  
[Signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA  
**ESTABLISHMENT & ADMINISTRATION  
 DEPARTMENT**  
 (ESTABLISHMENT WING)

154

No. SOE-III (E&AD)1-3/2020/Erstwhile FATA Secretariat  
 Dated Peshawar the July 22, 2020

To

**The Secretary to Govt. of Khyber Pakhtunkhwa,**  
 Home & Tribal Affairs Department.

**Subject: - DETERMINATION OF SENIORITY AS PER HON'ABLE PESHAWAR  
 HIGH COURT PESHAWAR JUDGMENT DATED 05.12.2019 IN W.P  
 NO.3704-P OF 2019**

Dear Sir,

I am directed to refer to Home & Tribal Affairs Department's letter No.SO(Pros)/HD/1-27/2019/Vol:I dated 24.02.2020 on the subject noted above and to state that the seniority in respect of Mr.Hanif ur Rehman, Assistant (BPS-16) and Mr.Shahid Ali Shah, Computer Operator (BPS-16) Office of Directorate of Prosecution Khyber Pakhtunkhwa may be determined as per Surplus Pool Policy, 2001.

Yours faithfully,

*Zaman Ali Khan*  
 (ZAMAN ALI KHAN)  
 SECTION OFFICER (E-III)

Endst. of even No. & date  
 Copy forwarded to the:-

1. P.S to Secretary (Estt.), Establishment Department.
2. PA to Deputy Secretary Establishment Department.

D85  
 27/7

SECTION OFFICER (E-III)

*[Signature]*  
**ATTESTED**

13126 27/7/20

SOC(Pros) 27/7/20  
 [Signature]

[Signature]  
 27/7



155



POWER OF ATTORNEY

IN THE COURT OF Learned Jhyber Pakhtunkhwa Service Tribunal  
Peshawar

Ref.# Harif Uo Rehman

Date: \_\_\_\_\_  
(Petitioner)  
(Appellant)  
(Plaintiff)

Versus

Govt of K.P & others

(Defendant)  
(Respondent)

I/We, the undersigned do hereby nominate and appoint

**TAIMUR HAIDER KHAN**  
**ADVOCATE, HIGH COURT**

On behalf of Appellant / petitioner

Know all to whom these presents shall come that I/We the undersigned appoint; the above named Advocate in District Peshawar in the above mentioned case to do all the following acts, deeds and things.

1. To act, appear and plead in the above mentioned case in this court or any other court in which same may be tried or heard in the first instance or in appeal or review or revision or application or at any other stage of its progress until its final decision.
2. To present pleadings, appeals, case objection or petitioners for execution, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as they be deemed necessary or advisable for the prosecution/defence of the said case at all stages.
3. To withdraw or compromise the said case or submit to arbitration any difference or disputes that shall arise touching or any manner relating to said cause.
4. To employee, authorize any other legal practitioner to assist or exercise the power in authority hereby conferred on the advocate whenever he may think to do so.

AND I/We, hereby agree to ratify whatever the advocate or his substitute shall do in this behalf and I/We hereby agree not to hold the advocate or his substitute responsible for the result of the case in consequences of his absence from the Court when the said case is called up for hearing.

AND I/We in case of expiry of the said advocate any full fee or part payment thereof, will not claim in any manner whatsoever, or in case of disengagement of the said advocate will not make any claim regarding fee.

Dated: 21-9-2022  
Accepted subject of the terms  
And full payment of Settled Fee

**Taimur Haider Khan**  
Advocate, High Court

(Signature/thumb impression of the Executant)

Harif-Ur-Rehman  
Asstt; BPS 16, Directorate of  
Prosecution Jhyber Pakhtunkhwa

*Handwritten notes:*  
Attorney & Accepted  
Malik Sajid  
Advocate  
High Court  
Taimur Haider Khan  
Adv: High Court

08/12

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

**Service Appeals No. 1227/2021**

Hanif Ur Rehman .....Appellant?

**Versus**

Govt. of Khyber Pakhtunkhwa Through Chief Secretary & Others..... Respondents

**INDEX**

<b>Sr. No.</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Joint Parawise Comments		2-4
2.	The NWFP Civil Servants Act, 1973	A	5-12
3.	Surplus Pool Policy	B	13-15
4.	Competent Authority to Notify/ Order Adjustment/ Absorption	C	16-17
5.	Establishment Department Notification Dated 08.01.2019	D	18
6.	Judgment of Peshawar High Court Peshawar W.P No.3074-P of 2019 dated 05.12.2019	E	19-23
7.	Finance Dept letter dated 21.09.2019.	F	24-26
8.	Finance Department letter dated 11.06.2020.	G	27-30
9.	Establishment Department letter dated 22.01.2020. to Finance Department.	H	31-33
10.	Establishment Department letter dated 29.08.2019 to Finance Department.	I	34-37

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

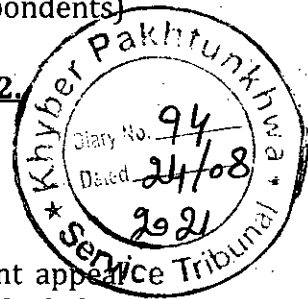
**Service Appeal No. 1227/2021**

Hanif Ur Rehman .....(Appellant)

VS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & other.....(Respondents)

**JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 & 2.**



**PRELIMINARY OBJECTIONS.**

1. That the appellant has no cause of action/ locus standi to file the instant appeal since his adjustment/ absorption was effected under Section-11(a) of Khyber Pakhtunkhwa Civil Servants Act, 1973.
2. That the appellant has not come to this Tribunal with clean hands.
3. That the Appeal is devoid of merit and hence cannot be claimed on account of unconstitutional means.
4. That the appeal of the appellant is badly time barred.
5. That this Tribunal has got no jurisdiction to entertain the present appeal.

**RESPECTFULLY SHWETH**

**FACTS**

- Para-1 Pertains to record.
- Para-2 Pertains to record.
- Para-3 Pertains to record.
- Para-4 The appellant has been treated at par with the law in vogue i.e. under Section-11(A) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (**Annex-A**) and the Surplus Pool Policy of the Provincial Government framed there-under (**Annex-B**).
- Para-5 As explained in Para-4.
- Para-6 **Incorrect.** Proviso under Para-6 of the Surplus Pool Policy states that *“in case the officer/official declines to be adjusted/absorbed in the above manner in accordance with the priority fixed as per his seniority in the integrated list, he shall loose the facility/right of adjustment/absorption and would be required to opt for pre-mature retirement from Government service Provided that if he does not fulfill the requisite qualifying service for premature retirement he may be compulsorily retired from service by the competent authority”* (**Annex-C**). However, in the instant case no Affidavit is forthcoming to the effect that the appellant refused to be absorbed / adjusted under the Surplus Pool Policy of the Government.

Para-7

**Incorrect.** Correct to the extent that in the wake of 25<sup>th</sup> Constitutional Amendment and subsequent developments, a need was felt to provide better line of administrative management and to cater to the channel of communication for the Administrative Departments and Attached Departments of Ex-FATA, the Provincial Government, through Executive Notification, directed that P&D Department FATA would cease to exist with all functions shifted to P&D Department Khyber Pakhtunkhwa and the P&D Department Merged Areas was placed under the Administrative Control of P&D Department Khyber Pakhtunkhwa and Secretary P&D Department Merged Areas was to report to Additional Chief Secretary P&D Department Khyber Pakhtunkhwa **(Annex-D)**. The said Notification, however, was not meant for the employees to report to the Provincial Government Departments.

Para-8

**Incorrect.** The appellant was the Ministerial Staff of the FATA Secretariat, therefore, they were treated under Section-11(A) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 and the Surplus Pool Policy of the Provincial Government framed there-under after approval of competent authority. So far the issue of inclusion of posts in BS-17 and above of erstwhile Agency Planning Cells, P&D Department Merged Areas Secretariat is concerned, they were Planning Cadre employees, hence, they were adjusted in the relevant cadre of the Provincial Government.

Para-9

**incorrect.** The Surplus Pool Policy of the Government has been implemented in toto. The same stance is complemented by the remarks of the Peshawar High Court Peshawar in Writ Petition 3704-P/2019 wherein the Honorable Court remarked that, *"Now so far as the other grievances of the petitioner is concerned that they are to be absorbed in the civil secretariat, being a civil servant it would involve deeper appreciation of the vires of policy referred above, which have not been impugned before us in the instant writ petition. In case petitioners still feel aggrieved regarding any matter that could not be met within the frame work of the said policy they would be legally bound by the terms and conditions of the service and in view of bar contained in Article-212 of the Constitution of Islamic Republic of Pakistan, 1973, this court could not embark to the entertain the same"* **(Annex-E)**.

Para-10

Pertains to record.

Para-11


**Incorrect.** After merger of erstwhile FATA with the Khyber Pakhtunkhwa, the Finance Department vide letter dated 21.11.2019 **(Annex-F)** created 55 posts of (BPS-17 and above) in the Administrative Departments of Khyber Pakhtunkhwa for the affairs of erstwhile FATA. Finance Department also created 235 new posts of supporting/ supervisory staff vide letter dated 11.06.2020 **(Annex-G)**, in pursuance of request of Establishment Department Govt. of Khyber Pakhtunkhwa **(Annex-H & I)**. The posts are not meant for the blue-eyed as alleged in the Service Appeal.


Para-12 **Incorrect.** Justice has been served in the eyes of the law.

Para-13 That the Respondents also seek permission to agitate further grounds at the time of arguments.

**Prayer**

It is, therefore, prayed that the appeals being devoid of legal merit may be dismissed ab initio.

  
**CHIEF SECRETARY**  
Khyber Pakhtunkhwa  
(Respondent No-1)

  
**SECRETARY**  
Finance Department  
(Respondent No-2)



'A'  
\$

5  
2

**THE NWFP CIVIL SERVANTS ACT, 1973**  
(N.W.F.P. Act No. XVIII of 1973)

<sup>1</sup>An Act to regulate the appointment of persons to, and the terms and conditions of service of persons in, the service of the North West Frontier Province.

**Preamble- WHEREAS** it is expedient to regulate by law, the appointment of persons to, and the terms and conditions of service of persons in, the service of the North West Frontier Province, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

**1. Short title, application and commencement:-** (1) This Act may be called the North West Frontier Province Civil Servants Act, 1973.

(2) This section and section 25, shall apply to persons employed on contract, or on work charged basis, or who are paid from contingencies, and the remaining provisions of this Act including this section, shall apply to all civil servants wherever they may be.

3) It shall come into force at once.

CHAPTER-I

PRELIMINARY

**2. Definitions:-** (1) In this Act, unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

- (a) "ad hoc appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method,
- (b) "civil servant" means a person who is a member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include-
- (i) a person who is on deputation to the Province from the Federation or any other Province or other authority;
- (ii) a person who is employed on contract, or on work charged basis, or who is paid from contingencies; or
- (iii) a person who is a "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);
- (c) "Government" means the Government of the North-West Frontier Province.

<sup>1</sup> Published in the NWFP Government Gazette Extraordinary dated 12-11-1973 at pages 287 N-287V

"Initial appointment" means appointment made otherwise than by promotion or transfer;

"Pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be paid ;

"Permanent post" means a post sanctioned without limit of times;

"Prescribed" means prescribed by rules;

"Province "means the North West Frontier Province;

"rules" means rules made or deemed to have been made under this Act ;

(j) "Selection authority" means the North-West Frontier Province Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on the recommendations of, or in consultation with which any appointment or promotion, as may be prescribed, is made;

(k) "temporary post" means a post other than a permanent post.

(2) For the purpose of this Act, an appointment, whether by promotion or otherwise, shall be deemed to have been made on regular basis if it is made in the prescribed manner.

CHAPTER-II

TERMS AND CONDITIONS OF SERVICE OF CIVIL SERVANTS

3. **Terms and Conditions:-** The terms and conditions of service of a civil servant shall be as provided in this Act and the rules.

4. **Tenure of office of civil servants:-** Every civil servant shall hold office during the pleasure of the Governor.

5. **Appointment:-** Appointment to a civil service of the Province or to a civil post in connection with the affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf.

6. **Probation:-** (1) An initial appointment to a service or post referred to in section 5, not being an ad hoc appointment, shall be on probation as may be prescribed.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

(3) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person appointed on probation to such service or post who,

- (d) "Initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "Pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be paid ;
- (f) "Permanent post" means a post sanctioned without limit of times;
- (g) "Prescribed" means prescribed by rules;
- (h) "Province" means the North West Frontier Province;
- (i) "rules" means rules made or deemed to have been made under this Act ;
- (j) "Selection authority" means the North-West Frontier Province Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on the recommendations of, or in consultation with which any appointment or promotion, as may be prescribed, is made;
- (k) "temporary post" means a post other than a permanent post.

(2) For the purpose of this Act, an appointment, whether by promotion or otherwise, shall be deemed to have been made on regular basis if it is made in the prescribed manner.

CHAPTER-II

**TERMS AND CONDITIONS OF SERVICE OF CIVIL SERVANTS**

3. **Terms and Conditions:-** The terms and conditions of service of a civil servant shall be as provided in this Act and the rules.

4. **Tenure of office of civil servants:-** Every civil servant shall hold office during the pleasure of the Governor.

5. **Appointment:-** Appointment to a civil service of the Province or to a civil post in connection with the affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf.

6. **Probation:-** (1) An initial appointment to a service or post referred to in section 5, not being an ad hoc appointment, shall be on probation as may be prescribed.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

(3) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person appointed on probation to such service or post who,



before the expiry of the original or extended period of his probation, has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise-

- (a) if he was appointed to such service or post by initial recruitment, be discharged; or
- (b) if he was appointed to such service or post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

Provided that in the case of initial appointment to a service or post, a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. **Confirmation :-** (1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed.

(2) A civil servant promoted to a post <sup>2</sup>[ ] on regular basis shall be eligible for confirmation after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.

(5) Confirmation of a civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8. **Seniority:-** (1) For proper administration of a service, cadre or <sup>3</sup>[post], the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or <sup>4</sup>[post] to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or <sup>5</sup>[post] as the case may be.

(2) Subject to the provisions of sub-section (1); the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or <sup>6</sup>[cadre] whether serving the same department or office or not, as may be prescribed.

<sup>2</sup> The words "or grade" omitted by NWFP Ordinance No. IV of 1985.  
<sup>3</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.  
<sup>4</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.  
<sup>5</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.  
<sup>6</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.

(3) Seniority on initial appointment to a service, <sup>7</sup>[cadre] or post shall be determined as may be prescribed.

<sup>8</sup>(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se-seniority as in the lower post.

<sup>9</sup>(5) The seniority lists prepared under sub-section(1), shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.

9. **Promotion:-**(1) A civil servant possessing such minimum qualifications as may be prescribed, shall be eligible for promotion to a <sup>10</sup>[higher] post for the time being reserved under the rule for departmental promotion in [ ] the service or cadre to which he belongs.

(2) A post referred to in sub-section (1) may either be a selection post or a non selection post to which promotion shall be made as may be prescribed-

(a) in the case of a selection post, on the basis of selection on merit; and

(b) in the case of non-selection post, on the basis of seniority-cum-fitness.

10. **Posting and Transfer:-** Every civil servant shall be liable to serve anywhere within or outside the province, in any post under the Federal Government, or any Provincial Government or Local authority, or a corporation or body set up or established by any such Government:

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

11. **Termination of service:-** (1) The service of a civil servant may be terminated without notice-

(i) During the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one [service], cadre or post to another [service], cadre or post, his service shall not be so terminated so long as he

<sup>7</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.

<sup>8</sup> Sub section (4) of Sec-8 substituted by NWFP Ordinance No. IV of 1985.

<sup>9</sup> Sub section (5) of Sec-8 added by NWFP Act No. I of 1989

<sup>10</sup> The word "higher" inserted by NWFP Ordinance No. IV of 1985.

<sup>11</sup> The words "the higher grade of" omitted by NWFP Ordinance No. IV of 1985.

holds a lien against his former post in such <sup>12</sup>[service] or cadre, but he shall be reverted to his former <sup>13</sup>[service], cadre or post, as the case may be;

- (ii) On the expiry of the initial or extended period of his employment; or
- (iii) if the appointment is made ad hoc terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of posts in a cadre or grade, the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2), the service of a civil servant in temporary employment or appointed ad hoc shall be liable to termination on fourteen days' notice or pay in lieu thereof.

**<sup>14</sup>11-A. Absorption of civil servants rendered surplus.** Notwithstanding anything contained in this Act, the rules made there-under, any agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a department, office or abolition of a post in pursuance of any Government decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfils other conditions applicable to that post:

Provided that, where no equivalent post is available, he may be offered a lower post in such manner and subject to such conditions as may be prescribed, and where such civil servant is appointed to a lower post, the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected.

**12. Reversion to a lower <sup>15</sup>post:-** A civil servant appointed to a higher post or <sup>16</sup>[before the commencement of the North-West Frontier Province Civil Servants amendment) Ordinance, 1985 to a higher] grade ad hoc or on temporary or officiating basis shall be liable to reversion to his lower post <sup>17</sup>[ ] without notice.

**<sup>18</sup>12A. Certain persons to be liable to removal or reversion:-** Notwithstanding anything contained in his terms and conditions of service, a civil servant appointed or promoted during the period from first day of January, 1972 to the fifth day of July, 1977 may be removed from service or reverted to his lower post as the case may be, without notice, by the Governor or a person authorized by him in this behalf, on such date as the Governor or, as the case may be, the person so authorized may, in the public interest, direct.

<sup>12</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.  
<sup>13</sup> The word "grade" substituted by NWFP Ordinance No. IV of 1985.  
<sup>14</sup> The new Section "11-A" inserted by NWFP Ordinance No. VI of 2001  
<sup>15</sup> The words "grade or service" substituted by NWFP Ordinance No. IV of 1985.  
<sup>16</sup> The words inserted by NWFP Ordinance No. IV of 1985.  
<sup>17</sup> The words "or grade" omitted by NWFP Ordinance No. IV of 1985  
<sup>18</sup> Section 12A inserted by NWFP Ordinance No. IX of 1978.

19,20. **13. Retirement from service:** - (1) A civil servant shall retire from service-

- (a) on such date after he has completed <sup>21</sup>[twenty] years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or
  - (b) where no direction is given under clause (a), on the completion of sixtieth year of his age.
- (2) No direction under clause (a) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

**Explanation:** In this section, the expression "competent authority" means the appointing authority prescribed in rule 4 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

**14. Employment after retirement:-** (1) A retired civil servant shall not ordinarily be re-employed under Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority:

Provided that, where the appointing authority is the Governor, such re-employment may be ordered with the approval of the Governor.

(2) Subject to the provision of sub-section(1) of section 3 of the Ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966 (Act XII of 1966), a civil servant may, during leave preparatory to retirement, or after retirement from Government service, seek any private employment.

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

**15. Conduct:-** The conduct of a civil servant shall be regulated by rules made, or instructions issued, by Government or a prescribed authority, whether generally or in respect of a specified group or class of civil servants.

**16. Disciplinary action:-** A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.

**17. Pay:-** A civil servant appointed to a post <sup>22</sup>[ ] shall be entitled, in accordance with the rules, to the pay sanctioned for such post <sup>23</sup>[ ].

Provided that, when the appointment is made on a current-charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

<sup>19</sup> Section 13 substituted vide NWFP Civil Servants (Amendment) Act 1991 (Act III of 1991)

<sup>20</sup> Section 13 again substituted, vide NWFP Civil Servants (Amendment) Ordinance 2000 (NWFP Ordinance No. VIII of 2000).

<sup>21</sup> The word "twenty-five" years substituted with the words "twenty" in Section 13 vide NWFP Civil Servants (second amendments) Ordinance 2001.

<sup>22</sup> The words "or grade" omitted by NWFP Ordinance No. IV of 1985.

<sup>23</sup> The words "or grade" omitted by NWFP Ordinance No. IV of 1985.

Provided further that where a civil servant has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. **Leave:** A civil servant shall be allowed leave in accordance with the leave rules applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority.

<sup>24</sup>19. **Pension and gratuity.**—(1) On retirement from service, a civil servant appointed on regular basis in the prescribed manner before the commencement of the North-West Frontier Province Civil servants (Amendment) Act, 2005 (hereinafter referred to as the said Act), shall be entitled to receive such pension or gratuity as are admissible to him under the West Pakistan Civil Service Pension Rules:

Provided that in the event of death of such a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as admissible under the said rules.

(2) A person though selected for appointment in the prescribed manner to a service or post on or after the 1<sup>st</sup> day of July, 2001, till the commencement of the said Act, but appointed on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servant, except for the purpose of pension or gratuity. Such a civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said Fund, in the prescribed manner:

Provided that in the event of death of such a civil servant, whether before or after retirement, his family shall be entitled to receive the said amount, if it has already not been received by such deceased civil servant.

<sup>25</sup>Provided further that where a civil servant appointed to a pensionable post on regular basis before the 1<sup>st</sup> day of July, 2001, is appointed to another post, after the 1<sup>st</sup> day of July, 2001 without any service break, he shall be given an option either to retain the benefit of pension and gratuity as allowed to him under his previous terms of appointment or to avail the benefit of Contributory Provident Fund allowed to him under his new appointment.

(3) No pension to a civil servant, who is otherwise entitled to it, shall be admissible to him, if he is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal:

Provided that a civil servant referred to in sub-section (2), in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund, be

<sup>24</sup> Section-19 substituted by the NWFP Civil Servants (Amendment) Act 2005 (NWFP Act No.IX of 2005) published in the NWFP Government Gazette Extraordinary dated 23<sup>rd</sup> July 2005.

<sup>25</sup> Proviso inserted vide NWFP Civil Servants (Amendment) Act, 2009, (NWFP, Act No.VIII of 2009) published in the NWFP Government Gazette Extraordinary dated 28<sup>th</sup> March, 2009.

allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualified for pension or gratuity and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

**20. Provident Fund:-** (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to including the interest accruing thereon, if any, and withdrawals or advances from his provident fund during the preceding financial year.

(2) Where any subscription made by a civil servant to his provident fund has not been shown or credited in the account by the Accounts Officer or other officer required to maintain such account, such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

**21. Benevolent Fund and Group Insurance:-** All civil servants and their families shall be entitled to the benefits admissible under the West Pakistan Government Employees Welfare Fund Ordinance, 1969 (W.P. Ord. I of 1969), or the North-West Frontier Province Government Servants Benevolent Fund Ordinance, 1972 (NWFP Ordinance VII of 1972), and the rules made thereunder.

**22. Right of Appeal or Representation:-** (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed, be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

**Surplus Pool Policy**

**Policy for declaring government servants as surplus and their subsequent absorption/ adjustment.**

I am directed to refer to the subject noted above and to say that the Provincial Government has been pleased to make the following policy for absorption/adjustment of Government Servants declared as surplus in view of the transition of District System and resultant re-structuring of the Government Organizations/Departments etc.

1. POWER WITH REGARD TO THE DECLARATION OF POSTS AS SURPLUS.

The Finance Department in consultation with Department concerned and with the approval of competent authority would decide with regard to the declaration of a particular organization, set up or individual post as redundant or inessential.

2. CREATION OF SURPLUS POOL

There will be a surplus pools cell in the E&AD. After abolition of such posts in the concerned department, duly notified by the Finance Department, equal number of posts in the corresponding basic pay scales would be created in the E&AD for the purpose of drawl of pay and allowances etc by the employees declared surplus as such.

3. IMPLEMENTATION/MONITORING CELL

For the purpose of coordination and to ensure proper and expeditious adjustment/ absorption of surplus staff, the Government of NWFP has been pleased to constitute the following committee:-

- a. Additional Secretary(Establishment) E&AD.....Chairman.
- b. Deputy Secretary LG&RD Department.....Member
- c. Deputy Secretary Finance Department.....Member
- d. Deputy Secretary(Establishment) E&AD.....Secretary

4. CRITERIA FOR DECLARING A GOVERNMENT SERVANT AS SURPLUS AS A RESULT OF ABOLITION OF POST.

Consequent upon the abolition of a post in a particular cadre of a department, the junior most employee in that cadre would be declared as surplus. Such posts should be abolished in the respective departments and created in the surplus pool as indicated in para:2 above for the purpose of drawl of pay and allowances and also for consideration for subsequent adjustment.

5. PROCEDURE FOR ADJUSTMENT OF SURPLUS EMPLOYEEES

Notwithstanding anything contained in any other law, rules or regulation to the contrary, for the time being in force, the following procedure for the adjustment of surplus staff would be followed:-

- (a) Before transferring an employee to the surplus pool, he should be given option by the concerned department.

- (i) to proceed on retirement with normal retiring benefits under the existing rules;
- OR
- (ii) to opt for readjustment/absorption against a future vacancy of his status/BPS which may not necessarily be in his original cadre/department.

(b) Those who opt for retirement would be entitled for usual pension and gratuity according to the existing Government Servants Pension and Gratuity Rules of the Provincial Government. Those who opt for absorption/re-adjustment, a category-wise seniority list will be caused in the surplus pool for their gradual adjustment against the future vacancies as and when occurred in any of the Government Departments. These adjustments shall be on seniority-cum-fitness basis. For this purpose, the seniority list will be caused category-wise with reference to their respective dates of appointment in the cadre. In case where dates of appointment of two or more persons are the same, the person older in age shall rank senior and shall be adjusted first.

(c) Adjustment shall be made on vacant post pertaining to initial recruitment quota from those in the surplus pool in the following manner:-

- (i) In case of occurrence of vacancies in their corresponding posts in any Government Department/ Organization, the senior most employee in the surplus pool should be adjusted first.
- (ii) In case of cross-cadre adjustment, the persons with such minimum qualification as prescribed in the relevant Service Rules for the post in question shall be adjusted keeping in view their seniority position.
- (iii) If an employee possesses the basic academic qualification but lacks the professional/technical qualification, he may be adjusted against such post subject to imparting the requisite training.
- (iv) (a) The surplus employees holding such posts which fall to promotion quota in about all the Departments, he shall remain in the surplus pool till the availability of a post in the parent department.

OR.

- (b) Where no equivalent post is available the civil servant may be offered a lower post in such manner, and subject to such conditions, as may be prescribed and where such civil servant is appointed to a lower post the pay being drawn by him in the post immediately preceding his appointment to a lower post shall remain protected.
- (v)<sup>84</sup> In case an employee already adjusted against a lower post is declared surplus again, he shall regain his original pay scale.
- (vi)<sup>85</sup> Surplus employees, who voluntarily opt, may be allowed adjustment in Autonomous/Semi-autonomous bodies with the concurrence of these bodies, where the job is pensionable. The Government will pay pension contribution for the period they rendered regular service under the Government.

<sup>84</sup> Sub para c (v) added to para 5 vide circular letter No.SORVI(E&AD)5-1/2005, dated 15.2.2006.  
<sup>85</sup> Sub para c (vi) added to para 5 vide circular letter No.SORVI(E&AD)5-1/2005, dated 31.5.2006.



- (d) If no suitable person is available in the surplus pool to be adjusted against the vacant/revised post, such a post would be filled up by initial recruitment manner after getting clearance from the E&AD.
- (e) <sup>86</sup>Surplus Staff in BPS-01 to 15 shall not be adjusted in the district other than their district of domicile.
- (f) To facilitate the adjustment of surplus staff, it will be incumbent upon the Administrative Department to take up the case with Finance Department for revival of the essential posts so retrenched as a result of general directive issued by Finance Department from time to time, giving cogent reasons/justification. Against the resultant revival/restoration of the post, the concerned Department will place a requisition on the E&AD for transferring of suitable surplus employee against the said post.
- (g) Unless the surplus employees in Class-IV are fully adjusted/ absorbed against their respective graded posts in various Government Departments/Organizations, the general policy of the Finance Department regarding conversion of BPS-1 & 2 posts to posts in fixed salary @ Rs.2000/- per month for contractual appointed should be restricted to the above extent.

#### 6. FIXATION OF SENIORITY

The inter-se seniority of the surplus employees after their adjustment in various Departments will be determined according to the following principles:-

- (a) In case a surplus employee could be adjusted in the respective cadre of his parent Department he shall regain his original seniority in that cadre.
- (b) In case, however, he is adjusted in his respective cadre but in a Department other than his parent Department, he shall be placed at the bottom of seniority list of that cadre.
- (c) In case of his adjustment against a post in a corresponding basic pay scale with different designation/nomenclature of the post, either in his parent Department or in any other department, he will be placed at the bottom of seniority list.
- (d) <sup>87</sup>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.

<sup>86</sup> (3) Sub para (e) added to para 5 vide circular letter No.SORVI/E&AD/5-1/2005, dated 19.1.2007.

<sup>87</sup> Sub para d added to para 6 vide circular letter No. SORVI(E&AD)5-1/2005, dated 15.2.2006

ANNEX-C

NOTE:-

In case the officer/official declines to be adjusted/absorbed in the above manner in accordance with the priority fixed as per his seniority in the integrated list, he shall lose the facility/right of adjustment/absorption and would be required to opt for pre-mature retirement from Government service.

Provided that if he does not fulfill the requisite qualifying service for premature retirement he may be compulsorily retired from service by the competent authority.

7. COMPETENT AUTHORITY TO NOTIFY/ORDER ADJUSTMENT/ABSORPTION.

After the transfer of services of surplus employee to a Department for adjustment/absorption against a vacant/revived post, the Competent Authority to notify/order his absorption/adjustment, shall be the respective appointing authority under the relevant rules for the post.

Provided that the decision of adjustment/absorption of surplus employees by the E&AD shall be binding upon the respective appointing authorities.

(Authority: letter NO.SOR-I(E&AD)1-200/98, Dated 8<sup>th</sup> June, 2001)

**Decision of the meeting of chief secretary with district coordination officers, on the issue of surplus pool.**

I am directed to refer to the subject noted above and to say that a meeting was held on 4.8.2001 in the Cabinet Room Civil Secretariat under the Chairman of Chief Secretary, NWFP, to discuss the issues relating to adjustment of employees rendered surplus due to restructuring of the Government Departments and Devolution of Power Plan, 2000. The following decisions were taken in the said meeting:-

- i) Administrative Departments may reconsider adjustments already made against the available posts at District level. The guiding principle for reviewing the adjustment would be aimed at avoiding dislocation of the employees to the possible extent.
- ii) The DCOs will maintain the surplus pool of the employees, declared surplus in the District cadres and their subsequent adjustment against the vacant posts (District Cadres). It must be ensured that only the junior most employees in the scale in the cadre be declared surplus. At the stage of adjustment of Class-IV posts, the senior most be adjusted first. However, for the other posts besides seniority, the background of the individual and requisite experience of the posts shall be kept in view. The surplus pool of Divisional cadres be maintained by the DCOs posted at divisional headquarters.
- iii) The surplus pool of the employees of the Head Offices be maintained by the Head of the concerned Attached Department. Declaring employees surplus and their subsequent adjustment be made strictly according to the spirit of the policy of the Provincial Government issued vide circular letter No.SORI (S&GAD)1-200/98, dated 8.6.2001.

NOTED

Scanner

- iv) The surplus pool of the Secretariat be maintained by the Establishment Department in consultation with the Department concerned.
- v) The salaries of the surplus employees be disbursed through their relevant offices for the time being.
- vi) It was also felt that the sanctioned staff for the office of DCO and other offices is not sufficient. The ministerial staff has no appropriate tiers for the purpose of control and promotion, i.e. Senior Clerk and Superintendent etc. The post of Chowkidar/ Sweeper does not exist in the office of DCOs and other offices. Even the other required staff does not meet the bare minimum. The DCOs will, therefore, forward the required proposal for consideration of Finance Department. The budget for the same can be arranged from the available savings due to phasing away of magistracy etc.
- vii) The LR&RD Department may reconsider the adjustment of the employees of the Local Council Board, so as to find out whether any such employees have been adjusted against the regular Government posts funded from the Provincial Consolidated Fund.
- viii) For adjustment of regular Class-IV (BS 1- 4) Government Servant in surplus pool, Finance Department may consider conversion of fixed pay/ contract posts into regular.

2. It is requested that decisions taken during the meeting held on 4.8.2001 may kindly be implemented by all concerned in letter and spirit and compliance report be furnished accordingly.

(Authority; letter NO.SOR-I(S&GAD)1-200/98 (Vol.I), Dated 13<sup>th</sup> August, 2001)

Annex D

18

A

73

"E" Amended

"E"



GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT

Dated Peshawar January 8, 2019

NOTIFICATION

NO. SOIE-1/E&AD/128/2019. In the wake of the 25th Constitutional Amendment in the Constitution of Pakistan 1973, FATA has been merged in Khyber Pakhtunkhwa. Now erstwhile FATA Secretariat Departments and Directorates are to be shifted and placed under the administrative supervision and control of the Khyber Pakhtunkhwa Government Departments to ensure better coordination and seamless transition.

2. In pursuance of the decision by the Competent Authority in the meeting held on the 31st of December, 2018 that P&D FATA to cease to exist with all functions shifted to P&D Khyber Pakhtunkhwa, the P&D Department Merged Areas (Erstwhile FATA) is hereby placed under the administrative Control of P&D Department Khyber Pakhtunkhwa and Secretary P&D Department Merged Areas (Erstwhile FATA) shall report to the Additional Chief Secretary (P&D) Khyber Pakhtunkhwa.

3. The P&D Department Merged Areas (Erstwhile FATA), comprises of the following:-

- A. Regular units of P&D FATA/Merged Areas
a. P&D Cell.
b. M&C Cell
c. Bureau of Statistics
d. Agency Planning Cell
e. Agency Finance Cell.
B. Projects of P&D FATA/Merged Areas
a. M&E Directorate FATA
b. Urban Policy & Planning Unit FATA
c. Strengthening of P&D
d. Directorate of Projects.

CHIEF SECRETARY GOVERNMENT OF KHYBER PAKHTUNKHWA

ENDST. NO. & DATE EVEN.

Copy forwarded to the:-

- 1. Additional Chief Secretary, P&D Department.
2. Additional Chief Secretary Merged Areas, Warsak Road, Peshawar.
3. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
7. COS 41 Corps Headquarters, 11 Corps Peshawar.
8. All Divisional Commissioners in Khyber Pakhtunkhwa.
9. Accountant General, Khyber Pakhtunkhwa.
10. Accountant General (PR) Sub Office, Peshawar.
11. All Deputy Commissioners in Khyber Pakhtunkhwa.
12. Director General Information, Khyber Pakhtunkhwa.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment/PS to Secretary Administration Departments and ACSO Cypher E&AD.
15. PS to Special Secretary (E)/ D.S. (Admn)/ D.S. (Estt.)/ SO (Secret)/ SO (HRD-I)/ SO (E-II)/ OD (M)
16. Manager, Govt. Printing Press Peshawar.

P&D Wing of Develop

Other departments have been merged but not others

TAMUZA HANIF KHAN Advocate High Court Attested

(ISHTIAQ AHMAD) SECTION OFFICER (E-I)

ATTESTED

Scanned by CamScanner

Annex = "E"

20 19

115

Judgment Sheet

IN THE PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT

W.P.No.3704-P of 2019

JUDGMENT



Date of hearing 05.12.2019

Petitioner (s) (Tauseef Iqbal and others) by Mr. Taimur Haider Khan,  
Advocate.

Respondent (s) (Government of Khyber Pakhtunkhwa, Peshawar and others)  
by Mr. Rab Nawaz Khan

\*\*\*\*\*

**MUHAMMAD NASIR MAHFOOZ, J.:-** Through this writ

petition under Article 199 of the Constitution of Islamic

Republic of Pakistan, 1973; the petitioners have prayed for

the following relief:-

It is, therefore, humbly prayed that on  
acceptance of the instant writ petition,  
on the basis of expounded subjects, facts  
and circumstances, the impugned  
Notification No. SO(O&M)/E&AD/3-  
18/2019 dated 25.6.2019 of the  
respondents and any action taken in the  
garb of the impugned order may kindly  
be set aside, being illegal, unlawful  
against the Surplus Pool Policy and the  
violation of the right of the petitioners.  
Similarly the petitioners' services may

2. 2/24

**KHALID NADEEM**  
STAMP VENDOR  
D/c # 644/DRA/2013  
Melody Market, Islamabad

~~ATTESTED~~

ATTESTED

EXAMINER  
Peshawar High Court

116

also be retained in the civil Secretariat of Establishment and Administration Department having the similar cadre of posts of rest of the Civil Secretariat employees.

2. We have heard learned counsel for the petitioner and learned AAG on behalf of the respondents and have gone through the record.

3. Respondents submitted their comments and alongwith the comments they have annexed copies of Notification dated 19.7.2019, 22.7.2019 with the subject, "Adjustment of surplus staff of erstwhile FATA," and addressed to the Deputy Commissioner of different Districts. As per said Notification all the petitioners have been adjusted in various Directorates and other offices of the Provincial Government. The specific request of the petitioner to be adjusted in the civil secretariat, Peshawar could not hold the field as once they have been adjusted after the abolishment of FATA Secretariat on account of omission of Article 247 through promulgation of 25<sup>th</sup> Constitutional amendment, now they are regular

*SS*

~~ATTESTED~~

ATTESTED  
EXAMINER  
Peshawar High Court

11/7

employees of the Provincial Government and would be treated as such for all intents and purposes including their seniority. The surplus pool policy as announced by the Provincial Government vide letter dated 13.8.2001 is a comprehensive set of rules and none of its provision violates the parameters as laid down in the civil service law.

4. Para-1 of this policy empowers the Finance Department in consultation with the department concerned and with the approval of competent authority to declare any organization, set up or individual post as redundant or inessential. Vide para-2 the surplus pool is created by establishment and administration department after abolition and creation of equal number of posts in the corresponding basic pay scales. Para-3 provides for implementation/monitoring cell whereby a committee consisting of Additional Secretary (Establishment)E&AD as Chairman, Deputy Secretary LG&RD and Deputy Secretary Finance Department as Members, Deputy Secretary (Establishment)E&AD as Secretary. In para-4

*J. Jaf*

*[Handwritten signature]*

**ATTESTED**

**ATTESTED**

**EXAMINER  
Peshawar High Court**

Handwritten initials 'AF' circled in black.

Handwritten numbers '123' and '22'.

Handwritten number '118' circled in black.

the criteria is provided for declaring any Government as surplus and the procedure for adjustment is provided in para-5. Fixation of seniority is provided in para-6 for the determination of seniority of inter se old employees of the concerned office, wherein, the surplus employees are adjusted and lastly in para-7 the competent authority shall notify adjustment/absorption and each and every aspect that a civil servant may face after adjustment in another department is provided in the said policy. Now so far as the other grievance of the petitioner is concerned that they are to be absorbed in the civil secretariat, being a civil servant it would involve deeper appreciation of the vires of the policy referred above, which have not been impugned before us in the instant writ petition. In case petitioners still feel aggrieved regarding any matter that could not be met within the frame work of said policy they would be legally bound by the terms and condition of service and in view of bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, this court could not embark upon to entertain the same.

Handwritten initials 'BPA'.

Handwritten signature and the word 'ATTESTED' written over it.

ATTESTED  
EXAMINER  
Peshawar High Court



24  
23

119

5. Needless to mention and we expect that keeping in view the ratio as contained in the judgment titled Tikka Khan and others Vs. Syed Muzaffar Hussain Shah and others (2018 SCMR 332), the seniority would be determined accordingly.

Consequently, the instant writ petition involve no other question to be determined, hence it has become infructuous and is dismissed as such.

Announced  
05.12.2019

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

Shahid Ali, Court Secretary

(D.B.) Hon'ble Mr. Justice Mohammad Ibrahim Khan and Hon'ble Mr. Justice Mohammad Nasir Mahfooz

20685

*[Signature]*  
CERTIFIED TO BE TRUE COPY

EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Genuine-Shahadat Order 1984

06 JAN 2020

*[Signature]*  
**TESTED**

Date of Presentation of Application... 26/1/2020  
No. of Pages... 19  
Filing fee... 76  
Date of Preparation of Copy... 26/1/2020  
Date of Delivery of copy... 26/1/2020  
Received By... *[Signature]*

**KHALID NADEEM**  
STAMP VENDOR  
Lic # 084/DNA/2013  
Melody Market, Islamabad

Annex-F

28 21 24



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GokPFD](https://www.facebook.com/GokPFD) [twitter.com/GoKPFD](https://twitter.com/GoKPFD)

No. SO(B&A)FD/MAS/4-1/2019-20/2277 Dated Peshawar the 21<sup>st</sup> November, 2019

The Secretaries to Government of Khyber Pakhtunkhwa;

- i) Finance Department
- ii) P&D Department
- iii) Home & Tribal Affairs Department
- iv) Local Government & Rural Development Department
- v) Agriculture Department,
- vi) Minerals Department
- vii) Higher Education Department,
- viii) Elementary & Secondary Education Department
- ix) Environment Department
- x) Information Department
- xi) Irrigation Department
- xii) Health Department

Subject: - RE-DESIGNATION / DOWN-GRADING, SHIFTING AND CREATION, OF POSTS IN DIFFERENT ADMINISTRATIVE DEPARTMENTS CONSEQUENT UPON MERGER OF FATA WITH KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to the subject noted above and to state that the competent authority has pleased to create fifty five (55) posts of different categories in the Administrative Departments for the affairs of Merged Areas through re-designation/down-gradation and shifting of the existing thirty nine (39) sanctioned posts of erstwhile FATA Secretariat and fresh creation of sixteen (16) posts:-

**A) RE-DESIGNATION / DOWN-GRADING**

Existing Designation / pay scales in the Departments of Erstwhile FATA Secretariat

New Designation / Pay Scales in Departments of Khyber Pakhtunkhwa

Administration Department						
Designation	BPS	No of posts	Designation	BPS	No of posts	Name of Department
Secretary	20	1	Special Secretary	20	1	LG&RDD /
Legal Advisor	19	1	Additional Secretary	19	1	Agriculture
Chief Pilot	19	1	Additional Secretary	19	1	Mineral
Deputy Legal Advisor	18	1	Deputy Secretary	18	1	Higher Edu
Co-Pilot	18	1	Deputy Secretary	18	1	Mineral
Senior Engineer	18	1	Deputy Secretary	18	1	E&SE

173

Research Officer	17	6	Section Officer	17	3	Agriculture
			Section Officer	17	2	Higher Education
Estate Officer	17	1	Section Officer	17	1	Environment
Law Officer	17	1	Section Officer	17	1	E&SE
<b>Total</b>		<b>14</b>	<b>Total</b>		<b>14</b>	<b>E&amp;SE</b>
<b>Finance Department</b>						
Secretary	20	1	Special Secretary-II	20	1	Finance
<b>Total</b>		<b>1</b>	<b>Total</b>		<b>1</b>	
<b>P&amp; D Department</b>						
Secretary	20	1	Special Secretary	20	1	P&D
<b>Total</b>		<b>1</b>	<b>Total</b>		<b>1</b>	
<b>Law &amp; Order Department</b>						
Secretary	20	1	Special Secretary-II	20	1	Home
<b>Total</b>		<b>1</b>	<b>Total</b>		<b>1</b>	
<b>Production &amp; Livelihood Department</b>						
Secretary	20	1	Additional Secretary	19	1	Higher Education
<b>Total</b>		<b>1</b>	<b>Total</b>		<b>1</b>	
<b>Social Sector Department</b>						
Secretary	20	1	Additional Secretary	19	1	E&SE
<b>Total</b>		<b>1</b>	<b>Total</b>		<b>1</b>	
<b>Grand Total</b>		<b>19</b>	<b>Grand Total</b>		<b>19</b>	

**B) SHIFTING OF POSTS**

<b>Administration Department</b>						
Additional Secretary	19	1	Additional Secretary	19	1	LG&RDD
Section Officer	17	6	Section Officer	17	2	Mineral
			Section Officer	17	1	Information
			Section Officer	17	3	LG&RDD
PRO	17	1	Section Officer	17	1	Irrigation
<b>Finance Department</b>						
Deputy Secretary	18	1	Deputy Secretary	18	1	Finance
Section Officer	17	5	Section Officer	17	5	Finance
<b>Social Sector Department</b>						
Deputy Secretary	18	1	Deputy Secretary	18	1	Finance
<b>Law &amp; Order Department</b>						
Deputy Secretary	18	1	Deputy Secretary	18	1	Home
Section Officer	17	3	Section Officer	17	3	Home
<b>Production &amp; Livelihood Department</b>						
Section Officer	17	1	Section Officer	17	1	Irrigation
<b>Total</b>		<b>20</b>	<b>Total</b>		<b>20</b>	

CREATION OF NEW POSTS

27  
33  
26

S.No.	Departments	Designation	BPS	No. of Posts
i)	Health Department	Additional Secretary	19	1
		Deputy Secretary	18	1
		Section Officer	17	2
		<b>Total</b>		<b>4</b>
ii)	P&D Department	Additional Secretary	19	1
		Deputy Secretary	18	1
		Section Officer	17	3
		<b>Total</b>		<b>5</b>
iii)	Environment Department	Additional Secretary	19	1
		Deputy Secretary	18	1
		<b>Total</b>		<b>2</b>
iv)	Information Department	Deputy Secretary	18	1
		<b>Total</b>		<b>1</b>
v)	Local Government	Deputy Secretary	18	1
		<b>Total</b>		<b>1</b>
vi)	Home Department	Additional Secretary	19	1
		<b>Total</b>		<b>1</b>
v)	Agriculture Department	Deputy Secretary	18	2
		<b>Total</b>		<b>2</b>
<b>Grant Total</b>				<b>16</b>

2. The ancillary staff for the above posts may be managed out of the existing sanctioned strength of each department. In case of any deficiency, the department may approach Finance Department for shifting of the posts alongwith incumbents from the administrative departments of erstwhile FATA Secretariat. In addition, the respective departments are requested to submit audit copies to this department for authentication.

Yours faithfully

(SANAULLAH)  
Section Officer-B&A

Copy for information to:-

- 1) Accountant General, Khyber Pakhtunkhwa
- 2) PSO to Chief Secretary, Government of Khyber Pakhtunkhwa
- 3) PS to Principal Secretary to Chief Minister, Government of Khyber Pakhtunkhwa
- 4) PS to Secretary Establishment, Government of Khyber Pakhtunkhwa
- 5) PS to Secretary Finance, Government of Khyber Pakhtunkhwa
- 6) PS to Special Secretary Finance (NMAs); Government of Khyber Pakhtunkhwa

Section Officer-B&A  
0377



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)

Annex "G"  
27

Finance Department Civil Secretariat Peshawar

<http://www.finance.gko.pk>

[facebook.com/GoKFPD](https://www.facebook.com/GoKFPD)

[twitter.com/GoKFPD](https://twitter.com/GoKFPD)

No.SO(B&A)FD/NMAs/4-1/2019/SNE /185

Dated Peshawar the 11<sup>th</sup> June, 2020

Secretary,  
Government of Khyber Pakhtunkhwa,  
Establishment Department.

Subject: **SHIFTING AND CREATION OF POSTS OF IN DIFFERENT ADMINISTRATIVE DEPARTMENTS CONSEQUENT UPON MERGER OF FATA WITH KHYBER PAKHTUNKHWA**

Dear Sir,

I am directed to refer to your Department letter No. SOE-IV(E&AD)/1-33/202, dated 22.01.2020 on the above captioned subject and to state that Finance Department agrees to creation of 235 (two hundred & thirty five) posts of different categories in the Administrative Departments, Khyber Pakhtunkhwa with immediate effect as per following details:-

S.No	Designation	BPS	No of Posts
<b>I Finance Department</b>			
1	Private Secretary		
2	Superintendent	17	1
3	Sr. Scale Stenographer	17	5
4	Assistant	16	2
5	Junior Scale Stenographer	16	5
6	Senior Clerk	14	5
7	Junior Clerk	14	5
8	Driver	11	9
9	Qasid	5	3
10	Naib Qasid	4	1
	<b>Total</b>	<b>3</b>	<b>10</b>
<b>II Home &amp; Tribal Affairs (L&amp;O)</b>			
1	Private Secretary		
2	Superintendent	17	1
3	Assistant	17	3
4	Personnel Assistant	16	3
5	Senior Scale Stenographer	16	1
6	Junior Scale Stenographer	16	1
7	Senior Clerk	14	3
8	Junior Clerk	14	1
9	Driver	11	6
10	Qasid	5	3
11	Naib Qasid	4	1
	<b>Total</b>	<b>3</b>	<b>6</b>
<b>III Local Government</b>			
1	Private Secretary		
2	Superintendent	17	1
3	Personnel Assistant	17	3
4	Assistant	16	1
5	Senior Scale Stenographer	16	3
		16	1

Contd next page...

+92 (091) 9210485

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)**

Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

facebook.com/GoKPFDF

twitter.com/GoKPFDF

6	Junior Scale Stenographer	14	3
7	Senior Clerk	14	2
8	Junior Clerk	11	5
9	Driver	6	3
10	Qasid	4	1
11	Naib Qasid	3	6
	<b>Total</b>		<b>29</b>
<b>IV</b>	<b>Health Department</b>		
1	Superintendent	17	2
2	Personnel Assistant	16	1
3	Assistant	16	2
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	2
6	Senior Clerk	14	2
7	Junior Clerk	11	2
8	Driver	6	2
9	Naib Qasid	3	4
	<b>Total</b>		<b>18</b>
<b>V</b>	<b>Environment Department</b>		
1	Superintendent	17	1
2	Personnel Assistant	16	1
3	Assistant	16	1
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	14	1
6	Senior Clerk	14	1
7	Junior Clerk	11	2
8	Driver	6	2
9	Naib Qasid	3	3
	<b>Total</b>		<b>13</b>
<b>VI</b>	<b>Information Department</b>		
1	Superintendent	17	1
2	Assistant	16	1
3	Senior Scale Stenographer	16	1
4	Junior Scale Stenographer	14	1
5	Senior Clerk	14	1
6	Junior Clerk	11	1
7	Driver	6	1
8	Naib Qasid	3	2
	<b>Total</b>		<b>9</b>
<b>VII</b>	<b>Agriculture Department</b>		
1	Superintendent	17	3
2	Assistant	16	3
3	Personnel Assistant	16	1
4	Senior Scale Stenographer	16	2
5	Junior Scale Stenographer	14	3
6	Senior Clerk	14	1
7	Junior Clerk	11	5
8	Driver	6	3
9	Naib Qasid	3	6
	<b>Total</b>		<b>27</b>

Contd next page...

+92 (091) 9210485

29 206  
28

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)

29 70

Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

facebook.com/GoKPFED

twitter.com/GoKPFED

<b>VIII Irrigation Department</b>			
1	Superintendent		
2	Assistant	17	2
3	Junior Scale Stenographer	16	2
4	Senior Clerk	14	2
5	Junior Clerk	14	1
6	Naib Qasid	11	1
	<b>Total</b>	3	2
<b>XI Mineral Department</b>			
			<b>10</b>
1	Superintendent		
2	Assistant	17	2
3	Personnel Assistant	16	2
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	16	1
6	Senior Clerk	14	2
7	Junior Clerk	14	1
8	Driver	11	3
9	Naib Qasid	6	2
	<b>Total</b>	3	4
<b>X Elementary &amp; Secondary Education</b>			
			<b>18</b>
1	Superintendent		
2	Assistant	17	2
3	Personnel Assistant	16	2
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	16	1
6	Senior Clerk	14	2
7	Junior Clerk	14	1
8	Driver	11	3
9	Naib Qasid	6	2
	<b>Total</b>	3	4
<b>XI Higher Education</b>			
			<b>18</b>
1	Superintendent		
2	Assistant	17	2
3	Personnel Assistant	16	2
4	Senior Scale Stenographer	16	1
5	Junior Scale Stenographer	16	1
6	Senior Clerk	14	2
7	Junior Clerk	14	1
8	Driver	11	3
9	Naib Qasid	6	2
	<b>Total</b>	3	4
	<b>Grand Total</b>		<b>18</b>
			<b>235</b>

Contd next page...

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT (NMAs)

30 2021

Department Civil Secretariat Peshawar

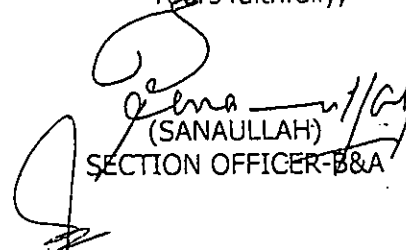
<http://www.finance.gko.pk>

facebook.com/GoKPFDF

twitter.com/GoKPFDF

The expenditure involved is debitable to the relevant function cum object classification and shall be met out from within the Sanctioned Budget Grant (2020-21), under Grant No.-61-Nelwy Merged Areas (NMAs)

Yours faithfully,

  
(SANAULLAH)  
SECTION OFFICER-B&A

**Endst: No & date even.**

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director (FMJU), Finance Department, Khyber Pakhtunkhwa.
3. PS to Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
4. PS to Special Secretary-II (NMAs), Khyber Pakhtunkhwa Finance Department.

  
SECTION OFFICER-B&A



1227 to 1230  
P. work - on  
detailed plan

Annex-H 31 MSB 14



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(Establishment Wing)

SO (B&A)

31/1/2020

No. SOE.IV (E&AD) 1-33/2020  
Dated Peshawar, the 22.01.2020

To  
The Secretary to Govt. of Khyber Pakhtunkhwa,  
Finance Department.

Subject: SHIFTING AND CREATION OF POSTS IN DIFFERENT ADMINISTRATIVE DEPARTMENTS CONSEQUENT UPON MERGER OF FATA WITH KHYBER PAKHTUNKHWA

Dear Sir,

I am directed to refer to your letter No. SO(B&A)FD MAS/4-1/2019-20/2277 dated 21.11.2019 on the subject noted above and to state that fifty five (55) posts of Officers different categories in the administrative departments for the affairs of Merged Areas through re-designation/ down gradation and shifting of the existing thirty nine (39) Sanction posts of erstwhile FATA Secretariat and fresh creation of sixteen (16) posts by Finance Department (NMAs) vide (copy enclosed), in light of the above, ancilliary staff for the said posts may be shifted from erstwhile FATA Secretariat and created on the strength of following administrative departments:-

Shifted/ created/ re-designated posts				Required Ministerial Staff to be shifted/ created							
S.#	Nomenclature of Posts	Nos	Deptt.	PS (BS-17)	PA (BS-16)	S.S Steno (BS-16)	Stenographer (BS-14)	Suptt. (BS-17)	Asstt (BS-16)	Sr. Clerk (BS-14)	Jr. Clerk (BS-11)
1	Special Secretary (BS-20)	1	LG&RD	1	-	-	-	-	-	-	2
	Addl Secretary (BS-19)	1		-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	3		-	-	-	3	3	3	2	1
2	Special Secretary (BS-20)	1	Finance	-	-	-	-	-	-	-	2
	Deputy Secretary (BS-18)	2		-	-	2	-	-	-	-	2

14

Khyber Pakhtunkhwa  
Dary No. 1847  
Date 24/1/20

AFS(B)  
DS(B-I)  
31/1  
30.1.2020

Secy Finance D. No. 30-1-  
Dated 30-1-

Total

32

Shifted/ created/ re-designated posts				Required Ministerial Staff to be shifted/ created							
S.#	Nomenclature of Posts	Nos	Deptt.	PS (BS-17)	PA (BS-16)	S.S Steno (BS-16)	Stenographer (BS-14)	Suptt. (BS-17)	Asstt (BS-16)	Sr. Clerk (BS-14)	Jr. Clerk (BS-11)
	SO (BS-17)	5		-	-	-	5	5	5	4	1
3	Addl Secretary (BS-19)	1	Health	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	2		-	-	-	2	2	2	2	0
4	Special Secretary (BS-20)	1	P&D	1	-	-	-	-	-	-	2
	Addl Secretary (BS-19)	1		-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	3		-	-	-	3	3	3	2	1
5	Addl Secretary (BS-19)	1	Environment	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	1		-	-	-	1	1	1	1	0
6	Deputy Secretary (BS-18)	1	Information	-	-	1	-	-	-	-	1
	SO (BS-17)	1		-	-	-	1	1	1	1	0
7	Special Secretary (BS-20)	1	Home	1	-	-	-	-	-	-	2
	Addl Secretary (BS-19)	1		-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	3		-	-	-	3	3	3	1	2
8	Addl Secretary (BS-19)	1	Agriculture	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	2		-	-	2	-	-	-	-	2
	SO (BS-17)	3		-	-	-	3	3	3	1	2
9	SO (BS-17)	2	Irrigation	-	-	-	2	2	2	1	1
10	Addl Secretary (BS-19)	1	Mineral	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	2		-	-	-	2	2	2	1	1
11	Addl Secretary (BS-19)	1	E&SE	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	2		-	-	-	2	2	2	1	1
12	Addl Secretary (BS-19)	1	Higher Education	-	1	-	-	-	-	-	1
	Deputy Secretary (BS-18)	1		-	-	1	-	-	-	-	1
	SO (BS-17)	2		-	-	-	2	2	2	-	1

9

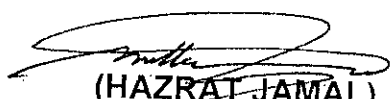
PR 0280

Total

34 33  
158

Shifted/ created/ re-designated posts				Required Ministerial Staff to be shifted/ created							
S.#	Nomenclature of Posts	Nos	Deptt.	PS (BS-17)	PA (BS-16)	S.S Steno (BS-16)	Stenographer (BS-14)	Suptt. (BS-17)	Asstt (BS-16)	Sr. Clerk (BS-14)	Jr. Clerk (BS-11)
13	For adjustment of 03 PSs on which already promotion have been made.		E&A Deptt.	3							

Yours faithfully

  
**(HAZRAT JAMAL)**  
 SECTION OFFICER (E-IV)

(BS)

1  
2  
3  
4  
5



Annex I  
GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

~~35~~ I  
34

NO. SO (E-I)E&AD/1-250/2019  
Dated Peshawar, the August 29, 2019

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Finance Department.

**SUBJECT: - MINUTES OF THE MEETING REGARDING CREATION OF  
POSTS IN DIFFERENT DEPARTMENTS AFTER MERGER OF  
FATA WITH KHYBER PAKHTUNKHWA.**

Dear Sir,

I am directed to refer to the subject cited above and to enclose  
herewith a copy of summary alongwith its enclosures duly approved by the  
competent authority for creation of certain posts alongwith ancillary staff as per  
standard criteria.

Encl: as above.

Yours faithfully,

(ISHTIYAQ AHMAD)  
SECTION OFFICER (Estt. I)

Stamp: 29/8/19  
Budget Section  
Finance Deptt

Secretary Finance  
Government of Khyber Pakhtunkhwa  
Copy No. 15864  
Date: 30/8/19

S.S.F.  
AB(B)

DS(B-I)

BoP-IV

Handwritten notes and signatures:  
Put up pl.  
03/9



**GOVERNMENT OF  
 KHYBER PAKHTUNKHWA  
 ESTABLISHMENT DEPARTMENT**

35 22/30

**SUMMARY FOR CHIEF MINISTER**

**SUBJECT:- MINUTES OF THE MEETING REGARDING CREATION OF POSTS IN DIFFERENT DEPARTMENTS AFTER MERGER OF FATA WITH KHYBER PAKHTUNKHWA.**

In pursuance of integration and merger of erstwhile FATA with Khyber Pakhtunkhwa and in order to provide better line of administrative management, the Functions, Immoveable and Moveable Properties, Assets, currently under FATA Secretariat have been handed over/assigned to certain Administrative Departments due to which the work load have been shifted to the Departments.

2. Consequently, a meeting was held under chairman ship of Additional Chief Secretary, P&D Department wherein it was informed that there are 50-posts in erstwhile FATA and committee recommended creation of 61- posts (50-posts) were available in Erstwhile FATA, so resultant implications is for 11-posts alongwith ancillary staff as per standard criteria in various Administrative Departments and after thorough discussion the meeting firmed up following proposals (Minutes of the meeting placed at Annex-I):-

The committee agreed on creation of 61-posts (including 50-posts of erstwhile FATA) alongwith ancillary staff as per standard criteria in various Administrative Departments as below:-

SR. NO.	NAME OF POSTS	BS	NO. OF POSTS
1.	Special Secretary	20	4
2.	Additional Secretary	19	11
3.	Deputy Secretary	18	15
4.	Section Officer	17	31

Department wise list is Annex-II.

3. In view of the above, Establishment Department proposes that 61-posts (including 50-pots of erstwhile FATA) alongwith ancillary staff as per



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

36

standard criteria in various Administrative Departments may be created (mention in Para-3 (a) as below:-

SR. #	NAME OF POSTS	BS	NO. OF POSTS
1.	Special Secretary	20	4
2.	Additional Secretary	19	11
3.	Deputy Secretary	18	15
4.	Section Officer	17	31

4. Chief Minister, Khyber Pakhtunkhwa being competent authority is requested to approve proposals contained in Para-3 above. However, Finance Department may add views en-route.

(SYED JAMAL-UD-DIN SHAH)  
SECRETARY ESTABLISHMENT  
5.8.2019

Secretary, Finance

CHIEF SECRETARY

CHIEF MINISTER

30  
31  
61

2019

37 ~~38~~

**SUBJECT: MINUTES OF THE MEETING REGARDING CREATION OF POSTS IN DIFFERENT DEPARTMENTS AFTER MERGER OF FATA WITH KHYBER PAKHTUNKHWA.**

05. Finance Department endorses the proposal contained in para-03 of the summary for creation of 61-posts (including 50-posts of erstwhile FATA) alongwith ancillary staff as per standard criteria.

*[Signature]*  
Secretary, Finance Department

6 Chief Secretary

*Para 5/5 enclosed*

*[Signature]*  
17/8  
CHIEF SECRETARY  
Govt. of Khyber Pakhtunkhwa

7 HCM

*Para 06 is approved.*

*[Signature]*  
28-8-2019  
Chief Minister  
Khyber Pakhtunkhwa

CS

①

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

Rejoinder No. \_\_\_\_\_/2021

In

Service Appeal No.1227/2020



Hanif Ur Rehman, Assistant (BPS-16), Directorate of  
Prosecution Khyber Pakhtunkhwa.

....Appellant

**VERSUS**

- 1) Government of Khyber Pakhtunkhwa through its chief Secretary at Civil Secretariat Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary, Finance Department at civil Secretariat Peshawar.

....Respondents

REJOINDER IN RESPECT OF THE  
COMMENTS/REPLY SUBMITTED  
BY THE RESPONDENTS KEEPING  
IN VIEW THE COHERENT FACTS  
HAVE BEEN PURPOSELY  
CONCEALED FROM THIS  
HON'BLE TRIBUNAL AND THE  
REFERENCE OF IN IRRELEVANT  
AND UNJUSTIFIABLE LETTERS  
HAVE BEEN GIVEN WHICH IS  
HAVING NO CONCERN OF  
WHATSOEVER WITH THE  
STANCE OF THE APPELLANT.

MOREOVER, THE DETAIL OF  
SECTION 11-A OF THE KHYBER  
PAKHTUNKHWA CIVIL SERVANT  
ACT, 1973 HAS BEEN DEPICTED  
BUT AFTER THE 18<sup>TH</sup>  
AMENDMENT OF THE  
CONSTITUTION OF PAKISTAN  
1973, PURPOSELY THE



2

RESPONDENTS HAVE CONCEALED 11-B OF THE IBID ACT, WHICH DEPICTS THAT IF THEIR RELEVANT CADRE IS AVAILABLE IN THE GOVERNMENT, SHALL BE ABSORBED IN THE SAID CADRE AND THEIR SENIORITY SHALL BE DETERMINED IN ACCORDANCE WITH THE PROVISION OF THE ACT, FOR COMPLETE DETAIL THE EXPOUNDED 11-B IS ATTACHED HEREWITH

IN ADDITION IT SEEKS BEGGING AND GIGANTIC QUESTION THAT WHY THE DISCRIMINATION HAS ONLY BEEN DONE WITH THE APPELLANT (VIDES IMPUGNED NOTIFICATION OF SURPLUS POOL) AND REST OF MORE THAN 56 THOUSANDS OF ALIKE EMPLOYEES HAS NOT BEEN DECLARED AS SURPLUS.

SO MUCH SO, THE INFRINGEMENT OF ARTICLE 25 & 27 OF THE CONSTITUTION OF PAKISTAN 1973 IS CLEARED FROM THE GLARING DISCRIMINATION OF THE RESPONDENTS BY ABSORPTION/RETENTION OF THE REST OF EMPLOYEES AGAINST THEIR ORIGINAL POSITION IN THE PROVINCIAL DEPARTMENT/DIRECTORATES ETC.

**PRAYER:**

*It is, therefore, most humbly prayed that on the basis of submissions made in main appeal and in the instant rejoinder, the appeal of the appellant may kindly be allowed as prayed for the best administration of justice and fair play.*

***Respectfully Sheweth:-***

***ON FACTS***

- 1) **Para No.01 needs no reply.**
- 2) **Para No.02 needs no reply.**
- 3) **Para No.03 needs no reply.**
- 4) **Para No.04 is incorrect and vehemently denied and as expounded above purposely section 11-B of the ibid Act has been concealed from this Hon'ble Tribunal. Though the mentioned section is having no concerned of whatsoever with the appellant's stance. To further elaborate the unjustifiable stance of the respondents the 11(A) is meant to cater for absorption/adjustment of Government Servants who declared as surplus under the Surplus Pool Policy in view of the transition of District System and not applicable to the situation arising out of the merger of erstwhile FATA with the Province of Khyber Pakhtunkhwa by virtue of 25th Amendment to the Constitution as no abolition of post or Department or Directorate was made/notified but the Departments/Directorates have been merged with its parallel Departments/Directorates in the Province of Khyber Pakhtunkhwa and the seniority of the employees have also been placed in their respective cadre in their parallel respective Departments/Directorates in Khyber Pakhtunkhwa under Section-17(3) of Appointment, Promotion & Transfer Rules 1989, which is purely meant for merger. Hence, seniority of the applicant was required to be placed on the strength in his respective Secretariat Cadre borne by the**

Establishment & Administration Department at Secretariat level.

It is evident from the record that the Government, even after merger, has promoted their own blue eyed employees against the posts in Merged Areas Secretariat (previously FATA Secretariat) vide Notification No.SOE.IV(E&AD)/1-7/2019 dated 22.01.2019, No.SOE.IV(E&AD)/1-7/2019 dated 22.01.2019 and No.SOE.IV (E&AD)/1-7/2019 dated 08.11.2019.

- 5) The reply of Para No.05 has been purposely clubbed with Para No.04 by the respondents. Infact the Peshawar High Court Peshawar regularized the appellant against his original post of Assistant in the Secretariat to which he was initially appointed. On merger, 56,983 sanctioned posts in BPS-1 to BPS-21 were shifted to the administrative departments of Civil Secretariat, attached Directorates & Autonomous Bodies etc. including the post of the appellant to his correspondent department of Civil Secretariat Khyber Pakhtunkhwa. Thus, the appellant's case is not of abolition of post, or service or setup to begin with and the concerned Department together with the post continue to exist and has not been abolished
- 6) Reply of Para No.06 is incorrect. In fact, the appellant alongwith others already showed their unwillingness/concerns whereby the appellant categorically contended that he should not be placed in Surplus Pool as his matured service of about 15 years may spoil & loss on the ground that their posts and budget is being transferred to the Provincial Government from 01.07.2019 as explained in Para-5 above as conveyed by A,I&C Department FATA Secretariat letter No.PS/FS/A,I&C/2019 dated 22.03.2019(**Page-71-72 of the main appeal**).
- 7) In Reply of Para No.07 of the respondents it is submitting that Each Administrative Department, attached Directorate and Autonomous Body were shifted and merged with its correspondent Administrative Department, Attached Directorate and Autonomous Bodies and also all posts have been shifted on the strength of each corresponding entity of Khyber Pakhtunkhwa. All the Executive Notifications were not only to

5

provide better line of administrative management to channelize the communication for the Administrative Departments and Attached Departments but for all the Civil Servants were to be reported to their respective Provincial Departments/Attached Departments. Similarly, the post of appellant was also shifted to its correspondent Department i.e Home Department Khyber Pakhtunkhwa vide Government of Khyber Pakhtunkhwa Finance Department NMA letter No.SO(B&A)/FD/NMAs/4-1/2019/SNE/185 dated 11.06.2020(**CP-134-137 of the main appeal**).

Correct. The P&D Department FATA Secretariat was shifted to its correspondent Administrative Department i.e P&D Department Khyber Pakhtunkhwa vide Establishment Department Khyber Pakhtunkhwa Notification No.SO(E-I)/E&AD/9-126/2019 dated 08.01.2019 (**CP-73 of main appeal**) and the employees, appointed by the FATA Secretariat, have been inducted in the Provincial Planning Service Cadre at Secretariat level on their posts, previously held by them, vide Notification SO(E)/P&D/19-37/PPS/2018 dated 22.03.2019. These officers were appointed in 2004 on similar terms & conditions on which the applicant was appointed. They were also granted seniority from the date of their regular appointment.

Similarly, the appellant's department was also merged/shifted to Home & Tribal Affairs Department Khyber Pakhtunkhwa vide Notification No.SO(E-I)/E&AD/9-126/2019 dated 16.01.2019(**page-74 of main appeal**) However, instead posting of the appellant against the post, shifted to Home Department Khyber Pakhtunkhwa and previously held by the appellant at FATA Secretariat, he was declared as Surplus and nears& dears were posted against his posts as mentioned at S.No. 7& 12 of Establishment Department Khyber Pakhtunkhwa Notification No.SOE.IV(E&AD)/1-33/2020 dated 17.06.2020. In fact, services of applicant were also requisitioned by his parent department i.e Home Department Khyber Pakhtunkhwa vide letter No.E&A (HD) 2-5/2020 dated: 09.12.2020, but the Respondents intentionally issued directions to his parent department to adjust the appellant in Directorate of Prosecution Khyber Pakhtunkhwa

6

(attached Directorate) instead Home Department, Khyber Pakhtunkhwa Civil Secretariat.

8) Incorrect. In Reply to Para No.08 it is submitted that the appellant neither falls under the provisions of Section-11(A) of Civil Servant Act 1973 nor Surplus Pool Policy of the Khyber Pakhtunkhwa on the grounds as explained in Para-4 above. But he was supposed to be placed in respective cadre borne by the Establishment Department Khyber Pakhtunkhwa under Section-17(3) of APT Rules, 1989. In addition, 56983 regular employees were working/posted in the FATA (**Page-83-90 of main appeal**) and none of them except 117 employees of FATA Secretariat (including the applicant) declared as Surplus and the rest employees have been retained against their posts on its shifting to their respective administrative departments, attached Directorates & Autonomous Bodies and were placed in the seniority from the date of regular appointment.

The appellant cadre post i.e. Assistant (BS-16) also exists in all administrative departments of the Civil Secretariat Khyber Pakhtunkhwa, borne at the strength of Establishment & Administration Department Khyber Pakhtunkhwa. Moreover, his original post was also shifted to the correspondent administrative department i.e. Home & Tribal Affairs Department. However, some nears & dears have been posted against his post as explained in Para-7 above.

- 9) In Reply to Para No.09. The Peshawar High Court Peshawar Judgment was challenged in the Apex Court and the case was remanded to Service Tribunal
- 10) In Reply to Para No.10. A CPLA was filed before the Apex Court against the Judgment of Peshawar High Court Peshawar in W.P No.3704-P/2019 dated 05.12.2019.
- 11) In Reply to Para No.11 is Incorrect. Some posts (235 posts), including the post of appellant, have been shifted/created to the Administrative Departments of Khyber Pakhtunkhwa for posting of their near and dears as explained in Para-7 in order to give them safe gateway to avoid placement in Surplus Pool (**CP-134-137 of the main appeal**).
- 12) In Reply to Para No.12. Incorrect. It is evident from the record that discriminations were made by the respondents in the appellant case;

7

1. FATA Secretariat made appointment of Agency Planning Officers in 2004 on contract basis on similar terms and conditions of appointment vide Order No.GS/E/100-19/3372-85 dated 01.12.2004. The applicant was also appointed on the same terms & conditions. However, being officers, the Agency Planning Officers were absorbed/placed in PPS Cadre at Secretariat level as explained in Para-7 above whereas the applicant was declared as surplus.
2. The employees of P&D Department FATA Secretariat were also adjusted in the P&D Department Khyber Pakhtunkhwa in pursuance of merger vide Establishment Department Notification dated 08.01.2019(**Page-73 of main appeal**) vide Notification No.SOE(P&D)/052/7-16/FATA/2019 dated 13.02.2019 and placed in the seniority of the cadre of Provincial Planning Cadre vide letter dated 23.10.2021.
3. The 210 employees appointed in Population Welfare Directorate by FATA Secretariat were also taken by their respective Department i.e Population Welfare Department Khyber Pakhtunkhwa in accordance with Rule-17(3) of the Civil Servant APT Rules, 1989 vide Notification No.SOE(PWD)/3-30/2020/Merged Districts dated 10.11.2020.
4. Some of the employees of FATA Secretariat, who declared as Surplus alongwith Appellant, were adjusted in the Administrative Departments of Civil Secretariat Khyber Pakhtunkhwa vide Office Order No.E&A/LD/2-7/2019 dated 11.09.2019 and Office Order No.SO(G)/IPCD/3-19/2019 dated 04.09.2019(**Page-147-148 of main appeal**) and their names have also been included in the Final Seniority List by the Administration Department Khyber Pakhtunkhwa, being custodian of Class-IV employees.
5. It is also pointed out that 04 employees, appointed in 2004 for Chief Office C&W Department (FATA) and later declared surplus alongwith applicant, has been absorbed

8

again in the Chief Engineer (Merged Areas) C&W Department against their own posts, previously held by them vide Establishment Department Notification No.SOE-III(E&AD)1-3/2019/Erstwhile FATA dated 19.07.2019.

6. It is evident from the advertisement recently floated that the Respondents advertised the posts of Assistants (BS-16), the appellant cadre post. Hence, no abolition of post has been existed.
7. It is evident from the record that the Provincial Government has posted their blue eyed employee (S.No.7 and 12) against the post previously held by the appellant vide Order No.SO(E.IV)/E&AD/1-33/2020 dated 17.06.2020.

It is crystal clear from the above evident/record that;

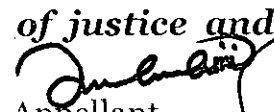
1. On regularization, the applicant attained the status of civil servant. The Respondent intentionally vacated the post from the applicant and later on shifted some posts of Merged Areas Secretariat including the post of applicant so as to give favour to their own blue eyed employee(s).
2. All Notifications issued by the Establishment Department from time to time regarding merger of Department/Directorates with its parallel Administrative Departments/Directorates in the Khyber Pakhtunkhwa, have similar contents/ text and accordingly all Administrative Departments/Directorates have taken employees, appointed by FATA Secretariat, at their strength with awarding them seniority from date of regular appointment, except the applicant.
3. "Pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be paid under the Civil Servant Act 1973. The applicant, while working in FATA Secretariat, was in receipt of Special Allowance 30% (now Secretariat Allowance 50%) and Special Pay 20% (2007). On adjustment in attached Directorate, the applicant deprived of the same allowance on the grounds that he is not now Secretariat employee and the applicant facing financial loss on this account

(9)

(Pay slips along with all the relevant documents expounded above are attached herewith)

**PRAYER:**

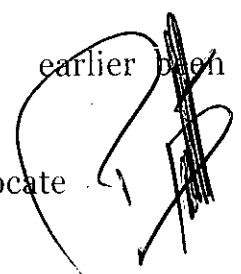
*It is, therefore, most humbly prayed that on the basis of submissions made in main appeal and in the instant rejoinder, the appeal of the appellant may kindly be allowed as prayed for the best administration of justice and fair play.*

  
Appellant

Through

**Taimur Haider Khan**  
Advocate,  
Supreme Court of Pakistan  
Taimur Law Associates  
Off: 37<sup>th</sup>, 2<sup>nd</sup> Floor, Malik  
Tower, Peshawar  
Cell No.0346-9192561

Certificate: It is certify that no similar nature of rejoinder has earlier been submitted before this Honorable Tribunal.

Advocate 



10

THE <sup>1</sup>[KHYBER PAKHTUNKHWA] CIVIL SERVANTS ACT, 1973.

<sup>2</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)

[11<sup>th</sup> November, 1973].

CONTENTS

PREAMBLE

SECTIONS

1. Short title, extend and commencement.

CHAPTER-I

PRELIMINARY

2. Definitions.

CHAPTER-II

TERMS AND CONDITIONS OF SERVICE OF SERVANTS

3. Terms & conditions.
4. Tenure of office of civil servants.
5. Appointment.
6. Probation.
7. Confirmation.
8. Seniority.
9. Promotion.
10. Posting and transfers.
11. Termination of services.  
<sup>3</sup>[11A. Absorption of civil servants rendered surplus.]  
<sup>4</sup>[11B. Absorption or appointment of Federal employees.]
12. Reversion to a lower post.

<sup>1</sup>. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011.  
<sup>3</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No. VI of 2001.  
<sup>4</sup>. Inserted vide Khyber Pakhtunkhwa Act No. XXXVIII of 2015.

11

<sup>1</sup>[12A. Certain persons to be liable to removal or reversion.]

<sup>2</sup>[13. Retirement from service.]

<sup>3</sup>[13A. Protection of certain acts.]

14. Employment after retirement.
15. Conduct.
16. Disciplinary action.
17. Pay.
18. Leave.
19. Pension and gratuity.
20. Provident Fund.
21. Benevolent Fund and Group Insurances.
22. Right of appeal or representation.

### **CHAPTER-III**

### **MISCELLANEOUS**

23. Saving.

<sup>4</sup>[23A. Indemnity.]

<sup>5</sup>[23-B. Jurisdiction barred.]

24. Removal of difficulties.
25. Appointment of persons on contract, etc.
26. Rules.
27. Repeal.

---

<sup>1</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No. IX of 1978.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act No. XI of 2021.  
<sup>3</sup>. Substituted vide Khyber Pakhtunkhwa Act No. XI of 2021.  
<sup>4</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No. XIV of 2002.  
<sup>5</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No. XIV of 2002.

12

**THE <sup>1</sup>[KHYBER PAKHTUNKHWA] CIVIL SERVANTS ACT, 1973.**

**[11th November, 1973].**

**<sup>2</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVIII OF 1973)**

**(Received the assent of the Governor of the <sup>3</sup>[Khyber Pakhtunkhwa] on 11th November, 1973).**

**AN  
ACT**

**to regulate the appointment of persons to, and the terms and conditions of service of persons in the service of the <sup>4</sup>[Khyber Pakhtunkhwa].**

**WHEREAS** it is expedient to regulate by law, the appointment of persons to and the terms and conditions of service of person in the service of the <sup>5</sup>[Khyber Pakhtunkhwa], and to provide for matters connected therewith or ancillary thereto; Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the <sup>6</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

(2) This section and section 25, shall apply to persons employed on contract, or on work charged basis, or who are paid from contingencies, and the remaining provisions of this Act including this section, shall apply to all civil servants wherever they may be.

(3) It shall come into force at once.

**CHAPTER-1  
PRELIMINARY.**

2. (1) In this Act, unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say, — Definitions.

(a) “*ad hoc* appointment” means appointment of a duly qualified person made otherwise than in accordance with the prescribed

---

<sup>1</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>4</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>5</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>6</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

method of recruitment, pending recruitment in accordance with such method.

- (b) "civil servant" means a person who is member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include-
- (i) a person who is on deputation to the Province from the Federation or any other Province or other authority;
  - (ii) a person who is employed on contract, or on work-charged basis or who is paid from contingences; or
  - (iii) a person who is "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);
- (c) "Government" means the Government of the <sup>1</sup>[Khyber Pakhtunkhwa];
- (d) "initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be pay;
- (f) "permanent post" means a post sanctioned without limit of time;
- (g) "prescribed" means prescribed by rules;
- (h) "Province" means the <sup>2</sup>[Khyber Pakhtunkhwa];
- (i) "rules" means rules made or deemed to have been made under this Act;
- (j) "selection authority" means the <sup>3</sup>[Khyber Pakhtunkhwa] Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on

<sup>1</sup> Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

<sup>2</sup> Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

<sup>3</sup> Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.

the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made;

(k) "temporary post" means a post other than a permanent post.

2. For the purpose of this Act, an appointment, whether by promotion or otherwise shall be deemed to have been made on regular basis if it is made in the prescribed manner.

**CHAPTER - II**

**TERMS AND CONDITIONS OF SERVICE OF SERVANTS**

3. The terms and conditions of service of a civil servant shall be as provided in this Act and the rules. Terms & conditions.

4. Every civil servant shall hold office during the pleasure of the Governor. Tenure of office of civil servant.

5. Appointments to a civil service of the Province or to a civil post in connection with affairs of the Province shall be made in the prescribed manner by the Governor or by a person authorized by the Governor in that behalf. Appointment.

6. (1) An initial appointment to a service or post referred to in section 5, not being an adhoc appointment, shall be on probation as may be prescribed. Probation.

(2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

(3) Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise.-

(a) if he was appointed to such service or post by initial recruitment be discharged; or

(b) if he was appointed to such service or post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

Provided that in the case of initial appointment to a service or post a civil servant shall not be deemed to have completed his period of probation satisfactorily

15

until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. (1) A person appointed on probation shall on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed. Confirmation.

(2) A civil servant promoted to a post <sup>1</sup>[\* \* \*] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.

(5) Confirmation of civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8. (1) For proper administration of service, cadre or <sup>2</sup>[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or <sup>3</sup>[post] to be prepared but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or <sup>4</sup>[post] as the case may be. Seniority.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or <sup>5</sup>[cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, <sup>6</sup>[Cadre] or post shall be determined as may be prescribed.

<sup>7</sup>[(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post:

---

<sup>1</sup>. The word "or grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985 Section 2.  
<sup>2</sup>. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 3.  
<sup>3</sup>. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 2.  
<sup>4</sup>. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985 Section 3.  
<sup>5</sup>. The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No.IV of 1985 Section 3.  
<sup>6</sup>. The word "Grade" substituted by Khyber Pakhtunkhwa Ord No.IV of 1985 Section 3.  
<sup>7</sup>. Substituted vide Khyber Pakhtunkhwa ordinance No. IV of 1985 Section 3.  
Note:- Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985, has been given effect from the first day of July, 1983.

Provided that civil servants who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post retain their interse seniority as in the lower post.”]

<sup>1</sup>[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.]

9. (1) A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a <sup>2</sup>[higher] post for the time being reserved under the rules for departmental promotion in <sup>3</sup>[\* \* \*] the service or cadre to which he belongs. Promotion.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed —

- (a) in the case of a selection post, on the basis of selection on merit; and
- (b) in the case of a non-selection post, on the basis of seniority – cum- fitness.

10. Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority, or a corporation or body set up or established by any such Government: Posting and transfers.

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

11. (1) The service of civil servant may be terminated without notice,- Termination of services.

- (i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one <sup>4</sup>[service] cadre or post to

---

<sup>1</sup>. Added vide Khyber Pakhtunkhwa Act No.1 of 1989.  
<sup>2</sup>. The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985 Section 4.  
<sup>3</sup>. The words "the higher grade of" omitted by Khyber Pakhtunkhwa Ord.No. IV of 1985 Section 4.  
<sup>4</sup>. The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.

another <sup>1</sup>[service] as he holds a lien against his former post in such <sup>2</sup>[service] or cadre but he shall be reverted to his former <sup>3</sup>[service] cadre or post, as the case may be;

- (ii) on the expiry of the initial or extended period of his employment; or
- (iii) if the appointment is made *ad hoc* terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of post in a cadre or grade, the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or grade.

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2) the service of a civil servant in temporary employment or appointed *ad hoc* shall be liable to termination on fourteen days notice or pay in lieu thereof.

<sup>4</sup>[11A. Notwithstanding anything contained in this Act, the rules made thereunder, any agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a department, office or abolition of a post in pursuance of any Government decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfills other conditions applicable to that post: Absorption of civil servants rendered surplus.

Provided that where no equivalent post is available, he may be offered a lower post in such manner and subject to such conditions as may be prescribed, and where such civil servant is appointed to a lower post, the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected.]

<sup>5</sup>[11B. (1) Notwithstanding anything contained in this Act, all those employees of the Federal Government, who are holding various posts in Federal Government entities on regular basis, before the commencement of the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and the said entities being devolved to Province in pursuance of aforesaid amendment, shall be deemed to be the civil employees Absorption or appointment of Federal employees

<sup>1</sup>. The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>2</sup>. The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
Note:- Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985, has been given effect from the first day of July, 1983.  
<sup>3</sup>. The word "Grade", substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>4</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No.VI of 2001.  
<sup>5</sup>. Inserted vide Khyber Pakhtunkhwa Act No.XXXVIII of 2015.  
Note:- Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985 has been given effect from the first day of July, 1983.



servants of the Province for all intents and purposes under this Act.

(2) All such Federal Government employees,-

- (a) if their relevant cadre is available in Government, shall be absorbed in the said cadre in the prescribed manner; and
- (b) if no relevant cadre is available in Government, shall be deemed to have been appointed on regular basis to various cadres posts to be created for this purpose:

Provided that on such appointment or absorption, as the case may be,-

- (i) their seniority shall be determined in accordance with the provision of this Act; and
- (ii) their liabilities with regard to pension, gratuity, group insurance, benevolent fund and leave encashment shall be proportionally shared between the Federal Government and Government in such a manner as may be agreed upon.

(3) Government shall constitute a committee consisting of Secretary to Government, Establishment Department, Secretary to Government, Finance Department, Secretary to Government, Law, Parliamentary Affairs and Human Rights Department, Secretary to Government, Inter Provincial Coordination Department and Secretary of the concerned Department to remove difficulties, if any, in implementation of this section.]

12. A civil servant appointed to a higher post or <sup>1</sup>[To a higher post or before the commencement of the <sup>2</sup>[Khyber Pakhtunkhwa] Civil Servants (Amendment) Ordinance, 1985 to a higher <sup>3</sup>[grade] adhoc or on temporary or officiating basis shall be liable to reversion to his lower post <sup>4</sup>[\* \* \*] without notice. Reversion to a lower [post.]

<sup>5</sup>[12-A] Notwithstanding anything contained in his terms and conditions of service a civil servant appointed or promoted during the period from first day of January, 1972 to the fifth day of July, 1977, may be removed from service or reverted to his lower post <sup>6</sup>[\* \* \*] as the case may be without notice by the the Governor or a person authorized by him in this behalf on such date as the Governor or as the case may be, the person so authorized may, in the public interest, direct.] Certain persons to be liable to removal or reversion

<sup>1</sup>. Inserted by Khyber Pakhtunkhwa Ord.No.IV of 1978.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup>. In the margin the word "Grade or sevice" substituted by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>4</sup>. The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985.  
<sup>5</sup>. Section 12-A, inserted by Khyber Pakhtunkhwa Ord.No.IX of 1978.  
<sup>6</sup>. The word "Grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985 Section 2.

19

<sup>1</sup>[13. (1) A Civil Servant shall retire from service on the completion of sixtieth (60<sup>th</sup>) year of his age. Retirement from service.

(2) A Civil Servant may opt to retire early from service, after completion of twenty five (25) years of qualifying service or attaining the age of fifty five (55) years, whichever is later.

(3) Notwithstanding anything contained in sub-section (1) and (2), the competent authority may in the public interest, direct that a Civil Servant may retire from service, from such date, as may be determined by the competent authority, after he has completed twenty (20) years of service, qualifying for pension or other retirement benefits, in the manner as may be prescribed:

Provided that no direction under this sub-section shall be made until the Civil Servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation.- In this section, the expression "competent authority" means the appointing authority prescribed in rule 4 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.]

<sup>2</sup>[13A. (1) All the Civil Servants, who were conditionally retired from service on or after 31<sup>st</sup> day of July, 2019 shall, for all intents and purposes, be deemed to have been regularly retired from service on the date of attaining sixtieth (60<sup>th</sup>) years of age. Protection of certain acts.

(2) Any Civil Servant, who has completed sixty (60) years of age but is not retired from service, by virtue of or in pursuance of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2019, shall be deemed to have been retired from service from the date when such Civil Servant has completed sixty (60) years of age.

(3) Any salary, allowances and other ancillary benefits received or drawn by such Civil Servant under this section on or after 31<sup>st</sup> day of July, 2019 shall be deemed to be validly received and drawn.]

14. (1) A retired civil servant shall not ordinarily be re-employed under Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority: Employment after retirement.

<sup>1</sup> Substituted vide Khyber Pakhtunkhwa Act No. XI of 2021.

<sup>2</sup> Inserted vide Khyber Pakhtunkhwa Act No. XI of 2021.

Provided that, where the appointing authority is the Governor, such re-employment may be ordered with the approval of the Governor.

(2) Subject to the provisions of sub-section (1) of section 3 of the Ex-Government Servants (Employment with Foreign Governments) (Probation) Act, 1966 (Act XII of 1966), a civil servant may during leave preparatory to retirement, or after retirement from Government service, seek any Private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

15. The conduct of a civil servant shall be regulated by rules made or instructions issued by Government or a prescribed authority whether generally or in respect of a specified group or class of civil servants. Conduct.

16. A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure. Disciplinary action.

17. Civil servant appointed to a post <sup>1</sup>[\* \*\*] shall be entitled, in accordance with the rules, to the pay sanctioned for such post <sup>2</sup>[\* \* \*]: Pay.

Provided that, when the appointment is made on a current charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

Provided further that where civil servant has , under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. A civil servant shall be allowed leave in accordance with the leave rule applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority. Leave.

<sup>3</sup>[19. (1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed. Pension and gratuity.

<sup>1</sup>. The word "grade" omitted by Khyber Pakhtunkhwa Ord. No. IV of 1985 Section 8.

<sup>2</sup>. The word "grade" omitted by Khyber Pakhtunkhwa Ord. No. IV of 1985.

<sup>3</sup>. Substituted vide Khyber Pakhtunkhwa Act No. III of 2013.

Note:- Substitution of section 19 has been given effect from 30<sup>th</sup> day of June, 2001.

Note:- Amendments made vide Khyber Pakhtunkhwa Ordinance No. IV of 1985 has been given effect from the first day of July, 1983.

211

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, or both as may be prescribed.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but government may sanction compassionate allowance to such civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of Pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family:

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1<sup>st</sup> July, 2001 till 23<sup>rd</sup> July, 2015 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

(5) In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a committee comprising of the Secretary to Government, Finance Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.]

20. (1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to including the interest accruing thereon, if any and withdrawals or advances from, his provident fund during the preceding financial year. Provident Fund.

(2) Where any subscription made by a civil servant to his provident fund has not been shown credited in the account by the Accounts Officer or other officer required to maintain such account such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. All civil servants and their families shall be entitled to the benefits Benevolent

22

admissible under the West Pakistan Government Employments Welfare Fund Ordinance, 1969 (W.P. Ord I of 1969) or the <sup>1</sup>[Khyber Pakhtunkhwa] Government Servants Benevolent Fund Ordinance, 1972 <sup>2</sup>[Khyber Pakhtunkhwa] Ord. VII of 1972), and the rules made thereunder. Fund and Group Insurances.

22. (1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order. Right of appeal or representation.

(2) Where no provisions for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may within thirty days of the communication to him of such order make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

### CHAPTER – III MISCELLANEOUS.

23. Nothing in this Act or in any rule shall be construed to limit or abridge the power of the Governor to deal with the case of any civil servant in such manner as may appear to him to be just and equitable: Saving.

Provided that where this Act or any rule is applicable to the case of a civil servant the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

<sup>3</sup>[23A. No suit, prosecution or other legal proceedings shall lie against a civil servant for anything done or intended to be done in good faith in his official capacity under this Act or the rules, instructions or direction made or issued thereunder. Indemnity.

23B. Save as provided under this Act and the Service Tribunal Act, 1974 (Khyber Pakhtunkhwa Act No.I of 1974), or the rules made thereunder, no order made or proceedings taken under this Act, or the rules made thereunder by the Jurisdiction barred.

---

<sup>1</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act.IV of 2011.  
<sup>3</sup>. Inserted vide Khyber Pakhtunkhwa Ordinance No.XIV of 2002.

Governor or any officer authorised by him shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made, or proceedings taken in pursuance of any power conferred by or under this Act or the rules made thereunder.]

24. If any difficulty arises in giving effect to any of the provisions of this Act, the Governor may make such order, not inconsistent with the provisions of this Act, as may appear to him to be necessary for the purpose of removing the difficulty: Removal of difficulties.

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

25. The Governor or any person authorized by the Governor in that behalf may, on such terms and conditions as he may specify in each case, appoint persons on contract basis, or on work charged basis or who are paid out of contingencies: Appointment of persons on contract, etc.

Provided that all such employees who were working in any such capacity immediately before the commencement of this Act shall continue to be so employed on the same terms and conditions on which they were appointed.

26. (1) The Governor or any person authorized by the Governor in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act. Rules.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules, orders or instructions are not inconstant with the provisions of this Act, be deemed to be rules made under this Act.

27. The <sup>1</sup>[Khyber Pakhtunkhwa] Civil Servants Ordinance 1973 (<sup>2</sup>[Khyber Pakhtunkhwa] Ordinance No. VI of 1973) is hereby repealed. Repeal.

---

<sup>1</sup>. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011.  
<sup>2</sup>. Substituted vide Khyber Pakhtunkhwa Act. IV of 2011.



24

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)**

Dated Peshawar, the 22<sup>nd</sup> January, 2019

## **NOTIFICATION**

**No.SOE.IV (E&AD) 1-7/2019:-**

On the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Senior Clerks (BS-14)/ Acting Charge Assistant (BS-16) of the Civil Secretariat, Khyber Pakhtunkhwa, Peshawar as Assistants (BS-16), on regular basis, with immediate effect:-

S.No.	Name of Officials
1.	Mr. Imtiaz Ali Khan S/O Mahboob Ali Khan
2.	Mr. Muhammad Irfan Anjum
3.	Mr. Shaukat Ali
4.	Mr. Fayaz Hussain S/O Mumtaz Khan
5.	Mr. Riaz-ul-Haq
6.	Mr. Ijaz Khan
7.	S. Sakhawat Ali Shah
8.	Mr. Farman Ali
9.	Syed Sarwar Shah
10.	Syed Yousaf Ali Shah
11.	Mr. Zarshaid
12.	Mr. Haider Khan
13.	Mr. Muhammad Riaz
14.	Mr. Muhammad Wajid
15.	Mr. Wasi Ahmad
16.	Mr. Faizanullah S/O Muhammad Zaheer
17.	Mr. Hameed Ullah
18.	Mr. Muhammad Naveed Tariq
19.	Mr. Muhammad Adeel
20.	Mr. Hasham Ali Khan
21.	Mr. Hazrat Ullah
22.	Mr. Muhammad Fayaz
23.	Mr. Muhammad Tahseen
24.	Mr. Muhammad Adnan
25.	Mr. Hazrat Bilal
26.	Mr. Sulaiman Shah
27.	Mr. Muhammad Younas
28.	Mr. Faisal Sarwar
29.	Mr. Zahir Shah
30.	Mr. Aftab Ahmad
31.	Mr. Muhammad Sabir
32.	Mr. Bakhtiar Khan

25

S.No.	Name of Officials
33.	Mr. Inayat ur Rehman S/O Saif ur Rehman
34.	Mr. Zartaj Wali

2. The above Assistants on their promotion shall remain on probation for a period of one year, in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (appointment, Promotion & Transfer) Rules, 1989 and extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation period as specified in Rule-15(2) of Rules ibid.

3. Consequent upon their promotion, the following posting/ transfer are hereby ordered:-

S.No.	Name of Officials	From	To
1.	Mr. Imtiaz Ali Khan S/O Mahboob Ali Khan	Labour Deptt.	Energy & Power Deptt.
2.	Mr. Muhammad Irfan Anjum	PHE Deptt.	Retained in PHE Deptt.
3.	Mr. Shaukat Ali	Social Welfare Deptt.	Retained in Social Welfare Deptt.
4.	Fayaz Hussain S/O Mumtaz Khan	Merged Area Sectt.	Retained in Merged Area Sectt.
5.	Mr. Riaz-ul-Haq	Finance Deptt.	Retained in Finance Deptt.
6.	Mr. Ijaz Khan	Population Welfare Deptt.	Local Govt. Deptt.
7.	S. Sakhawat Ali Shah	Home Deptt.	Retained in Home Deptt.
8.	Mr. Farman Ali	Governor Sectt.	Health Deptt.
9.	Syed Sarwar Shah	Merged Area Sectt.	Retained in Merged Area Sectt. Vice S.No.45
10.	Syed Yousaf Ali Shah	P&D Deptt.	E&SE Deptt.
11.	Mr. Zarshaid	C&W Deptt.	Retained in C&W Deptt.
12.	Mr. Haider Khan	Merged Area Sectt.	Merged Area Sectt. (For one day actualization of promotion as Assistant (BS- 16), the official shall, thereafter, report to FDA on deputation basis for initial period of 03 years )
13.	Mr. Muhammad Riaz	Finance Deptt.	Retained in Finance Deptt.
14.	Mr. Muhammad Wajid	Agriculture Deptt.	Retained in Agriculture Deptt.
15.	Mr. Wasi Ahmad	Energy & Power Deptt.	Retained in Energy & Power Deptt.



(26)

S.No.	Name of Officials	From	To
16.	Mr. Faizanullah S/O Muhammad Zaheer	C&W Deptt. (Perform duty in O/O Minister for Communication & Works)	Retained in C&W Deptt.
17.	Mr. Hameed Ullah	STI - E&AD	Retained in STI -E&AD
18.	Mr. Muhammad Naveed Tariq	PHE Deptt.	E&SE Deptt. Vice S.No.40
19.	Mr. Muhammad Adeel	P&D Deptt.	Retained in P&D Deptt.
20.	Mr. Hasham Ali Khan	Health Deptt.	Retained in Health Deptt.
21.	Mr. Hazrat Ullah	Governor House	Retained in Governor House. Vice S.No.46
22.	Mr. Muhammad Fayaz	Finance Deptt.	Retained in Finance Deptt.
23.	Mr. Muhammad Tahseen	E&AD (Transport Section)	Retained in E&AD (Transport Section)
24.	Mr. Muhammad Adnan	Finance Deptt.	Retained in Finance Deptt.
25.	Mr. Hazrat Bilal	E&AD (E-III Section)	Retained in E&AD (E-III Section) Vice S.No.35
26.	Mr. Sulaiman Shah	E&AD (E-I Section)	Retained in E&AD (E-I Section)
27.	Mr. Muhammad Younas	Excise & Taxation Deptt.	Higher Education Deptt. Vice S.No.42
28.	Mr. Faisal Sarwar	Merged Area Sectt.	Retained in Merged Area Sectt.
29.	Mr. Zahir Shah	Agriculture Deptt.	Retained in Agriculture Deptt.
30.	Mr. Aftab Ahmad	IPC Deptt.	Retained in IPC Deptt. Vice S.No.39
31.	Mr. Muhammad Sabir	Governor House	Mineral Development Deptt. Vice S.No.43
32.	Mr. Bakhtiar Khan	Governor Sectt.	Law Deptt.
33.	Mr. Inayat ur Rehman S/O Saif ur Rehman	C&W Deptt.	Health Deptt.
34.	Mr. Zartaj Wali	CM Sectt.	Home Deptt. Vice S.No.37

2. In addition to the above, the following transfers/postings amongst the officials of Civil Secretariat, Khyber Pakhtunkhwa, Peshawar are hereby ordered, with immediate effect, in the public interest:-

S.No.	Name of official	From	To
35.	Muhammad Hamid Ullah, Assistant (BS-16).	E&AD (E-III Section)	E&AD (Directorate of Aviation) Vice S.No.36
36.	Mr. Usman, Assistant (BS-16)	E&AD, Directorate of Aviation	Local Govt. Deptt.
37.	Miss. Shumaila, Assistant (BS-16)	Home Deptt.	Housing Deptt.
38.	Syed Farooq Shah, Assistant (BS-16)	E&AD (Admn Branch)	Industries Deptt.
39.	Mr. Ijaz Ahmad, Assistant (BS-16)	IPC Deptt.	Finance Deptt.
40.	Mr. Abid Ahmad, Assistant (BS-16)	E&SE Deptt.	Irrigation Deptt.

27

S.No.	Name of official	From	To
41.	Mr. Imtaiz Ahmad, Assistant (BS-16)	E&AD (Admn Branch)	Home Deptt.
42.	Mr. Adnan Shaukat Ali Khan, Assistant (BS-16)	Higher Education Deptt.	Finance Deptt.
43.	Mr. Aziz ud Din, Assistant (BS-16)	Mineral Development Deptt.	Finance Deptt.
44.	Mr. Sadiq Ahmad, Assistant (BS-16)	TAIDU Project, Sports Deptt. on deputation basis.	Sports Deptt.
45.	Mr. Niaz Ali, Assistant (BS-16)	Merged Area Sectt.	Law Deptt.
46.	Mr. Zelle Ali Haidari, Assistant (BS-16)	Governor House	E&SE Deptt.

CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

ENDST. NO. & DATE EVEN.

A copy is forwarded to the -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Provincial Disaster Management Authority, Peshawar.
3. Section Officer (Secret), Establishment Department.
4. Section Officer (Admn), Administration Department.
5. Estate Officer, Administration Department.
6. All Section Officers (Admn/Estt/Gen \_\_\_\_\_) of the concerned Administrative Department of Civil Secretariat.
7. All concerned Offices/ Sections, E&A Deptt \_\_\_\_\_.
8. Deputy Director (IT), Establishment & Administration Deptt.
9. PS to Secretary Establishment Department.
10. PS to Special Secretary (Estt:), Establishment Department.
11. PA to Addl: Secretary (HRD Wing) Establishment Department.
12. PA to Deputy Secretary (Estt:), Establishment Department.
13. Officials concerned.

  
(HAZRAT JAMAL)  
SECTION OFFICER (E-IV)



28

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)**

Dated Peshawar, the 22<sup>nd</sup> January, 2019

**NOTIFICATION**

**No.SOE.IV(E&AD)1-7/2019:-** On the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Assistants (BS-16) of the Civil Secretariat, Khyber Pakhtunkhwa, Peshawar as Superintendents (BS-17), on regular basis, with immediate effect:-

S.No.	Name of Officer
1.	Mr. Iftikhar
2.	Mr. Hashmatullah
✓ 3.	Mr. Shamshad Hussain
4.	Mr. Umar Baz
5.	Mr. Shah Baz Khan
6.	Mr. Aimal Khan S/O Jehangir Khan
7.	Mr. Muhammad Kamran
8.	Syed Muhammad Asif Sattar
9.	Mr. Muhammad Saleem Sajid
10.	Mr. Riaz Ali Shah
11.	Mr. Bunyad Hussain
12.	Mr. Sawab Gul
13.	Mr. Muhammad Javed S/O Shah Zaman
14.	Mr. Sardar Hussain

2. The above Superintendents on their promotion shall remain on probation for a period of one year, in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (appointment, Promotion & Transfer) Rules, 1989 and extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation period as specified in Rule-15(2) of Rules ibid.

3. Consequent upon their promotion, the following posting/ transfer is hereby ordered:-

S.No.	Name of Officer	From	To
1.	Mr. Iftikhar	Social Welfare Deptt.	E&SE Deptt.
2.	Mr. Hashmatullah	E&SE Deptt.	Retained in E&SE Deptt.

29

S.No.	Name of Officer	From	To
3.	Mr. Shamsad Hussain	Merged Area Sectt.	Retained in Merged Area Sectt.
4.	Mr. Umar Baz	Merged Area Sectt.	PHE Deptt.
5.	Mr. Shah Baz Khan	Health Deptt.	Retained in Health Deptt. Vice S.No.15
6.	Mr. Aimal Khan S/O Jehangir Khan	Energy & Power Deptt.	Mineral Development Deptt. Vice S.No.18
7.	Mr. Muhammad Kamran	Law Deptt.	Retained in Law Deptt. Vice S.No.16
8.	Syed Muhammad Asif Sattar	Finance Deptt.	Retained in Finance Deptt.
9.	Mr. Muhammad Saleem Sajid	Finance Deptt.	Retained in Finance Deptt.
10.	Mr. Riaz Ali Shah	ST&IT Deptt.	Retained in ST&IT Deptt.
11.	Mr. Bunyad Hussain	Higher Education Deptt.	Retained in Higher Education Deptt.
12.	Mr. Sawab Gul	Environment Deptt.	Retained in Environment Deptt.
13.	Mr. Muhammad Javed S/O Shah Zaman	Law Deptt.	Retained in Law Deptt. Vice S.No.17
14.	Mr. Sardar Hussain	Law Deptt.	Retained in Law Deptt.

4. In addition to the above, the following transfers/postings amongst the officials of Civil Secretariat, Khyber Pakhtunkhwa, Peshawar are hereby ordered, with immediate effect, in the public interest:-

S.No.	Name of Officers	From	To
15.	Mr. Jan Ayaz, Suptt.	Health Deptt.	Energy & Power Deptt.
16.	Mr. Said Badshah, Suptt.	Law Deptt.	Agriculture Deptt.
17.	Mr. Ali Haider, Suptt.	Law Deptt.	Home Deptt.
18.	Mr. Rehmat Khan, Suptt.	Mineral Development Deptt.	Finance Deptt.

**CHIEF SECRETARY  
KHYBER PAKHTUNKHWA**

**ENDST. NO. & DATE EVEN.**

A copy is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Section Officer (Secret), Establishment Department.
3. Estate Officer, Administration Department.
4. Section Officer (Admn), Administration Department.
5. All Section Officers (Admn/Estt/Gen \_\_\_\_\_) of the concerned Administrative Department of Civil Secretariat.
6. All concerned Offices/ Sections, E&A Deptt \_\_\_\_\_.
7. Deputy Director (IT), Establishment & Administration Deptt.
8. PS to Secretary Establishment Department.
9. PS to Special Secretary (Estt.), Establishment Department.
10. PA to Addl: Secretary (HRD Wing) Establishment Department.
11. PA to Deputy Secretary (Estt.), Establishment Department.
12. Officers concerned.

  
**(HAZRAT JAMAL)**  
 SECTION OFFICER (E-IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)

307

Dated Peshawar, the 8<sup>th</sup> November, 2019

**NOTIFICATION**

**No.SOE.IV(E&AD)1-7/2019:-** On the recommendations of Departmental Promotion Committee, the competent authority is pleased to promote the following Assistants (BS-16) of the Civil Secretariat, Khyber Pakhtunkhwa, Peshawar as Superintendents (BS-17), on regular basis, with immediate effect:-

S.No.	Name of Officer
1.	Mr. Muhammad Nawab
2.	Mr. Ijaz Rahim
3.	Mr. Kifayatullah S/O Abdus Samad
4.	Mr. Meraj Khan
5.	Mr. Muhammad Bashir
6.	Mr. Hazrat Shah S/O Ahmad Shah
7.	Mr. Muhammad Riaz S/O Abdur Rehman

2. The above Superintendents on their promotion shall remain on probation for a period of one year, in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (appointment, Promotion & Transfer) Rules, 1989 and extendable for another year with the specific orders of appointing authority within two months of the expiry of first year of probation period as specified in Rule-15(2) of Rules ibid.

3. Consequent upon their promotion, the following posting/ transfer is hereby ordered:-

S.No.	Name of Officer	From	To
1.	Mr. Muhammad Nawab	Home Deptt.	E&AD (Secret Section)
2.	Mr. Ijaz Rahim	On deputation to PDMA for 03 years w.e.f 11.05.2017 to 11.05.2020.	E&AD (Policy Section)
3.	Mr. Kifayatullah S/O Abdus Samad	On deputation to Directorate of Excise & Taxation for 03 years w.e.f 25.06.2019 to 24.06.2022.	E&AD (For actualization)
4.	Mr. Meraj Khan	Merged Area Sectt.	Retained in Merged Areas Sectt.
5.	Mr. Muhammad Bashir	E&AD (Secret Section)	Agriculture Deptt.

31

Name of Officer	From	To
Mr. Hazrat Shah S/O Ahmad Shah	PHE Deptt.	Retained in PHE Deptt.
Mr. Muhammad Riaz S/O Abdur Rehman	Higher Education Deptt.	Retained in Higher Education Deptt.

CHIEF SECRETARY  
KHYBER PAKHTUNKHWA

NO. & DATE EVEN.

is forwarded to the:-

Accountant General, Khyber Pakhtunkhwa, Peshawar.

Section Officer (Secret), Establishment Department.

Estate Officer, Administration Department.

Section Officer (Admn), Administration Department.

All Section Officers (Admn/Estt/Gen

Administrative Department of Civil Secretariat. ) of the concerned

Deputy Director (IT), Establishment & Administration Deptt.


PS to Secretary Establishment Department.

PS to Special Secretary (Estt.), Establishment Department.

PA to Addl. Secretary (HRD Wing) Establishment Department.

PA to Deputy Secretary (Estt.), Establishment Department.

Officers concerned.

  
(HAZRAT JAMAL)  
SECTION OFFICER (E-IV)

32

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT**

Dated Peshawar the March 22, 2019

**NOTIFICATION**

No.SO(E)P&D/19-37/PPS/2018 In Pursuance of Order of Peshawar High Court, Peshawar dated: 07.11.2018 in writ petition No.3722-P/2016 titled Muhammad Masood Afridi & others Versus Government of Khyber Pakhtunkhwa through Chief Secretary & others and in light of decision of the meeting held on 15.11.2018 under the Chairmanship of Chief Secretary, Khyber Pakhtunkhwa, the Competent Authority is pleased to include the following posts in BS-17 and above of erstwhile Agency Planning Cells P&D Department, Merged Areas (Tribal Districts) in the schedule of Provincial Planning Service (PPS) cadre and the incumbents as Provincial Planning Service Officers in their respective grades, with immediate effect, in the best public interest.

S.No	Name	Designation	BS
1	Mr. Sher Afzal	Executive Officer, F&P	BS-18
2	Mr. Ahmed Nawaz	Executive Officer, F&P	BS-18
3	Mr. Faridullah	Agency Planning Officer	BS-17
4	Muhammad Hamid	-do-	BS-17
5	Muhammad Rehman	-do-	BS-17
6	Mr. Miftahullah	-do-	BS-17
7	Mr. Faqir Muhammad	-do-	BS-17
8	Mr. Israr Ahmad Khan	-do-	BS-17

**ADDITIONAL CHIEF SECRETARY  
P&D DEPARTMENT**

**Endst:No.& Date Even**

Copy forwarded to the:

1. Additional chief Secretary, Merged Areas Secretariat, Peshawar.
2. Registrar, Peshawar High Court, Peshawar.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. Secretary, P&D Department, Merged Areas Secretariat, Peshawar.
5. Secretary to Govt. of Khyber Pakhtunkhwa finance Department.
6. Accountant General, Khyber Pakhtunkhwa, Peshawar.
7. All Deputy Commissioners concerned of Tribal Districts.
8. All District Account Officers concerned of Tribal Districts.
9. PSO to Chief Secretary, Khyber Pakhtunkhwa.
10. Assistant Chief (B&A), P&D Department.
11. Section Officer (General), P&D Department.
12. PS to Additional Chief Secretary, P&D Department.
13. PS to Secretary, P&D Department.
14. Pas to Additional Secretary Chief Economist, P&D Department.
15. PA to Deputy Secretary (Admin), P&D Department.
16. Officers Concerned.

**SYED RIFAQAT HUSSAIN SHAH**  
Advocate/Advocate on Record  
Supreme Court of Pakistan  
0333-5166648, 0321-9542460

KHALID NADEEM  
STAMP VENDOR  
C/O: 644/DRA  
Melody Market, Islamabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(ESTABLISHMENT WING)

33

Dated Peshawar the, 17.06.2020

**NOTIFICATION**

**No. SOE.IV(E&AD) 1-33/2020:-** In pursuance of Finance Department (NMAs) letter No SO(B&A)FD/NMAs/4-1/2019/SNE/185 dated 11.06.2020, the following officers/ officials of Civil Secretariat Khyber Pakhtunkhwa presently posted in the erstwhile FATA Secretariat are hereby posted in the following administrative departments, with immediate effect, in the public interest -

S.#	Name & designation	Departments
1	Muhammad Iqbal, Private Secretary (BS-17)	Local Govt Deptt
2.	Mr Zakria Jan, Personal Assistant (BS-16)	Environment Deptt
3.	Mr Shakil Ahmad, Stenographer (BS-14)	Information Deptt.
4.	Mr. Yasir Usman, Stenographer (BS-14)	Mineral Development Deptt.
✓ 5.	Mr. Shamshad Hussain, Superintendent (BS-17)	Information Deptt
✓ 6.	Mr. Meraj Khan, Superintendent (BS-17)	Agriculture Deptt
✓ 7.	Mr. Adnan Yousaf, Assistant (BS-16)	Home Deptt.
8.	Mr Oazi Zia ur Rehman, Assistant (BS-16)	Finance Deptt
9	Mr Noorullah Jan, Assistant (BS-16)	Local Govt. Deptt.
10.	Mr. Fazal Subhan, Assistant (BS-16)	Agriculture Deptt.
✓ 11	Mr. Kashif, Assistant (BS-16)	Health Deptt
✓ 12.	Mr. Muhammad Arif, Assistant (BS-16)	Home Deptt
13.	Mr. Abdul Majeed, Assistant (BS-16).	Finance Deptt
14.	Mr. Vijay Hameed, Assistant (BS-16)	E&SE Deptt
15.	Mr. Imran Saleem, Assistant (BS-16)	Finance Deptt
16	Mr Azim Ullah, Assistant (BS-16)	Irrigation Deptt
17.	Mr Muhammad Ali, Assistant (BS-16)	Finance Deptt.
18.	Mr Muhammad Imran Anjum, Assistant (BS-16)	Higher Education Deptt
19.	Syed Sarwar Shah, Assistant (BS-16)	Mineral Development Deptt
20.	Mr Faisal Sarwar, Assistant (BS-16)	Environment Deptt
21	Mr Fayyaz Hussain, Assistant (BS-16)	Finance Deptt
22	Mr Muhammad Bilal, Assistant (BS-16)	Local Govt Deptt
23.	Mr Fayyaz Muhammad, Senior Clerk (BS-14)	Finance Deptt
24	Mr Hidayatullah, Senior Clerk (BS-14)	Environment Deptt
25	Muhammad Younas S/O Jomabad, Junior Clerk (BS-11)	Finance Deptt
26.	Muhammad Zeeshan S/O Jahangir Khan, Junior	Agriculture Deptt

Advocate General  
Supreme Court of Pakistan  
0333-5160048 0321-5502080



S.#	Name & designation	Departments
27	Mr. Tahir Khan S/O Awas Khan, Junior Clerk (BS-11)	Higher Education Deptt.
28.	Mr. Tehseen Javid S/O Ghulam Mohammad, Junior Clerk (BS-11)	E&SE Deptt. (34)

**SECRETARY ESTABLISHMENT  
GOVT. OF KHYBER PAKHTUNKHWA**

Endst. No. & date even.

A copy is forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. Section Officer (Secret), Establishment Department.
3. Section Officer (Admn), Administration Department.
4. Estate Officer, Administration Department.
5. Section Officer (Admn), Finance Department.
6. All Section Officers (Admn/Est/Gen \_\_\_\_\_) of the concerned Administrative Departments of Civil Secretariat.
7. Deputy Director (IT), Establishment & Administration Department.
8. P.S to Secretary (Estt), Establishment Department
9. P.S to Special Secretary (Estt), Establishment Department
10. P.A to Deputy Secretary (Estt), Establishment Department.
11. Officers/ officials concerned.

  
 (HAZRAT JAMAL)  
 SECTION OFFICER (E-IV)

STEW KIRAN...  
 Advocates...  
 Sub...  
 0333-516042...

35

GOVERNOR'S SECRETARIAT (FATA)  
ADMN WING PESHAWAR

ORDER

On the recommendations of Selection/Promotion Committee, the competent authority has been pleased to appoint the following candidates as Planning Officer in (BPS-17) with admissible allowances on contract basis as prescribed in the following term & conditions:-

S.NO	NAME	FATHER'S NAME	PERMANENT ADDRESS
1	Muhammad Irfan	Taj Muhammad	FR Bannt
2	Muhammad Hamid	Malik Hassan Khan	Village & P.O Dara Admn Khel FR Kohat
3	Muhammad Rehman	Zaman Khan	Village Drak Akhoonzadgan Mamuzai Orakzai Agency
4	Israr Ahmad Khan	Khana Gul	Village Zay Langar Khel Ladha Tehsil SW Agency
5	Miftaullah	Samiullah	Village Lalazai Tehsil Tiarza SWA
6	Faridullah Khan	Amanullah	Village Kanigirran Ladha Tehsil SWA
7	Faqir Muhammad	Niaz Muhammad	Village Spulga Tehsil & P.O Miranshah NW Agency

TERM AND CONDITIONS OF EMPLOYMENT ON CONTRACT BASIS.

1. BPS-17 Pay (6210-465-15510)
2. Period of contract will be One year. The contract will automatically be terminated on expiry of the stipulated period however it can be extended only through a fresh order in writing by the competent authority prior to the expiry of contract period.
3. Annual Increment will be admissible after completion of one year of service
4. Conveyance allowance as per Government rules.
5. House Rent allowance (As per Government Rules)
6. Leave, TA/DA and medical allowance (as per Government Rules)
7. Notice period for termination of contract:- Two months notice or two months salary in lieu thereof.
8. Benevolent Fund:- Same facilities as admissible to government Servants.
9. Contributory Provident Fund:- 5% of minimum of pay by the employees and 5% of contribution by the Government.
10. The employees appointed on contract will not contribute to G.P.Fund and shall not be entitled to Pension and Gratuity benefits
11. Subsequent to appointment, the employee will remain on probation for a period of 6 months and if he does not come up to the required standard and skill or fails to fulfil the requirement of the post, he will be straightaway terminated from service.

If you agree to the above terms & condition, you should report for duty and sign the agreement as well as produce medical fitness certificate from the authorized Medical Officer within 10 days of the issuance of this order. In case of non joining the duty by any appointee within the stipulated period, his appointment order will stand cancelled, automatically.

Sd/-  
Deputy Secretary (Admin)

36

No.GS/E/100-19/ 3372-85

Dated 01/12/2004

Copy to

1. Deputy Secretary (Finance)
2. Additional Accountant General (PR) Sub Office Peshawar
3. Chief Engineer (FATA) Works & Services Department.
4. All Political Agents
5. All DCOs (FRs)
6. Director Irrigation & Hydle Power
- ✓ 7. All Executive Officers (Finance & Planning)
8. Section Officer (Budget & Accounts)
9. Section Officer (Audit)
10. All Executive Engineer Irr & Hydle Power Divns in all Agencies.
11. All Agency Accounts Officers
12. PS to Secretary to Governor
13. Bill Clerk (Admn Wing)
14. Officers concerned.

  
Section Officer (Estab)



37

# GOVERNMENT OF KHYBER PAKHTUNKHWA PLANNING & DEVELOPMENT DEPARTMENT

## NOTIFICATION:

Dated Peshawar, the February 13, 2019.

NO. SOX/P&D/0527-IG/FATA/2019: In pursuance of Establishment Department Notification dated 08-01-2019, the Competent Authority is pleased to order adjustment of following staff of P&D Department, Merged Areas (erstwhile FATA) in various sections in P&D Department, Government of Khyber Pakhtunkhwa as mentioned against each with immediate effect. In the best public interest, the further orders:

S. No.	Name of Officers	Designation	Section
1.	Mr. Jamshed AL Khan	Assistant Chief	Infrastructure
2.	Mr. Ahmad Nawaz	Assistant Chief	Agriculture
3.	Mr. Fayaz Ghani	Assistant Chief	Education
4.	Mr. Amir Bashir	Assistant Chief	Coordination
5.	Mr. Abdur Rehman	Assistant Chief	B&A, Audit, Litigation, General & Admn Section
6.	Mr. Javed Habib	Research Officer	Agriculture
7.	Mr. Shah Zahir	Assistant	Agriculture
8.	Muhammad Azeem	Assistant	Education
9.	Mr. Khalid Hassan	Stenographer	Education
10.	Mr. Shams-ud-Allah	Stenographer	Coordination
11.	Mr. Mehboob Anis	Research Officer	Health
12.	Mr. Fazal Bashir	Assistant	Water
13.	Mr. Viraj Hameed	Assistant	B&A, Audit, Litigation, General & Admn Section
14.	Mr. Masood-ur-Rahman	Computer Operator	-do-
15.	Mr. Tariq Hassan	Computer Operator	-do-
16.	Mr. Sadullah	Computer Operator	Foreign Aid
17.	Mr. Minhaj ud Din	Computer Operator	Resource Centre
18.	Mr. Shahid Ullah	Junior Clerk	Resource Centre
19.	Mr. Fozil Maqsood	Junior Clerk	Infrastructure
20.	Mr. Ibadullah	Junior Clerk	Health
21.	Mr. Zubair	Junior Clerk	Industries
22.	Mr. Fakir H. Az	Junior Clerk	B&A, Audit, Litigation, General & Admn Section
23.			Budget & Accounts

Encls: NO. & Date Even.

SECRETARY  
P&D DEPARTMENT

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretary, P&D Department, Merged Areas, Peshawar.
3. All Chief of Sections in P&D Department.
4. Assistant Chief (B&A), P&D Department.
5. Section Officer (General), P&D Department.
6. PS to Additional Chief Secretary, P&D Department.
7. PS to Secretary, P&D Department.
8. PA to Chief Economic, P&D Department.
9. PA to Additional Secretary, P&D Department.
10. PA to Deputy Secretary (Admn.), P&D Department.
11. Officers/officials concerned.

Section Officer (ESU)

Scanned with CamScanner

Scanned with CamScanner

38



GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT

No. SO(E)P&D/3-4/SLs/PPS/2020.  
Dated Peshawar, October 23, 2020.

To

1. Senior Member Board of Revenue,  
Revenue & Estate Department.
2. All concerned Administrative Secretaries to  
Govt of Khyber Pakhtunkhwa.
3. Executive Director,  
Urban Policy Unit (UPU), P&D Department.
4. Director General,  
Sustainable Development Unit (SDU), P&D Department.
5. Director General,  
M&E, P&D Department.
6. All concerned Deputy Commissioners,  
Khyber Pakhtunkhwa.
7. All Chief of Sections,  
P&D Department.
8. Director,  
Bureau of Statistics, Khyber Pakhtunkhwa.

Subject: **TENTATIVE SENIORITY LIST OF PROVINCIAL PLANNING SERVICE  
OFFICERS (PPS BS-17).**

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith a copy of tentative seniority list of PPS BS-17 Officers along-with certificate proforma with the request that the same may be circulated amongst the PPS BS-17 Officers working in your respective department/District/Office.

I am further directed to request you to direct all concerned that the certificate may be returned to this department duly signed, indicating error/omission, if any, for the purpose of rectification along-with attested supporting documents **within 30 days (upto 22.11.2020) positively**. In case of receipt of no response by the due date, it would be presumed that particulars have been accepted as correct.

Yours faithfully,

Encl: As above.

(SONA KHAN) 23/10/20  
Section Officer(Estt:)

Endst: Number & Date even.

Copy forwarded to the:

1. PS to Additional Chief Secretary, Khyber Pakhtunkhwa.
2. PS to Secretary, P&D Department.
3. PAs to Additional Secretary-I/Deputy Secretary-II, P&D Department.
4. Mr. Riaz Ahmad, Resource Centre, for uploading the same on the official website of P&D Department.

Section Officer(Estt:)

23/10/20



GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT

39

Dated Peshawar, /2020.

**TENTATIVE SENIORITY LIST OF PPS BS-17 OFFICERS.**

S#.	NAME OF OFFICER WITH ACADEMIC QUALIFICATION	DATE OF BIRTH & DOMICILE	DATE OF 1 <sup>ST</sup> ENTRY INTO GOVT: SERVICE.	DATE OF APPOINTMENT/ PROMOTION TO THE PRESENT SCALE/POST	BPS	METHOD OF RECRUITMENT / APPOINTMENT	PRESENT POSTING WITH DATE.	REMARKS IF ANY.
1.	<u>Muhammad Asad Alizai.</u> B.Sc (Engineering)	<u>26-12-1972</u> Haripur	13-01-1998	01-07-2001	BS 17	Absorbed	Planning Officer, Haripur. (24-02-2017)	Personally Up-Graded to BPS-18
2.	<u>Muhammad Umair.</u> B.Sc (Agricultural Engineering)	<u>07-03-1971</u> Mardan	01-09-1996	29-06-2002	BS 17	Absorbed	Planning Officer, Dera Ismail Khan. (15-02-2013)	Personally Up-Graded to BPS-18
3.	<u>Muhammad Imran Khan.</u> B.Sc (Agricultural Engineering)	<u>01-01-1961</u> North Waziristan	23-01-1988	10-08-2002	BS 17	Absorbed	Planning officer, Bannu. (18-06-2020)	Personally Up-Graded to BPS-18
4.	<u>Muhammad Riaz Khan.</u> M.A (Political Science)	<u>08-11-1963</u> Lakki Marwat	14-01-1990	26-02-2005	BS 17	Absorbed	Planning Officer, Lakki Marwat. (15-02-2013)	Personally Up-Graded to BPS-18
5.	<u>Syed Bilal Khisro.</u> M.A (Economics)	<u>04-07-1970</u> Charsadda	19-07-2005	19-07-2005	BS 17	Initial recruitment	Planning Officer Energy & Power Deptt	---
6.	<u>Mr. Attiq-ur-Rehman.</u> M.Sc (Statistics)	<u>01-01-1961</u> Mansehra	06-11-1988	26-04-2007	BS 17	Absorbed	Planning Officer, Mansehra. (15-02-2013)	Personally Up-Graded to BPS-18
7.	<u>Mr. Sarfraz Khan.</u> M.Sc (Statistics)	<u>25-07-1961</u> Malakand	06-11-1988	26-04-2007	BS 17	Absorbed	Planning Officer, Malakand. (14-05-2020).	Personally Up-Graded to BPS-18
8.	<u>Aamir Bashir Ghaznavi.</u> MA (Economics).	<u>04-01-1966</u> Peshawar	07-03-1995	08-05-2006	BS-17	By promotion	Assistant Chief (Agriculture), (OPS) P&D Deptt (11-05-2020)	
9.	<u>Mr. Rizwan Javed.</u> M.B.A (Marketing)	<u>23-03-1975</u> Bannu	30-05-2011	30-05-2011	BS-17	Initial Recruitment	Agri Business Officer-I, Agriculture Department (30-05-2011)	

40

✓ 10.	<b>Mr. Faridullah.</b> M.A (Economics)	<u>30.06.1973</u> SWA	27-09-2011	27-09-2011	BS 17	Initial Recruitment	Planning Officer, Tribal District Khyber. (27.09.2011)
✓ 11.	<b>Muhammad Hamid.</b> MBA	<u>03.12.1978</u> FR Kohat	27-09-2011	27-09-2011	BS 17	Initial Recruitment	Planning Officer, Tribal District Khyber. (27.09.2011)
✓ 12.	<b>Muhammad Rehman.</b> MBA.	<u>07.10.1979</u> Orakzia	27-09-2011	27-09-2011	BS 17	Initial Recruitment	Planning Officer, Tribal District Orakzai. (27.09.2011)
✓ 13.	<b>Mr. Miftah Ullah.</b> MBA	<u>12.03.1978</u> SW	27-09-2011	27-09-2011	BS 17	Initial Recruitment	Planning Officer, Tribal District Bajaur. (07.01.2020)
✓ 14.	<b>Mr. Faqir Muhammad.</b> MBA	<u>02.01.1980</u> NW	27-09-2011	27-09-2011	BS 17	Initial Recruitment	Planning Officer, Tribal District Mohmand. (09.07.2020)
✓ 15.	<b>Mr. Israr Ahmad Khan</b> MA (Economics)	<u>07.01.1979</u> S.W	27-09-2011	27-09-2011	BS 17	By Initial Recruitment	Planning Officer, Tribal District SW. (27.09.2011)
16.	<b>Muhammad Adnan.</b> M.B.A/ M.Sc (Economics)	<u>31-05-1985</u> Peshawar	21-05-2014	21-05-2014	BS 17	Initial recruitment	Planning Officer, Environment Department. (07-01-2019).
17.	<b>Mrs. Samina Gul.</b> M.Sc (Statistics)	<u>11-07-1985</u> Nowshera	16-06-2014	16-06-2014	BS 17	Initial recruitment	Planning Officer, Health Deptt. (16-06-2014).
18.	<b>Mr. Shams.</b> M.Sc (Statistics)	<u>15-03-1988</u> Kurram	16-06-2014	16-06-2014	BS 17	Initial recruitment	Planning Officer, Health Deptt. (16-06-2014).
19.	<b>Syed Ishfaq Ahmad.</b> M.Sc (Hons) Agricultural & Applied Economics	<u>28-03-1986</u> Haripur	06-05-2015	06-05-2015	BS-17	Initial recruitment	Research Officer (Agri), P&D Department (03-07-2020).
20.	<b>Mr. Baitullah.</b> M.Sc (Economics)	<u>27-01-1982</u> South Waziristan	01-07-2015	01-07-2015	BS 17	Initial recruitment	Planning Officer, Social Welfare Department. (01-07-2015).

41

21.	<b>Mrs. Romana Sarwar.</b> M.Com	<u>27-01-1987</u> Nowshera	31-05-2016	31-05-2016	BS 17	Initial recruitment	Statistical Officer, E&SE Department (31-05-2016)	
22.	<b>Faizullah Tariq.</b> M.A (Economics), M.A (Political Science)	<u>26-12-1983</u> Karak	09-11-2016	09-11-2016	BS 17	Initial recruitment	Planning Officer, Higher Education Deptt (06-03-2020)	
23.	<b>Mr. Hafeez Ahmad.</b> M.Sc (Economics)	<u>10-04-1977</u> Bannu	13-03-2017	13-03-2017	BS 17	Initial recruitment	Research Officer (Social Protection Section), P&D Deptt: (07-07-2020)	
24.	<b>Mr. Noman.</b> M.Sc (Economics), M.S (Project Planning & Management)	<u>24-03-1984</u> Swabi	13-03-2017	13-03-2017	BS 17	Initial recruitment	Planning Officer, Health Deptt: (13-03-2017)	
25.	<b>Mr. Kaleem Ullah.</b> M.Phil (Economics)	<u>03-07-1989</u> Peshawar	13-03-2017	13-03-2017	BS 17	Initial recruitment	Planning Officer, Sports Department (12-02-2019)	
26.	<b>Mr. Razaullah.</b> M.Sc (Economics)	<u>12-10-1987</u> Nowshera	04-10-2017	04-10-2017	BS 17	Initial recruitment	Assistant Chief (RD) (OPS), P&D Deptt: (10-10-2019)	
27.	<b>Muhammad Umar.</b> B.S (Economics)	<u>10-11-1992</u> Peshawar	30-10-2017	30-10-2017	BS 17	Initial recruitment	Research Officer, Industries Deptt. (30-10-2017)	
28.	<b>Engr. Nasir Khan.</b> B.Sc (Civil)	<u>21-12-1975</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (Infra:) (OPS), P&D Deptt. (05- 09-2016).	
29.	<b>Mr. Faaiz Arbab.</b> MBA	<u>13-06-1980</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief, (Water) (OPS), P&D Department (12-02-2019)	
30.	<b>Engr. Naveed Ishtiaq,</b> B.S (Civil Engineering)	<u>28-05-1981</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (PP&H) (OPS), P&D Department. (07.04.2020)	
31.	<b>Mr. Ali Hussain.</b> M.Com/ M.B.A	<u>22-02-1983</u> Kurram	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning officer, District Kurram. (16-03-2020)	



32.	<u>Mr. Waqas Ghaus.</u> MBA (HR)	<u>21-01-1984</u> Swabi	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (PPP) (OPS), P&D Deptt: (16-10-2018)
33.	<u>Engr. Muhammad Tariq.</u> B.S (Civil Engineering)	<u>01-05-1970</u> Malakand	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Infrastructure), P&D Department
34.	<u>Mr. Shahbaz Khan.</u> M.B.A	<u>28-10-1986</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer, (PPP), P&D Deptt: (30-09-2019)
35.	<u>Mr. Junaid</u> B.S (Sociology)	<u>09-11-1989</u> Dir Lower	07-03-2018	07-03-2018	BS-17	Initial recruitment	Senior Planning Officer, Revenue & Estate Deptt (08-10-2020).
36.	<u>Muhammad Irfan.</u> M.B.A	<u>10-02-1982</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Accounts Officer (C.B.P), P&D Department . (11-04-2014).
37.	<u>Pir Bilal Muhammad.</u> B.S (I.T)	<u>01-12-1983</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Power), P&D Department (12-10-2020).
38.	<u>Mr. Tahir Aman.</u> M.B.A	<u>29-10-1981</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (PSDP), P&D Department. (03-03-2012).
39.	<u>Mian Ayub Gul,</u> M.B.A	<u>14-03-1984</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (CPEC) (OPS), P&D Department (23-01-2020)
40.	<u>Mr. Asim Javed,</u> M.B.A	<u>29-09-1979</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (BOS), KPK. (01-06-2015)
41.	<u>Arbab Muhammad Taimur,</u> M.S	<u>10-04-1984</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Water), P&D Department (23-11-2018)
42.	<u>Engr. Yasir Adnan,</u> B.Sc (Electrical Engineering)	<u>11-09-1987</u> Bannu	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Industries), P&D Deptt: (28-09-2017)

(43)

43.	<b>Ms. Zainab Khatoon</b> M.Sc (Economics), EMBA	<u>12-02-1977</u> Karak	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (OPS), (Foreign Aid) P&D Deptt: (16-08-2017)
44.	<b>Syed Shoaib Ali Shah,</b> M.B.A	<u>29-03-1973</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Senior Planning Officer (OPS), Sports Deptt. (07-01-2019).
45.	<b>Muhammad Shoaib,</b> MBA (HR)	<u>11-04-1986</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Education), P&D Deptt: (31-01-2018).
46.	<b>Muhammad Tariq,</b> M.B.A	<u>04-04-1985</u> Mohmand	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Rule of Law), P&D Deptt: (08-06-2018)
47.	<b>Mr. Mukhtar Ahmad,</b> MSc (Hons Agri)	<u>14-01-1970</u> Malakand	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Chief (OPS) (Coord), P&D Deptt: (03-04-2019)
48.	<b>Muhammad Shah Khan.</b> M.S (Management Sciences), Master's in Public Administration	<u>26-03-1977</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Local Government Department (29-01-2015).
49.	<b>Mr. Jamshed Akram.</b> B.Sc (Civil Engineering)	<u>20-02-1978</u> Tank	07-03-2018	07-03-2018	BS-17	Initial recruitment	M&E Officer (Technical) E&SE Department (11-04-2016).
50.	<b>Mr. Taj Muhammad Khan.</b> Bachelor in Civil Technology (Hons)	<u>01-06-1977</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	M&E Officer, (Technical) E&SE Department (24-03-2016).
51.	<b>Mr. Mubashar Muzaffar.</b> B.Sc (Civil Engineering)	<u>01-09-1975</u> Mansehra	07-03-2018	07-03-2018	BS-17	Initial recruitment	M&E Officer, E&SE Department (08-10-2020).
52.	<b>Mr. Arif Ullah Shah.</b> M.Sc (Electrical Engineering)	<u>20-12-1978</u> Lakki Marwat	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Energy & Power Department (31-05-2010).

44

53.	<b>Engr. Qazi Muhammad Zohaib,</b> BSc (Electrical Engineering, MS Engineering (Electrical), MA (IR)	<u>02-01-1986</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Education), P&D Department. (23-11-2018)
54.	<b>Mr. Hizbullah Khan.</b> M.B.A	<u>10-05-1982</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Health), P&D Department. (28-02-2018)
55.	<b>Muhammad Khanan.</b> B.SC (Civil Engineering)	<u>03-04-1983</u> Hangu	07-03-2018	07-03-2018	BS-17	Initial recruitment	Civil Engineer, Food Department (08-08-2012)
56.	<b>Haseeb Ullah Khan</b> M.S/ M.Phil (Economics)	<u>31-03-1984</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Senior Economist, Development of Regional Accounts, BoS. (28-04-2020)
57.	<b>Mr. Changaiz Alam Durrani.</b> M.B.A (HRM)	<u>15-04-1984</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Deptt: (01-04-2009)
58.	<b>Pir Muhammad Raza Shah.</b> M.Sc (Hons) Agriculture, P.G.D (Project Management) U.K	<u>21-01-1978</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer (Coord), P&D Department. (14-10-2020)
59.	<b>Mr. Ejaz Hamid.</b> M.Sc (Hons) Agriculture, M.A (Sociology)	<u>19-03-1977</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (09-04-2009)
60.	<b>Mr. Kamran Ali Khan.</b> M.B.A (Marketing)	<u>14-07-1979</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (Education), M&E, P&D Department (01-04-2009)
61.	<b>Ms. Shaista Qaiser.</b> M.Sc (Hons) Agriculture	<u>09-06-1979</u> Karak	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director, (M&E), P&D Deptt: (20-04-2009)
62.	<b>Mr. Khurshid Alam.</b> M.Sc (Hons) Agriculture, MBA (HR)	<u>20-07-1976</u> Bajaur	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director, (M&E), P&D Deptt: (22-01-2010)

45

63.	<b>Mr. Asrar Ahmad.</b> B.E (Civil Engineering)	<u>30-03-1982</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director, (M&E), P&D Department (17-09-2012)
64.	<b>Mr. Aftab Alam.</b> M.S (GOE Technical Engineering), B.Sc (Civil Engineering)	<u>10-05-1984</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director, (M&E), P&D Department (25-09-2012)
65.	<b>Mr. Ijaz Ali Shah.</b> B.C.S (Hons) Computer Science	<u>20-12-1984</u>	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Transport Deptt (20-08-2020)
66.	<b>Mr. Khurram Shahzad Durrani.</b> M.Sc (Electrical Engineering)	<u>08-02-1976</u>	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Energy & Power Department (11-09-2013)
67.	<b>Mr. Pir Aimal.</b> M.Sc (Electrical Engineering)	<u>05-04-1984</u> Mardan.	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Energy & Power Department (09-09-2013)
68.	<b>Mr. Waqas Ahmad.</b> M.Sc (Electrical Engineering)	<u>20-04-1984</u> Peshawar.	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Energy & Power Department (11-09-2013)
69.	<b>Mr. Khan Muhammad.</b> M.Sc (Statistics), M.B.A (Finance & Accounting), M.Sc (Economics)	<u>10-04-1985</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Home Department (16-08-2013)
70.	<b>Muhammad Kamran.</b> M.B.A (Finance), M.S (Management Sciences)	<u>12-03-1986</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Food Department (16-01-2018)
71.	<b>Mr. Kifayat Ullah Khan.</b> M.S (Civil Engineering)	<u>12-05-1986</u> Bannu	07-03-2018	07-03-2018	BS-17	Initial recruitment	M&E Officer (Technical) E&SE Department (28-04-2016)
72.	<b>Mr. Safi Ullah.</b> B.Sc (Civil Engineering)	<u>06-02-1986</u> Nowshera	07-03-2018	07-03-2018	BS-17	Initial recruitment	M&E Officer, (Tech.), E&SE Department (15-06-2016)
73.	<b>Muhammad Luqman Hakeem Khan.</b> M.Sc (Electrical Engineering)	<u>16-05-1986</u> Peshawar.	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Energy & Power Department (09-09-2013)

46

74.	<u>Muhammad Adeel Khan.</u> B.Sc (Civil Engineering)	<u>03-08-1986</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Deptt: (07-09-2012)
75.	<u>Muhammad Yasir Mahsud.</u> B.Sc (Civil Engineering)	<u>30-12-1985</u> South Waziristan	07-03-2018	07-03-2018	BS-17	Initial recruitment	AD, Irrigation Deptt. (14-05-2012)
76.	<u>Mr. Naveed Ullah.</u> B.Sc (Civil Engineering)	<u>01-03-1986</u> Dir Lower	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (15-11-2012)
77.	<u>Mr. Amjad Ali Shah.</u> M.S/I.T (Networks)	<u>14-03-1983</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (28-12-2012)
78.	<u>Mr. Tariq Ikram.</u> M.S (Environmental Sciences)	<u>07-02-1987</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (31-12-2012)
79.	<u>Pir Tariq Shah.</u> M.B.A (Marketing)	<u>20-01-1978</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (11-01-2013)
80.	<u>Mr. Sardar Ahmad.</u> Ph.D (Sociology)	<u>13-12-1987</u> Dir Lower	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Local Govt. Elections & Rural Development Department (30-01-2015)
81.	<u>Engr. Ubaid Khan.</u> B.Sc (Civil Engineering)	<u>01-09-1980</u> Nowshera	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, L.G., Elections & Rural Dev. Department (13-05-2015)
82.	<u>Mr. Ozair Rahim.</u> M.B.A	<u>31-12-1987</u>	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer, (Foreign Aid), P&D Department (14-04-2014)
83.	<u>Mr. Arbab Wajid Khan.</u> M.B.A	<u>04-07-1987</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer, (Power), P&D Department. (08-03-2017)

47

84.	<b>Mr. Alamgir Khan.</b> B.S (Economics), M.B.A (HRM)	<u>25-03-1988</u> Mohmand	07-03-2018	07-03-2018	BS-17	Initial recruitment	Monitoring Officer, Sports Department <b>(11-08-2017)</b>
85.	<b>Mr. Wajid Anwar.</b> MS Computer Science	<u>15-11-1988</u> Mardan	07-03-2018	07-03-2018	BS-17	Initial recruitment	On deputation basis to HERA <b>(13-04-2020)</b>
86.	<b>Mr. Hizbullah Khan.</b> B.E (Chemical Engineering)	<u>01-04-1987</u> FR Tank	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department <b>(02-07-2013)</b>
87.	<b>Mr. Abdul Wadood Shah.</b> MA (Pol Science)	<u>28-07-1982</u> Bannu	07-03-2018	07-03-2018	BS-17	Initial recruitment	AD, Local Govt, Bannu. <b>(17.06.2020)</b>
88.	<b>Engr. Muhammad Awais.</b> B.Sc (Civil Engineering)	<u>28-02-1988</u> Mansehra	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department <b>(05-12-2013)</b>
89.	<b>Mr. Jalal Ahmad.</b> M.B.A/ M.S (Finance)	<u>12-02-1990</u> North Waziristan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Home Deptt: <b>(22-12-2016)</b>
90.	<b>Muhammad Ismail Mohmand.</b> M.B.A/ M.S (HRM)	<u>05-05-1988</u> Mohmand	07-03-2018	07-03-2018	BS-17	Initial recruitment	Planning Officer, Home Department <b>(17-02-2017)</b>
91.	<b>Mr. Fahad Noor.</b> B.Sc (Civil Engineering)	<u>22-02-1990</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Services placed at the disposal of LG&RD Deptt, on deputation basis. <b>(10-09-2020)</b>
92.	<b>Mr. Ijaz Ahmad Khan.</b> B.Sc (Civil Engineering)	<u>13-05-1982</u> D.I Khan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Deptt: <b>(09-10-2015)</b>
93.	<b>Mr. Aamar Rafiq.</b> B.Sc (Civil Engineering)	<u>04-10-1989</u> FR Bannu	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department <b>(29-09-2015)</b>
94.	<b>Mr. Zahid Gul.</b> B.Sc (Civil Engineering)	<u>15-04-1985</u> North Waziristan	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department <b>(20-10-2015)</b>

95.	<b>Mr. Mujahid Naseer.</b> M.Sc (Construction Engineering), B.Sc (Civil Engineering)	<u>20-08-1983</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (23-09-2015)
96.	<b>Mr. Babar Naseem.</b> M.Sc (GEO Technical Engineering), B.E (Hons) Civil Engineering	<u>13-06-1989</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (30-09-2015)
97.	<b>Mr. Ubaid Ur Rehman.</b> Master's in Public Administration	<u>01-08-1968</u> Peshawar	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (20-10-2015)
98.	<b>Mr. Samiullah</b> MA (Environmental Sciences)	<u>13.03.1983</u> Mardan	07.03.2018	07.03.2018	BS-17	Initial recruitment	Research Analyst, UPU, P&D (07.03.2018)
99.	<b>Mr. Tahir Hassan.</b> B.B.A (Hons)	<u>05-05-1986</u> Charsadda	07-03-2018	07-03-2018	BS-17	Initial recruitment	Assistant Director (M&E), P&D Department (28-01-2016)
100.	<b>Mr. Umair Khattak</b> MBA, Project Management	<u>01.10.1986</u> Nowshera	07-03-2018	07-03-2018	BS-17	Initial recruitment	Research Officer, Power Section, P&D Deptt (07.03.2018).
101.	<b>Mr. Imran Zahoor</b> B.Sc (Computer Engineering).	<u>15-02-1990</u> Mardan	13-03-2018	13-03-2018	BS 17	Initial recruitment	Deputy Director, (Projects), P&D Deptt: on deputation. (18-02-2019)
102.	<b>Mr. Wagas Ayub.</b> B.Sc (Telecommunication Engineering)	<u>11-03-1983</u> Peshawar	15-03-2018	15-03-2018	BS 17	Initial recruitment	Planning Officer, Energy & Power Department (17-06-2020)
103.	<b>Muhammad Anwar.</b> B.Sc (Hons) (Computer Science)	<u>15-05-1990</u> South Waziristan	16-04-2018	16-04-2018	BS 17	Initial recruitment	Planning Officer, ST&IT Department (16-04-2018)
104.	<b>Ms. Saadia Rehman.</b> M.Sc (Economics), M.Phil (Health Economics)	<u>14-01-1989</u> Abbottabad	29-10-2018	29-10-2018	BS 17	Initial recruitment	Planning Officer, Minerals Development Deptt: (08-11-2018)

49

105.	<u>Mr. Furqan Shafi.</u> M.B A (Marketing), M.Sc (International Business)	<u>06-03-1987</u> Tank	29-10-2018	29-10-2018	BS 17	Initial recruitment	Planning Officer, Higher Education Depatt, P&D Department (08-04-2020)	
------	---	---------------------------	------------	------------	-------	------------------------	--	--





GOVERNMENT OF KHYBER PAKHTUNKHWA,  
POPULATION WELFARE DEPARTMENT  
02<sup>nd</sup> Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

50

Dated Peshawar the 10<sup>th</sup> November, 2020

**NOTIFICATION**

**No. SOE(PWD)3-30/2020/Merged Districts:** In pursuance of provisions contained in section-8 of the Transfer of Population Welfare Programme (Field Activities) Ordinance, 1983 (Ordinance No. XIX of 1983), the Government of Khyber Pakhtunkhwa is pleased to approve taking the following two hundred and ten (210) erstwhile FATA recruited employees on the strength of Directorate General, Population Welfare, Khyber Pakhtunkhwa, as civil servants, subject to the existing service rules of the said Directorate and basic pay scales as admissible by the Government of Khyber Pakhtunkhwa w.e.f. 01-07-2019:-

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
1.	Shaukat Ali s/o Haji Bashir	Accountant, BPS-16	711509	17301-4363028-7	Directorate
2.	Farid Ullah s/o Feroz Khan	Account Assistant BPS-14	592363	17301-8756928-7	-do-
3.	Razi Ullah s/o Jehandar Shah	Jr. Scale Stenographer, BPS-14	468327	17101-9762296-7	-do-
4.	Muhammad Kamran s/o Zahir Ali Khan	Statistical Assistant, BPS-14	50166800	21202-8007357-5	-do-
5.	Fakhr e Alam s/o Alam Khan	LDC, BPS-11	424196	17301-0208737-7	-do-
6.	Ikramullah s/o Gul Rehman	Driver, BPS-7	355018	17301-1224216-5	-do-
7.	Naik Shad s/o Irshad Khan	Driver, BPS-7	408915	21202-9919742-5	-do-
8.	Shakeel Khan s/o Jalil Khan	Naib Qasid, BPS-4	309470	21202-8251831-9	-do-
9.	Daud Jan s/o Muhammad Afzal	Naib Qasid, BPS-4	309485	17301-4121268-3	-do-
10.	Sirzamin s/o Khan Zada	Chowkidar, BPS-4	368737	16102-3560005-7	-do-
11.	Ijaz Muhammad s/o Khayal Muhammad	Sweeper, BPS-4	365118	17301-1608032-5	-do-
12.	Dr. Lalzari w/o Dr. Faisal Shahzad	SWMO, BPS-18	323864	17301-5866736-4	Khyber
13.	Muhammad Ibrahim s/o Wali Muhammad	Account Assistant, BPS-16	309482	17301-3449048-9	-do-
14.	Fazli Mabood s/o Gul Rahman	Junior Scale Stenographer, BPS-14	207469	16101-5679809-7	-do-
15.	Rozia Nazli d/o Azim Ullah	Theatre Nurse, BPS-12	408821	17301-0520186-0	-do-
16.	Bushra Kiran d/o Muhammad Sharif	Family Welfare Worker, BPS-9	408911	17301-1377012-8	-do-
17.	Shahana Abdul Hakim d/o Abdul Hakim	Family Welfare Worker, BPS-9	408851	17301-5883865-0	-do-
18.	Khyal Mina d/o Shahzada	Family Welfare Worker, BPS-9	408836	17101-0263988-6	-do-
19.	Tahira Mohsin d/o Mohsin Khan	Family Welfare Worker, BPS-9	522653	17301-2408498-0	-do-
20.	Amina d/o Hakim Khan	Family Welfare Worker, BPS-9	521976	15202-9776966-6	-do-
21.	Anmol Gulwish d/o Muhammad Ayub Khan	Family Welfare Worker, BPS-9	360228	11101-5910371-6	-do-
22.	Qurat ul Ain d/o Abdul Azim	Family Welfare Worker, BPS-9	477543	17301-4881655-8	-do-
23.	Alia Bibi d/o Abdul Dayan	Family Welfare Assistant (Female) (BPS-7)	408802	17101-7022610-6	-do-
24.	Safia Amir d/o Amir Muhammad	Family Welfare Assistant (Female) (BPS-7)	392632	17201-7849415-4	-do-
25.	Rani Gul d/o Shaukat Ali	Family Welfare Assistant (Female) (BPS-7)	408858	17101-3776057-6	-do-
26.	Syeda Asma d/o Syed Kamil Shah	Family Welfare Assistant (Female) (BPS-7)	413076	54400-0414314-6	-do-
27.	Robina Akhtar d/o Fazal Shah	Family Welfare Assistant (Female) (BPS-7)	408940	17301-1287260-0	-do-
28.	Humira Irum d/o Gohar Ali	Family Welfare Assistant (Female) (BPS-7)	408840	17101-6312160-2	-do-
29.	Baghi Gul d/o Momin Shah	Family Welfare Assistant (Female) (BPS-7)	522672	15201-0577471-2	-do-

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
30.	Rabia Obald d/o Waqar Hussain	Family Welfare Assistant (Female) (BPS-7)	434379	17301-6410682-4	-do-
31.	Tariq Hussain s/o Abdul Jabbar Khan	Family Welfare Assistant (Male) (BPS-7)	408951	17301-6900869-1	-do-
32.	Umar Afridi s/o Muhammad Anwar	Family Welfare Assistant (Male) (BPS-7)	408809	21202-5444005-7	-do-
33.	Kifayat Ullah s/o Haji Khan	Family Welfare Assistant (Male) (BPS-7)	408829	21202-6132810-1	-do-
34.	M. Saleem s/o Sail Khan	Family Welfare Assistant (Male) (BPS-7)	408824	21202-3421361-9	-do-
35.	Tehseen Ullah s/o Saifullah Khan	Family Welfare Assistant (Male) (BPS-7)	408833	17301-1354826-7	-do-
36.	Waseem Malok s/o Jan Muhammad	Family Welfare Assistant (Male) (BPS-7)	408811	17301-1328914-9	-do-
37.	Aziz Ahmad s/o Sher Ahmad	Family Welfare Assistant (Male) (BPS-7)	408874	17301-1316859-7	-do-
38.	Ameer Wali s/o Mustajab Khan	Driver, BPS-7	355020	17301-9931161-5	-do-
39.	Miss Rohal Amin d/o Mukaram Shah	Dai, BPS-4	408927	17301-1287260-6	-do-
40.	Khan Zada d/o Haji Irshad	Dai, BPS-4	408923	21202-5454573-2	-do-
41.	Gul Naz d/o Abdul Mastan	Dai, BPS-4	408872	17201-0943056-0	-do-
42.	Benish Naheed d/o Mumtaz Ahmad	Dai, BPS-4	522665	17301-8871415-6	-do-
43.	Jamila Shaheen d/o Saiful Malook	Dai, BPS-4	408969	17301-4367880-6	-do-
44.	Sabra Bibi d/o Mansoor Khan	Dai, BPS-4	408806	17301-5892373-9	-do-
45.	Imrana Tabasum d/o Mumtaz Ahmad	Dai, BPS-4	408854	17301-2359415-0	-do-
46.	Tahira Banu d/o Lal Rehman	Dai, BPS-4	408893	17301-4821366-8	-do-
47.	Salma Begum d/o Yousaf Khan	Dai, BPS-4	415043	17101-0232230-4	-do-
48.	Shahid Ali s/o Naushad Khan	DDPWO (NT), BPS-17	468340	16102-1455285-3	Bajaur
49.	Shaista Parveen d/o Gul Hayat Gul	Family Welfare Worker, BPS-9	468807	16202-9231314-6	-do-
50.	Fozia Begum d/o Ghulam Qadar	Family Welfare Worker, BPS-9	468806	15401-0452115-2	-do-
51.	Rabal Manoon d/o Muhammad Akram Khan	Family Welfare Worker, BPS-9	468799	16101-8105918-8	-do-
52.	Shahnaz Begum d/o Ali Akbar Khan	Family Welfare Worker, BPS-9	468364	15000-6847954-8	-do-
53.	Maryam d/o Abdul Karim	Family Welfare Worker, BPS-9	521975	16202-3648829-4	-do-
54.	Amanullah s/o Shah Zamin	Family Welfare Assistant (Male) (BPS-7)	468795	21104-2152990-3	-do-
55.	Alli Akber Shahzad s/o Ghulam Sarwar	Family Welfare Assistant (Male) (BPS-7)	468794	17301-1577117-7	-do-
56.	Hussain Rehman s/o Sald Rahman	Family Welfare Assistant (Male) (BPS-7)	468796	15401-0698946-7	-do-
57.	Muhammad Saleem s/o Abdul Karim	Family Welfare Assistant (Male) (BPS-7)	468797	61101-1831548-9	-do-
58.	Fazli Rehman s/o Abdul Wadood	Family Welfare Assistant (Male) (BPS-7)	468383	21103-2296443-1	-do-
59.	Adia d/o Khan Bahader	Family Welfare Assistant (Female) (BPS-7)	468385	15401-7474706-0	-do-
60.	Shabina Begum d/o Shams ur Rehman	Family Welfare Assistant (Female) (BPS-7)	468386	17101-5910836-0	-do-
61.	Azra Begum d/o Badshah Khan	Family Welfare Assistant (Female) (BPS-7)	468788	16102-5807134-8	-do-
62.	Robina Begum d/o Taj Muhammad	Dai, BPS-4	468347	17101-7065734-8	-do-
63.	Niaz Bibi d/o Nasir Khan	Dai, BPS-4	468353	17101-0239542-4	-do-
64.	Imtiaz Begum d/o Attaullah	Dai, BPS-4	468345	17101-0252569-8	-do-
65.	Rashida d/o Muhammad Zahir	Dai, BPS-4	468378	17101-8147386-2	-do-

(511)

52

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
66.	Razia Batool d/o Abdul Karim	Dai, BPS-4	490749	12103-4934257-0	-do-
67.	Seema Gul d/o Hazrat Husain	Sweeprees, BPS-4	658536	17101-5600000-4	-do-
68.	Ghafoor Shah s/o Mehboob Jan	DDPWO (NT), BPS-17	50193171	17301-8593241-9	Mohmand
69.	Dr. Kalsoom Iqbal d/o Samiullah Khan	WMO, BPS-17	50329455	12101-9460811-2	-do-
70.	Inam Ullah Akhoonzada s/o Kifayatullah	Account Assistant, BPS-16	399101	17101-1616050-7	-do-
71.	Ashraf Khan s/o Akbar Khan	Jr. Scale Stenographer, BPS-14	399102	17102-1158160-9	-do-
72.	Zahida d/o Jan Muhammad	Family Welfare Worker, BPS-9	468804	17101-0285283-8	-do-
73.	Musarat d/o Imdad Ullah	Family Welfare Worker, BPS-9	532086	17101-0513796-6	-do-
74.	Shabana Nabi d/o Nabi Gul	Family Welfare Worker, BPS-9	360227	17101-0318340-2	-do-
75.	Kausar Fida d/o Fida Muhammad	Family Welfare Worker, BPS-9	208983	17101-8123524-4	-do-
76.	Tamsila shah d/o Ajmal Shah	Family Welfare Worker, BPS-9	362312	17301-2163634-8	-do-
77.	Naeema d/o Sultan	Family Welfare Worker, BPS-9	392626	16101-7394682-6	-do-
78.	Shakila d/o Ghulam Haider	Family Welfare Worker, BPS-9	469886	16102-1222631-0	-do-
79.	Shabina Begum d/o Ghani Rehman	Family Welfare Worker, BPS-9	392627	17301-1266511-4	-do-
80.	Said Habib s/o Maqbullah	Operation Theatre Technician, BPS-8	468380	42401-1849707-3	-do-
81.	Hameed Ullah s/o Shah Sarwar	Family Welfare Assistant (Male) (BPS-7)	437855	17101-0284225-9	-do-
82.	Aziz ur Rehman s/o Shahkir Ullah	Family Welfare Assistant (Male) (BPS-7)	392630	17101-9485344-5	-do-
83.	Jan Mohammad s/o Shah Muhammad	Family Welfare Assistant (Male) (BPS-7)	407406	17301-1741967-1	-do-
84.	Kashif Rashid s/o Abdur Rashid	Family Welfare Assistant (Male) (BPS-7)	392629	17101 03894083	-do-
85.	Shoaib khan s/o Jamshad Khan	Family Welfare Assistant (Male) (BPS-7)	207471	17301-1296202-1	-do-
86.	Nazrana Nabi d/o Nabi Gul	Family Welfare Assistant (Female) (BPS-7)	362292	17101-1501552-0	-do-
87.	Roqia Ghani d/o Sultan Zeb	Family Welfare Assistant (Female) (BPS-7)	533465	21404-4133786-6	-do-
88.	Hilal Begum d/o Nabi Gul	Family Welfare Assistant (Female) (BPS-7)	392631	17101-0299231-6	-do-
89.	Sofia Hassan d/o Farooq Ahmad	Family Welfare Assistant (Female) (BPS-7)	257784	17301-2040014-4	-do-
90.	Falak Naz d/o Jan Sher	Family Welfare Assistant (Female) (BPS-7)	468791	17101-7967405-6	-do-
91.	Rifat Iqbal d/o Muhammad Iqbal	Family Welfare Assistant (Female) (BPS-7)	362295	17102-6374383-0	-do-
92.	Shamim d/o Sher Afzal	Family Welfare Assistant (Female) (BPS-7)	399103	21407-7939673-6	-do-
93.	Ijaz s/o Muhammad Quraish	Driver, BPS-7	408862	17101-0339838-3	-do-
94.	Muhammad Riaz s/o Farman Gul	Driver, BPS-7	468369	21202-7166850-5	-do-
95.	Naseer Ahmad s/o Amroz Gul	Driver, BPS-7	407390	17101-0394356-5	-do-
96.	Shamim Begum d/o Sadullah Khan	Dai, BPS-4	207457	17101-5665710-2	-do-
97.	Fatima Bibi d/o Saeed	Dai, BPS-4	392624	21406-5583822-2	-do-
98.	Surfat Begum d/o Siar Gul	Dai, BPS-4	5672682	17101-5649051-0	-do-
99.	Seema Gul d/o Niaz Muhammad	Dai, BPS-4	207454	17101-6659591-8	-do-
100.	Naheed begum d/o Gohar Zaman	Dai, BPS-4	207452	17101-6760409-6	-do-
101.	Tauheed Begum d/o Ameerullah	Dai, BPS-4	392615	17101-3433091-4	-do-
102.	Seema Bibi d/o Murshid Ali	Dai, BPS-4	494096	17101-6659591-8	-do-

53

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
105.	Tehseenullah s/o Ihsanullah	Chowkidar, BPS-4	366825	17101-4619623-3	-do-
106.	Tasleem Bagum d/o Shahzad Gul	Sweepress, BPS-4	360224	17101-9345027-6	-do-
107.	Muhammed Zakir s/o Ghulam Muhammad	Accounts Assistant, BPS-14	50195179	13503-0848422-1	Kurram
108.	Tahira Bibi d/o Ali Khan	Family Welfare Worker, BPS-9	680956	21303-2177955-4	-do-
109.	Maimona Ambreen d/o Allah Bakhsh	Family Welfare Worker, BPS-9	680961	12101-0163132-4	-do-
110.	Aziza Bibi d/o Ghulam Shabir	Family Welfare Worker, BPS-9	5017302	10103-1438237-2	-do-
111.	Shabnam Bibi d/o Nazar Hussain	Family Welfare Worker, BPS-9	929654	12101-0419672-2	-do-
112.	Sabir Rehman s/o Rehman Shah	Operatlon Theatre Technician, BPS-8	680957	14101-0779606-1	-do-
113.	Khair un Nisa d/o Noor Muhammad	Family Welfare Assistant (Female) (BPS-7)	680954	21303-8923948-4	-do-
114.	Abida Hussain d/o Habib Hussain	Family Welfare Assistant (Female) (BPS-7)	680967	21303-9100160-8	-do-
115.	Nasim Bibi d/o Hussain Ghulam	Family Welfare Assistant (Female) (BPS-7)	680968	21303-5046758-4	-do-
116.	Shahnaz Mehboob d/o Mehbood Ali	Family Welfare Assistant (Female) (BPS-7)	680969	21303-1870574-0	-do-
117.	Hamida d/o Qamber Ali	Family Welfare Assistant (Female) (BPS-7)	680970	21303-8562211-2	-do-
118.	Faqir Ali s/o Ali Qamber	Family Welfare Assistant (Male) (BPS-7)	680963	21303-2255215-9	-do-
119.	Miraj Ali s/o Marjan Ali	Family Welfare Assistant (Male) (BPS-7)	680962	21303-6091455-7	-do-
120.	S.Mehdi Shah s/o S. Ali Shah	Family Welfare Assistant (Male) (BPS-7)	680966	61101-1971538-7	-do-
121.	Shabir Hussain s/o Gul Nazir	Driver, BPS-6	680959	21303-4246509-7	-do-
122.	Bibi Asma d/o Qamber Ali	Dai, BPS-3	680971	21303-0758223-8	-do-
123.	Bibi Saeeda d/o Jamal Hussain	Dai, BPS-3	680958	21303-0875709-8	-do-
124.	Ziyad khan s/o Syed Rahim	Jr. Scale Stenographer, BPS-14	427797	17101-7301922-7	Orakzai
125.	Rashid Khan s/o Murad Khan	Account Assistant, BPS-14	468811	17301-1249405-1	-do-
126.	Sajida Bibi d/o Ghulam Sarwar	Family Welfare Worker, BPS-9	446792	12103-5329672-2	-do-
127.	Rukhsana d/o Ali Mardan	Family Welfare Worker, BPS-9	427812	14101-0758323-4	-do-
128.	Zainab bibi d/o Lal Muhammad	Family Welfare Worker, BPS-9	427815	14101-0773360-8	-do-
129.	Shamshad Bibi d/o Abdul Aziz	Family Welfare Worker, BPS-9	427800	12101-0891314-2	-do-
130.	Nusrat Fazal d/o Fazal Ali Shah	Family Welfare Worker, BPS-9	427801	11101-9974511-0	-do-
131.	Nazia malik d/o Muhammad Sharif	Family Welfare Worker, BPS-9	524452	17301-9025177-8	-do-
132.	Tanzeela d/o Sardar Ali	Family Welfare Assistant (Female), BPS-7	521980	17101-1191149-4	-do-
133.	Alia Akhtar d/o Nisar Muhammad	Family Welfare Assistant (Female), BPS-7	427822	14101-1683875-4	-do-
134.	Marjana d/o Abdul Karim	Family Welfare Assistant (Female), BPS-7	427821	12103-4178363-4	-do-
135.	Dilshad Begem d/o Noor Muhammad	Family Welfare Assistant (Female), BPS-7	427820	12103-1445901-0	-do-
136.	Jamila Perveen d/o Syed Mualim Shah	Family Welfare Assistant (Female), BPS-7	521978	15201-2759592-0	-do-
137.	Shazia Parveen d/o Hakim ud Din Rana	Family Welfare Assistant (Female), BPS-7	521979	12101-2313639-2	-do-
138.	Fatima Noreen d/o Matee Ullah	Family Welfare Assistant (Female), BPS-7	590815	14203-4423999-6	-do-
139.	Mohammad Naeem s/o Maneen Khan	Family Welfare Assistant (Male), BPS-7	427816	21603-3102784-3	-do-
140.	Asad ali khan s/o Amir Haider Khan	Family Welfare Assistant (Male), BPS-7	427818	16102-5330185-5	-do-

54

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
		(Male), BPS-7			
142.	M.Perviz s/o Shamtshad Khan	Family Welfare Assistant (Male), BPS-7	355024	17301-9124921-1	-do-
143.	Shakir Khan s/o Hakim Khan	Family Welfare Assistant (Male), BPS-7	355021	16101-8691070-9	-do-
144.	Jibdan Ali s/o Zulkif Ali	Family Welfare Assistant (Male), BPS-7	521984	14301-1035723-5	-do-
145.	Alamgir all s/o Dauran All	Family Welfare Assistant (Male), BPS-7	521981	14301-6067963-3	-do-
146.	Mudassir shah s/o Jafar Shah	Driver, BPS-7	427830	17101-8843011-3	-do-
147.	Noor Jehan d/o Badruzaman	Dai, BPS-3	521985	12103-2469564-6	-do-
148.	Begum Jana d/o Din Muhammad	Dai, BPS-3	427826	12103-9304993-6	-do-
149.	Khanawada d/o Muhammad Kaleem	Dai, BPS-3	427804	21506-6192244-0	-do-
150.	Lataf Begum d/o Farhad Khan	Dai, BPS-3	427827	17102-8322508-2	-do-
151.	Islamia bibi d/o Amir Saleem	Dai, BPS-3	427825	16102-9482192-2	-do-
152.	Nazia bibi d/o Gul Janan	Dai, BPS-3	427823	12101-7007792-0	-do-
153.	Irshad begum d/o Hazrat Ali	Dai, BPS-3	427828	17101-7284107-4	-do-
154.	Mir Zobana d/o Bahadur Khan	Dai, BPS-3	590814	11101-5017826-2	-do-
155.	Basrina Bibi d/o Musharaf Khan	Dai, BPS-3	427824	11101-5694825-0	-do-
156.	Naseem Bibi d/o All Rizwan Ullah	Dai, BPS-3	5015742	11101-9566697-8	-do-
157.	Noor Zamin s/o Salih Badshah	Chowkidar, BPS-3	427831	21604-0632803-7	-do-
158.	Ashraf Ali s/o All Abbas Khan	Jr. Scale Stenographer, BPS-14	50171293	11101-1457130-3	North Waziristan
159.	Khyal Bibi d/o Abdul Malik	Family Welfare Worker, BPS-9	50171140	12103-0883327-0	-do-
160.	Gul Naz Bibi d/o Mir Shah Nawaz Khan	Family Welfare Worker, BPS-9	50171122	11101-1996898-4	-do-
161.	Irum Usman d/o Hazrat Usman	Family Welfare Worker, BPS-9	50171142	14203-1999955-0	-do-
162.	Shamshad d/o Mir Shah Nawaz Khan	Family Welfare Worker, BPS-9	50171135	11101-4492408-2	-do-
163.	Robina Shafiq d/o Muhammad Shafiq	Family Welfare Worker, BPS-9	50171148	11101-1420790-0	-do-
164.	Robina Bashir d/o Bashir Ahmad	Family Welfare Worker, BPS-9	50171137	12103-8083762-4	-do-
165.	Fazilat Anjum d/o Sajjad Ullah Khan	Family Welfare Worker, BPS-9	50171133	11101-1402081-6	-do-
166.	Saima Gul d/o Muhammad Anees	Family Welfare Worker, BPS-9	50171144	11101-1431910-8	-do-
167.	Shafi Ullah s/o Khan Zada	Family Welfare Assistant (Male), BPS-7	50171155	22101-5583007-3	-do-
168.	Imran Ullah Khan s/o Shajeem Khan	Family Welfare Assistant (Male), BPS-7	50171151	21506-2330414-3	-do-
169.	Nasir Ullah s/o Din Sahib Khan	Family Welfare Assistant (Male), BPS-7	50171153	21506-4881596-1	-do-
170.	Iftikhar Ahmad s/o Gul Nawab Khan	Family Welfare Assistant (Male), BPS-7	50171166	11101-1526689-7	-do-
171.	Saifullah s/o Muhammad Sadiq	Family Welfare Assistant (Male), BPS-7	50171169	11101-1507929-5	-do-
172.	Zia Ur Rehman s/o Hussain Khan	Family Welfare Assistant (Male), BPS-7	50171171	11101-9830782-9	-do-
173.	Sajjad Khan s/o Saleem	Family Welfare Assistant (Male), BPS-7	50171167	21505-2198796-1	-do-
174.	Mohammad Imran s/o Sharif Ullah	Family Welfare Assistant (Male), BPS-7	50171154	21505-3158895-5	-do-
175.	Saloon Bibi d/o Saleem Javid	Family Welfare Assistant	50171178	12103-2729657-6	-do-

Q

56

S. No.	Name with parentage / husband	Designation with BPS	Personal No. (AG / Account)	CNIC NO.	Place of posting
		(Female), BPS-7			
177.	Manazra d/o Ali Raza	Family Welfare Assistant (Female), BPS-7	50171180	12103-1450111-8	-do-
178.	Fatima Bibi d/o Fazal Rehman	Family Welfare Assistant (Female), BPS-7	50171184	12103-0560180-8	-do-
179.	Safina Bibi d/o Haji Muhammad Shafi	Family Welfare Assistant (Female), BPS-7	50171176	11201-0692151-1	-do-
180.	Nasreen Bibi d/o Sardar Raz Khan	Family Welfare Assistant (Female), BPS-7	50171174	11201-6196116-8	-do-
181.	Mehnaz Akhtar d/o Mir Shah Nawaz Khan	Family Welfare Assistant (Female), BPS-7	50171172	11101-6660067-0	-do-
182.	Sami Ullah s/o Gul Muhammad Khan	Driver, BPS-7	50171303	11101-1440798-1	-do-
183.	Mehran Bibi d/o Gul Sharif Khan	Dai, BPS-4	50171305	2150-961124-6	-do-
184.	Awaya Bibi d/o Shakir Rehman	Dai, BPS-4	50171186	11101-1431128-4	-do-
185.	Noor Shamala d/o Zarwali Khan	Dai, BPS-4	50171191	21502-8279177-4	-do-
186.	Shafa Bibi d/o Muhammad Iqbal	Dai, BPS-4	50171273	21506-1972591-2	-do-
187.	Bakht Zada d/o Ghazi	Dai, BPS-4	50171267	21506-6427024-0	-do-
188.	Ayuba Bibi d/o Qismat Wali	Dai, BPS-4	50171277	21505-8429439-8	-do-
189.	Alya Bibi d/o Rashid Khan	Dai, BPS-4	50171288	11101-3027205-0	-do-
190.	Najma Bibi d/o Sharif Ullah	Dai, BPS-4	50171291	11101-9889679-2	-do-
191.	Laiqa Bibi d/o Sharafatullah	Dai, BPS-4	50171279	22201-5406752-6	-do-
192.	Samina Tabassum d/o Emandar	Family Welfare Worker, BPS-9	925834	12103-8369888-6	SW District
193.	Nousheen Gohar d/o Hakim ud Din	Family Welfare Worker, BPS-9	925870	12101-0874798-6	-do-
194.	Asma Bibi d/o Mulzam Shah	Family Welfare Worker, BPS-9	427799	12101-2532237-6	-do-
195.	Samina Naheed d/o Allah Bakhsh	Family Welfare Worker, BPS-9	925824	12101-0891315-4	-do-
196.	Shazia Gul d/o Muhammad Jehangir	Family Welfare Assistant (Female), BPS-7	925715	12102-6228512-6	-do-
197.	Yasmin d/o Abdul Karim	Family Welfare Assistant (Female), BPS-7	925725	12103-7987800-4	-do-
198.	Gul Nasreen d/o Najeebullah	Family Welfare Assistant (Female), BPS-7	925873	12103-2330199-4	-do-
199.	Sidra Saeed d/o Aftab Ahmad	Family Welfare Assistant (Female), BPS-7	925836	12103-8742588-8	-do-
200.	Amanullah s/o Nizar Ahmad Khan	Family Welfare Assistant (Male), BPS-7	925843	11101-1474452-3	-do-
201.	Talat Hussain s/o Taj Muhammad	Family Welfare Assistant (Male), BPS-7	925849	17301-1464401-9	-do-
202.	Abdul Wahab s/o Hazrat Ali	Family Welfare Assistant (Male), BPS-7	925871	21505-1289601-3	-do-
203.	M. Sadiq s/o Mir Khatim	Family Welfare Assistant (Male), BPS-7	925841	21702-2344205-7	-do-
204.	Shahida Bibi d/o Akhtar Zaman	Dai, BPS-3	925837	12201-1879837-6	-do-
205.	Razia bibi d/o Noor Muhammad	Dai, BPS-3	925872	12201-7757302-8	-do-
206.	Honer Parveen d/o Munir Ahmad	Dai, BPS-3	925826	12103-4147037-2	-do-
207.	Shama Parveen d/o Fazal Gul	Dai, BPS-3	427803	12103-3669764-2	-do-
208.	Naseeb Jana d/o Imran Muhammad	Dai, BPS-3	925832	12103-6411550-8	-do-
209.	Inayat Ullah s/o Aamir Khan	Driver, BPS-6	925825	12101-9347703-1	-do-
210.	Gul Dawaz s/o Khanzada	Chowkidar, BPS-3	925764	11101-9369763-3	-do-

56

2. The inter-se-seniority of the above mentioned employees shall be determined in accordance with rule 17 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

-sd-

SECRETARY  
GOVT. OF KHYBER PAKHTUNKHWA  
POPULATION WELFARE DEPARTMENT

Endst: No. SOE (PWD) 3-30/2017/Merged Districts/

Dated Peshawar the 10<sup>th</sup> November, 2020

Copy for information & necessary action to the: -

1. Additional Chief Secretary, Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue.
3. All Administrative Secretaries, Khyber Pakhtunkhwa.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. Accountant General, Khyber Pakhtunkhwa, Peshawar.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
8. Director General Population Welfare Department, Peshawar.
9. Deputy Director, Population Welfare Directorate, Merged Districts, Peshawar.
10. All District Population Welfare Officers in Khyber Pakhtunkhwa including Merged Districts.
11. PS to Advisor to the CM on Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
12. PS to Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
13. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.
14. Manager, Govt. Printing Press, Peshawar with the request to publish in next official gazette.

SECTION OFFICER (ESTT)  
PHONE: NO. 091-9223623

0

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(ESTABLISHMENT WING)

57

NOTIFICATION

NO. S-111/S&A/EST/19/2019 ESTABLISHMENT DATA

Peshawar, the 19th July 2019

WHEREAS the Government of Khyber Pakhtunkhwa has decided to withdraw the recruitment of above posts from Khyber Pakhtunkhwa Public Service Commission, placed

NAME	DESIGNATION
Mr. [Name]	[Designation]
Mr. [Name]	[Designation]
Mr. [Name]	[Designation]
Mr. [Name]	[Designation]

SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

NO. S-111/S&A/EST/19/2019 Estab. Data

Dated Peshawar the July 19, 2019

- is referred to the
- 1. Secretary to Govt. of Khyber Pakhtunkhwa Communication & Works Department with request to withdraw the recruitment of above posts from Khyber Pakhtunkhwa Public Service Commission, placed
  - 2. Secretary to Govt. of Khyber Pakhtunkhwa Finance Department, Peshawar.
  - 3. Accountant General, Khyber Pakhtunkhwa
  - 4. Chief Engineer (Muzga Area) Communication, Works & Services Department, Peshawar.
  - 5. Joint Officer (Admin Budget & Devt), Establishment & Administration Department, Peshawar.
  - 6. Section Officer, C&M, Establishment Department, Peshawar.
  - 7. Joint Secretary, Estbl. Establishment Department, Peshawar.
  - 8. Joint Special Secretary, Estbl. Establishment Department, Peshawar.
  - 9. Joint Deputy Secretary, Estbl. Establishment Department, Peshawar.
  - 10. Joint Officer, Estbl. Establishment Department, Peshawar.
  - 11. Joint Officer, Estbl. Establishment Department, Peshawar.

*Zaman Ali Khan*  
**(Zaman Ali Khan)**  
Section Officer (E-III)

*Fak*

cb) Encl. No. 103  
20  
5' Encl. No. 103  
Fazl-ur-Rahman.



(57) A

**LEGIBLE COPY**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMINISTRATION  
DEPARTMENT  
(ESTABLISHMENT WING)**

Dated Peshawar the July 19, 2019

**NOTIFICATION**

**No.SOE-III (E&AD)1-3/2019/Erstwhile FATA:-** In exercise of the power vested under provision of Sr. No.2 (ii) of Rule-4 Appointment, Promotion and Transfer Rules, 1989 read with Para-5 (c) (ii) of the Surplus Policy contained in E&A Department (Regulation Wing) Govt of Khyber Pakhtunkhwa circular letter No.SOR-1 (E&AD) 1-200/1998 dated 08.06.2001 the Competent Authority has been pleased to place the service of the following 04 Computer Operators (BPS-16) (Surplus Pool Establishment & Administration Department) at the disposal of Secretary Communication & Works Department for their further adjustment in Chief Engineer (Merged Area) Communication Works & Services Department Peshawar against the vacant post of Computer Operators (BPS-16) under initial recruitment quota:-

S#	NAME	DESIGNATION
1)	Mr. Rab Nawaz	Computer Operator (BPS-16)
2)	Mr Kamran	Computer Operator (BPS-16)
3)	Hafiz Muhammad Amjad	Computer Operator (BPS-16)
4)	Fazl-ur-Rehman	Computer Operator (BPS-16)

**SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

**Endst No.SOE-III (E&AD) 1-3/2019/Erstwhile FATA**

Dated Peshawar the July 19, 2019.

Copy forwarded to the:-

1. Secretary to Govt of Khyber Pakhtunkhwa Communication & Works Department with the request to withdraw the requisition of above from Khyber Pakhtunkhwa Public Service Commission of placed.
2. Secretary to Govt of Khyber Pakhtunkhwa Finance Department.
3. Accountant General Khyber Pakhtunkhwa.
4. Chief Engineer (Merged Area) Communication, Works & Services Department, Peshawar.
5. Section Officer (O&M) Budget & Dev), Establishment & Administration Department.
6. Section Officer (D&M) Establishment Department.
7. PS to Secretary (Estt) Establishment Department.
8. PS to Special Secretary (Estt) Establishment Department
9. PA to Deputy Secretary (Estt) Establishment Department.
10. Official Concerned.
11. Master File

**(Zaman Ali Khan)**  
Section Officer (E-III)



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

58

No. E & A (HD) 2 - 5/2020  
Dated Peshawar the December 9, 2020

To,

The Director General Prosecution  
Directorate of Prosecution  
Khyber Pakhtunkhwa

Subject:- REQUISITION THE SERVICES OF MR. HANIF-UR-REHMAN ASSISTANT (BPS-16)

Sir

I am directed to refer to the subject noted above and to state that the services of Mr. Hanif-ur-Rehman Assistant (BPS-16) an employee of Directorate of Prosecution is required to this Department for further posting in Law & Order section of Merged Areas.

I am therefore, directed to request to kindly place the services of the aforementioned official at the disposal of this Department, please.

  
SECTION OFFICER (GENERAL)

Copy to :

1- PA to Deputy Secretary (Admn) Home Department

2- PA to DS (L&O) merged Areas Home Department

  
SECTION OFFICER (GENERAL)

44  
10  
PA  
F  
24  
10

Government of Pakistan  
AGPR Sub Office Peshawar  
Monthly Salary Statement (June-2019)

59



Q

Personal Information of Mr HANIF REHMAN d/w/s of

Personnel Number: 00307455 CNIC: 2110397493111 NTN:  
Date of Birth: 01.03.1980 Entry into Govt. Service: 01.12.2004 Length of Service: 14 Years 07 Months 001 Days

Employment Category: Active Permanent

Designation: ASSISTANT 00000002-Min. Of Commerce

DDO Code: PR0487-LAW & ORDER DEPARTMENT

Payroll Section: 006

GPF Section: 002

Cash Center:

GPF A/C No: IV-AJ 2677

Interest Applied: No

GPF Balance:

164,883.00

Vendor Number: 80117706 - HANIF UR REHMAN 1499 3292-1 NBP

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil

BPS: 16

Pay Stage: 10

Wage type		Amount	Wage type		Amount
0001	Basic Pay	34,110.00	1210	Convey Allowance 2005	5,000.00
1300	Medical Allowance	1,500.00	1966	Special Allowance 30%	9,777.00
2211	Adhoc Relief All 2016 10%	2,612.00	2224	Adhoc Relief All 2017 10%	3,411.00
2247	Adhoc Relief All 2018 10%	3,411.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3016	GPF Subscription - Rs3340	-3,340.00	3609	Income Tax	-82.00
3620	House Rent Deduction 5%	-1,705.00	3701	Benevolent Fund(Exchange)	-250.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
------	-------------	------------------	-----------	---------

Deductions - Income Tax

Payable: 1,000.00 Recovered till JUN-2019: 1,000.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 59,821.00 Deductions: (Rs.): -5,377.00 Net Pay: (Rs.): 54,444.00

Payee Name: HANIF REHMAN

Account Number: 3292-1

Bank Details: NATIONAL BANK OF PAKISTAN, 231499 WARSACK ROAD PESHAWAR WARSACK ROAD PESHAWAR, PESHAWAR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: PESHAWAR

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: hanifrehman315@gmail.com

System generated document in accordance with APPM 4.6.12.9 (SAPCCSUPPORT/26.06.2019/17:00:25/v1.1)

\* All amounts are in Pak Rupees

\* Errors & omissions excepted

**Government of Khyber Pakhtunkhwa**  
**Accountant General Khyber Pakhtunkhwa, Peshawar**  
**Monthly Salary Statement (September-2021)**

60



R

**Personal Information of Mr HANIF REHMAN d/w/s of**

Personnel Number: 00307455      CNIC: 2110397493111      NTN:  
 Date of Birth: 01.03.1980      Entry into Govt. Service: 01.12.2004      Length of Service: 16 Years 10 Months 001 Days

**Employment Category: Active Temporary**

Designation: PERSONAL ASSISTANT      80004035-GOVERNMENT OF KHYBER PAKH  
 DDO Code: PR4986-Ombusman Office for Protection Agaisnt Harrasment of Women  
 Payroll Section: 010      GPF Section: 002      Cash Center:  
 GPF A/C No: V-14-AJP-65      Interest Applied: Yes      **GPF Balance:**      370,778.00  
 Vendor Number: -

**Pay and Allowances:**      Pay scale: BPS For - 2017      Pay Scale Type: Civil      BPS: 16      Pay Stage: 12

Wage type		Amount	Wage type		Amount
0001	Basic Pay	37,150.00	1210	Convey Allowance 2005	5,000.00
1513	Deputation Allowance	7,430.00	1947	Medical Allow 15% (16-22)	1,500.00
2148	15% Adhoc Relief All-2013	613.00	2199	Adhoc Relief Allow @10%	436.00
2211	Adhoc Relief All 2016 10%	2,612.00	2224	Adhoc Relief All 2017 10%	3,715.00
2247	Adhoc Relief All 2018 10%	3,715.00	2264	Adhoc Relief All 2019 10%	3,715.00
2309	Adhoc Relief All 2021 10%	3,715.00	2315	Special Allowance 2021	3,500.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3016	GPF Subscription	-3,340.00	3501	Benevolent Fund	-1,500.00
3609	Income Tax	-1,170.00	3620	House Rent Deduction 5%	-1,857.00
4004	R. Benefits & Death Comp:	-650.00			0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 14,035.55      Recovered till SEP-2021: 3,510.00      Exempted: 0.49-      Recoverable: 10,526.04

**Gross Pay (Rs.): 73,101.00      Deductions: (Rs.): -8,517.00      Net Pay: (Rs.): 64,584.00**

Payee Name: HANIF REHMAN

Account Number: 3292-1

Bank Details: NATIONAL BANK OF PAKISTAN, 231499 OFFICER COLONEY OFFICER COLONEY,

**Leaves:**      Opening Balance:      Aailed:      Earned:      Balance:

Permanent Address:

City: PESHAWAR

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: hanifrehman315@gmail.com



**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 606 /ST

Dated: 2-3- /2022

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

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

To

Secy: Finance KPK  
Dairy No.....  
Date.....

The Secretary Finance Department,  
Government of Khyber Pakhtunkhwa  
8 / 3-3-22 Peshawar.

Subject: JUDGMENT IN APPEAL NO. 1227/2021 MR. HANIF UR RAHMAN & OTHERS.

I am directed to forward herewith a certified copy of Judgement dated 14.01.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR

KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR

**IN THE SUPREME COURT OF PAKISTAN**  
**(APPELLATE JURISDICTION)**

**PRESENT:**

MR. JUSTICE GULZAR AHMED, HCJ  
MR. JUSTICE IJAZ UL AHSAN  
MR. JUSTICE SAYYED MAZHAR ALI AKBAR NAQVI

**CIVIL APPEAL NO.1963 OF 2019.**

(Against the judgment dated 28.06.2018  
passed by the Peshawar High Court,  
Peshawar in Writ Petition No.4283-P of 2017).

Director Education, FATA, FATA Secretariat,  
Peshawar and others. ...Appellant(s)

**Versus**

Sher Alam and others. ...Respondent(s)

For the Appellant(s): Barrister Qasim Wadood, Addl.  
A.G. KP.  
Mr. Waheed Ullah, ADEO, KP.

For Respondents No.1-10: Mr. Asad Jan, ASC.

Date of Hearing: 19.03.2020.

**ORDER**

**GULZAR AHMED, CJ.-** We have heard the learned  
counsel for the parties. For reasons to be recorded separately,  
this appeal is allowed and the impugned judgment, dated  
28.06.2018 passed by the Peshawar High Court, Peshawar is  
set aside. Consequently, Writ Petition No.4283-P of 2017 filed  
by the Respondents before the learned High Court stands  
dismissed.

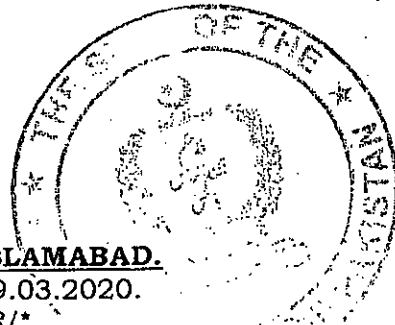
Sd/-HCJ

Sd/-J

Sd/-J

Certified to be True Copy

*[Signature]* 11/6/2020  
Court Associate  
Supreme Court of Pakistan  
Islamabad



ISLAMABAD.

19.03.2020.

ZR/\*

Not Approved For Reporting

*[Handwritten signature]*  
22/4/20

**IN THE SUPREME COURT OF PAKISTAN**  
(APPELLATE JURISDICTION)

**PRESENT:**

MR. JUSTICE GULZAR AHMED, HCJ  
MR. JUSTICE IJAZ UL AHSAN  
MR. JUSTICE SAYYED MAZAHAR ALI AKBAR NAQVI

3 (06)  
**Civil Appeal No. 1963 of 2019**  
Against judgment dated 28.06.2018 of  
Peshawar High Court, Peshawar, passed in Writ  
Petition No. 4283-P of 2017.

Director Education, FATA, FATA Secretariat,  
Peshawar and others.

...**Appellant(s)**

**Versus**

Sher Alam and others.

...**Respondent(s)**

For the Appellant(s): Barrister Qasim Wadood,  
Addl. A.G. KP.  
Mr. Waheed Ullah, ADEO, KP.

For Respondents#1-10: Mr. Asad Jan, ASC.


Date of Hearing: 19.03.2020.

**ORDER**

**IJAZ UL AHSAN, J.**- This appeal with leave of the Court has arisen out of a judgment of the Peshawar High Court, Peshawar, dated 28.06.2018 ("**impugned judgment**"). Through the impugned judgment, a constitutional petition (W.P.No.4283-P/2017) filed by the Respondents was allowed and letter dated 27.09.2017 through which their services were dispensed with was declared to have been issued without jurisdiction and without lawful authority.

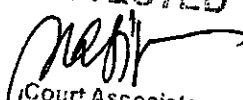
2. Brief facts necessary for decision of this Appeal are that the Respondents were initially appointed as PTC Teachers/Communal Teachers (BS-7) on contract basis in Khyber Agency. They worked till 31.12.2012 when their

**ATTESTED**

  
Court Associate  
Supreme Court of Pakistan  
Islamabad

services were terminated. Subsequently, their termination letters were cancelled and on 05.04.2013 the appellants approved reappointment of the Respondents against sanctioned posts, subject to the condition that they will acquire the prescribed professional and academic qualifications within a period of 24 months of their reappointment. Their services were terminated again on 31.07.2013. Such termination was challenged by way of a departmental appeal which was not decided. Thus, they approached the learned High Court by way of Writ Petition No.3682-P of 2015 which was dismissed on 28.09.2016. Their CPLA before this Court was also disposed of vide order dated 27.04.2017 with an observation that the matter of Respondents' services may be sympathetically considered and anybody already legally appointed should not be disturbed. The appellants considered their cases, did not appoint them and such decision was accordingly communicated to them, vide letter dated 27.09.2017. This letter was challenged through a writ petition bearing No.4283-P of 2017 before the High Court which was allowed through the impugned judgment dated 28.06.2018. Hence, this petition.

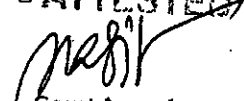
3. The learned Additional Advocate General, Khyber Pakhtunkhwa appearing on behalf of the appellants submits that the High Court erred in law in interfering with the above matter on the assumption that the Respondents were still in service of the appellants. However, the fact remains that their services had been terminated in 2015 and they approached the High Court two years later. He further maintains that this

APPELLED  
  
Court Associate  
Supreme Court of Pakistan  
Islamabad



Court had upheld the judgment of the High Court dated 28.09.2016 passed in Writ Petition No.3682-P of 2015 and the only observation made was that the matter of the Respondents may be considered sympathetically and anybody already legally appointed should not be disturbed. He further maintains that sympathetic consideration did not confer a right of appointment and the consideration had to be undertaken in accordance with law and the rules, which was accordingly done. However, the aforesaid judgment of the High Court had attained finality and a fresh petition on the same cause of action was not maintainable. He submits that the Respondents did not meet the educational requirements for appointment as PTC Teachers and in any event the Communal Schools had been closed for want of students and only those Teachers who met the educational criteria were adjusted in other Government Schools. He points out that the Respondents did not meet such criteria and could not therefore be appointed. He adds that there are neither funds nor posts available against which the Respondents can be adjusted without prejudice to the fact that they did not meet the requisite qualifications.

4. On the other hand, learned ASC for the Respondents has defended the impugned judgment. He submits that the Respondents were discriminated against insofar as other similarly placed Teachers were reappointed/regularized and the Respondents were singled out for discriminatory treatment. He further submits that the Respondents having performed services in Communal Schools

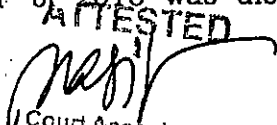
  
Court Associate  
Supreme Court of Pakistan  
Islamabad

had a legitimate expectation of being appointed/regularized and the High Court was within its powers and jurisdiction to pass the impugned judgment.

5. We have heard the learned Additional Advocate General, Khyber Pakhtunkhwa as well the learned ASC for the Respondents and have carefully examined the material available on record.

6. In para 10 of the impugned judgment, it has been stated that, "*present petitioners are still performing their duties on their respective posts and have unblemished service record having served for (more) than fifteen years but with no job security till date*". There is consensus between the parties that the said finding is factually incorrect insofar as in 2018 when the impugned judgment was announced the Respondents were neither performing their services nor had they served the appellants for more than 15 years. We also notice that the fact that the judgment of the High Court dated 28.09.2016 had attained finality was not duly noted by the High Court and while relying on a judgment of the same Court dated 29.03.2018 passed in W.P. No.4657-P of 2016 titled Maazullah Khan Vs. Director Education FATA and others the learned Court for some reasons considered it appropriate to allow the petition filed by the Respondents without considering the facts and circumstances of the said case.

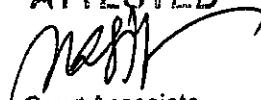
7. It is also note worthy that letter dated 31.07.2013 relied upon by the learned High Court was already in the field when W.P.No.3682-P of 2015 was dismissed by the High

ATTESTED  
  
Court Associate  
Supreme Court of Pakistan  
Islamabad

Court. We are at a loss to understand how the said letter could have been relied upon to accept the petition which letter was in existence and presumably considered by the High Court in rendering its earlier judgment dated 28.09.2016 whereby it had dismissed the petition filed by the Respondents. We further notice that the fact that the Respondents did not fulfil the basic educational criteria in vogue in 2018 for appointment of PTC Teachers was completely ignored by the High Court in passing the impugned judgment and declaring the letter dated 27.09.2017 as having been passed without jurisdiction and lawful authority. The High Court has not recorded any reasons for coming to its conclusions and explaining how on what basis and under what law the letter in question was declared by it to be without jurisdiction and without lawful authority.

8. We also notice that the stance of the appellants that the Communal Schools had been closed on account of various reasons including non availability of students and that only those Teachers who fulfilled the requisite criteria were adjusted in other Government Schools was neither noted nor considered by the learned High Court in coming to its conclusions. Further, the learned Court did not consider it appropriate either to discuss or elaborate upon the question of discrimination. No reasons for entertaining and allowing the petition, while an earlier petition between the same parties for the same relief and on the basis of the same cause

ATTESTED

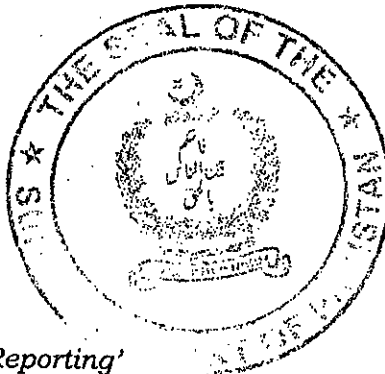
  
Court Associate  
Supreme Court of Pakistan  
Islamabad

of action had earlier been dismissed and having not been interfered with had attained finality.

9. We therefore find that in addition to factual errors eluded to above the impugned judgment of the learned High Court suffers from improper exercise of jurisdiction and failure to notice and address the material facts which had direct bearing on the controversy before us. As such, we have found the impugned judgment to be unsustainable in law which is liable to be set aside.

10. Above are the reasons for our short order of even date which for ease of reference is reproduced below:

*"We have heard the learned counsel for the parties. For reasons to be recorded separately, this appeal is allowed and the impugned judgment, dated 28.06.2018 passed by the Peshawar High Court, Peshawar is set aside. Consequently, Writ Petition No.4283-P of 2017 filed by the Respondents before the learned High Court stands dismissed".*



Sd/- HCS  
Sd/- J  
Sd/- J  
Certified to be True Copy  
11/16/2020  
Court Associate  
Supreme Court of Pakistan  
Islamabad

**ISLAMABAD.**  
19.03.2020.  
ZR/\*  
'Not Approved For Reporting'  
3/6/20

1.

This is an appeal filed by Umar Daraz Khan Acting DSP Special Branch KP, Peshawar against the Order of Respondent No.1 dated 03.01.2019 whereby his rank was indicated as officiating Inspector instead of substantive rank of Inspector at Serial No. 108 of the Order. It has been prayed in the appeal that the Respondents may be directed to declare the promotion of appellant in the rank of Inspector substantive as acknowledged and stamped by the Service Tribunal in the earlier Judgment dated 11.08.2017 passed in the Service Appeal filed by the appellant whereby appellant was re-instated in service in the rank of Inspector by setting aside the reversion order dated 25.04.2003 and dismissal from Service Order dated 16.07.2003.

2.

The background of the case, as brought in the appeal is, that appellant was initially appointed as Constable on 01.01.1987 in Frontier Reserve Police (FRP). He qualified promotion courses and his name was accordingly brought on promotion lists "D", "E" and "F". He earned step by step promotion to the rank of Inspector as he was fulfilling proscribed criteria required for promotion.

3.

Appellant has further stated that he was promoted to the rank of Inspector in FRP with effect from 21.04.1993. He remained posted as Reserve Inspector (RI) FRP with effect from 13.07.1999 to 31.03.2003. In addition to performing duties of RI, he was also assigned the task of maintaining the record/account of the income generation from the cultivated fields land situated at Shabqadar under the charge of FRP. On his posting and transfer from the post of RI FRP in the year 2003, he handed over the charge including the funds and looking after the affairs of the cultivated fields mentioned above to his successor in office namely Sher Akbar Sub-Inspector.

4.

No sooner did the appellant relinquish the charge of RI FRP, pouring of anonymous complaints started about alleged misappropriation of the above mentioned funds. The FRP authorities made appellant a scapegoat. Initially appellant was reverted by three (03) year steps from the rank of Inspector to the rank of Head Constable vide order dated 25.04.2003, followed by dismissal from Service Order dated 16.07.2003.

Appellant after exhausting departmental remedy approached Service Tribunal against the Orders dated 25.04.2003 and 16.07.2003 and the Service Tribunal passed Judgment dated 11.08.2007 in the Service Appeals filed by appellant in the terms stated in the initial part of the judgment and the connected appeals No. 759/2003 and 850/2003 filed by appellant were

also disposed of vide said judgment as similar question of Law and facts was involved in all the three (03) appeals.

6. Respondent No.1 in compliance with the judgment of Service vide Order dated 26.12.2007 but despite serving for long period in the rank of Inspector, the rank of appellant was indicated officiating vide impugned order and appellant submitted representation for restoration of seniority but to no avail hence this appeal.
7. In the grounds of appeal it has been averred that appellant had already qualified the mandatory courses required for promotion to next ranks and the Service Tribunal held in the judgment dated 11.08.2007 passed his earlier Service Appeal No. 1248/2003 filed by appellant that appellant be re-instated his Service in the rank of Inspector with all back-benefits. He has conducted that though the Service Tribunal allowed back benefits includes due promotion, restoration of seniority and other service benefits to appellant yet department played foul and he was not given his due right. He has further contended in the grounds of appeal that his batch-mates of promotion courses have earned promotion to the rank of Superintendent of Police (BPS-18) while he was deprived of his due rights of promotions and seniority by dragging him into false and frivolous litigation. However the Service Tribunal was pleased to set aside the impugned Orders of reversion and dismissal from service of appellant. The omissions on the part of Respondent No. 1 and 2 has been made in utter disregard of Rules, earlier judgment of Service Tribunal and in violation of the established principle of equity and justice, calling for interference of this tribunal.
8. In their comments on the appeal Respondent No. 1 and 2 have submitted that appellant was then serving FRP and he had completed the prescribed period of availing the promotion in the rank of SI/PC (Sub-Inspector/Platoon Commander) therefore he was rightly reverted to substantive rank of Head Constable vide Order dated 25.04.2003 of commandant FRP issued within the meaning of Standing Order No. 03. It has further been submitted that appellant was proceeded against departmentally on charges of misappropriating the funds of Shabqadar land the respondents have also contended that all the codal and procedural formalities were adopted during course of enquiry proceeding and eventually appellant was Dismissed from Service vide order dated 16.07.2003. The answering Respondents have pointed out that the appellant was transferred from Special Branch to Bannu Region vide Order dated 03.01.2019 as officiating Inspector and his name was placed at serial No.

108 of the order. The Respondents have alleged that the promotion of appellant was amounting to the out of turn promotion in the light of reported judgment 2013 SCMR-1752. Respondents have prayed that the appeal being merciless may be dismissed.

9. Counsels for the parties heard and record perused. The main point of the counsel for the appellant was that the appellant has qualified the promotion courses and earned promotion to the rank of Inspector on the basis of fulfilling the prescribed criteria and was otherwise fit and eligible for promotion. He stressed that the Respondents did not implement the judgment of Service Tribunal dated 11.08.2007 in trice spirit passed in Service Appeals No. 1248/2003, 759/2003 and 850/2003 filed by the same appellant against his reversion order dated 25.04.2003 and dismissal from Service Order dated 16.07.2003. He contended that the Tribunal accepted the appeals and directed respondent department to re-instate the appellant in rank of Inspector with all back benefits but the department has failed to allow back benefits of promotion and seniority etc to appellant despite lapse of long period. Therefore the omissions of the respondent are quite unfair, mala-fide and one sided as they neither adhere to the Rules governing the seniority nor implemented the judgment of Service Tribunal in coto.
10. The respondents defended the appeal through department representative and Law Officer attached to the Tribunal. The Law Officer while rebutting the plea of appellant submitted that appellant had managed promotion through back doors and in fanciful manner in violation of patent Rules. He further contended that appellant has earned out of turn promotion and such promotions have been declared illegal and un-constituted by the Hon'ble Supreme Court of Pakistan.
11. The thorough examination of the record reveals that appellant is aggrieved of showing his name in the category of officiating Inspector thus placing him junior to the junior most Inspectors despite the fact he was promoted to the rank of Inspector on the strength of FRP long ago in the year 1993 and his reversion order to the rank of Head Constable from the rank of Inspector dated 25.04.2003 and dismissal from Service Order dated 16.07.2003 issued by FRP authorities were set aside by Service Tribunal vide judgment dated 11.08.2007 passed in vide judgment dated 11.08.2007 passed in Service Appeal filed by the appellant. The Service Tribunal categorically held in the said judgment that appellant is re-instated in service in the rank of Inspector with all back benefits.

1) Initial appointment - 1/12/2004  
(Assistant)

2) Services Regularized 13/6/2014

W.P. No 969/2010 Judgment allowed - 30/11/2011

Civil appeal no 2a/P-2013 ~~declined~~ remanded to H.C  
30/5/2013

High court Judgment 7/11/2013 - allowed  
regularizations.

COC - No 178-P/2014 - W.P. No 696/2010 -

Submitted regularization order - task force for service  
structure - dt 23/10/2014.

CM No 182-P/2016 - disposed of - 2/9/2016

After merger - Impugned order 25/6/2019.

Surplus -

W.P. No 3704/P-2019 Decided 5/12/2019. Declined.

Petitioners filed CTA - Civil Petition No 881/2020  
dismissed as not prayed. 4/8/2020

Similarly placed persons P/41-43-45-46

Transfer of depts. P/73-74-75-76-77-78-79-80-81-82

P/83. Transfer of Budget

P/87

P/120 to 130

P/35

Sheer technicalities  
thwarted the process

29/5/2008

Discussion

P-employment in open  
task force



12. Appellant has contended in Para-1 of the appeal that his name was brought on promotion lists "D", "E" and "F" on the basis of qualifying the prescribed promotion courses. The written comments filed by respondents in response to present appeal are silent about this contention of appellant meaning thereby that they have admitted and contended the contention of appellant. This is pertinent to pin point that promotion to list "F" certify and confirm eligibility of a Sub-Inspector to the rank of Inspector.
13. In the same vein the respondents have neither pointed out any adverse or indifferent record of appellant nor any instance of superseding the appellant from promotion. No doubt appellant was punished in shape of reversion to the rank of Head Constable from the rank of Inspector vide order dated 25.04.2003 and Dismissed from Service vide order dated 16.07.2003 but both the orders were set aside by Service Tribunal vide judgment mentioned above. Hence the stigma of reversion and involvement in corruption is no more attached to the service career of appellant.
14. It is strange to not that the respondents have filed an evasive comments. Respondents have re-iterated the above mentioned reversion and Dismissal from Service Orders of appellant in the comments filed in response to the present appeal despite the fact it has become a past and close transaction as these order were set aside by the Service Tribunal and the judgment of Service Tribunal has acquired status of finality. The respondents have stated in the comments that the promotion of appellant was out of turn in the light of reported judgment of Hon'ble Supreme Court (2013 SCMR-1752) but ironically no order, decision or minutes of the meeting were annexed with the comments where the promotion of appellant have been held out of turn. Similarly no proper explanation, reasons and grounds were advanced in this regard. In clear terms the respondents have failed to rebut the plea of appellant in the comments.
15. The net result of above discussion is that since appellant was re-instated in service by the Service Tribunal in the rank of Inspector and the Order dated 25.04.2003 vide which he was reverted from the rank of Inspector was set aside and the judgment has become final. The appellant is serving in the rank of Inspect since long and presently performing duties of senior rank of Deputy Superintendent of Police. The respondents have failed to establish the impugned officiating rank of appellant as nothing has been brought on record of the appeal in this regard. These was nothing on record to show that he was inefficient and incapable for the substantive rank of Inspector,

To: The Director General,  
National Accountability Bureau (KPK),  
Phase 5, Hayatabad, Peshawar.

Subject: REQUEST FOR CORRECTION OF RECORD: INVESTIGATION AGAINST  
MISUSE OF AUTHORITY IN ILLEGAL AWARD OF DEVELOPMENTAL  
WORKS OF BANNU DEVELOPMENT AUTHORITY (BDA) BY  
MOHIBULLAH, EX-PD, BDA & OTHERS

Respected Sir,

It is humbly submitted that the undersigned was posted as Divisional Accountant in BDA during 2011, in which capacity the undersigned remained associated with the subject Inquiry against Mohibullah, Ex PD BDA. Consequent upon making a Statement u/s 164 CrPC before Judicial Magistrate, Peshawar, on 07-11-2013 (copy enclosed) against the accused Mohibullah, and depositing a Pay Order No: A013364 dated 04-02-2015 (copy enclosed) in favor of Chairman NAB, the undersigned was granted Tender of Pardon u/s 26 of NAO-1999. by the NAB authorities. However, upon conclusion of the case, NAB (KP) while handing over pay Orders to PSO to Chief Secretary KP through Handing / Taking Over dated 10 August, 2018 (copy enclosed), has erroneously mentioned recovery from the undersigned as "PB of Sardar Ali", despite the fact that the undersigned never entered into Pka Bargain with NAB. The said letter was further forwarded to Commissioner Bannu Division through letter of PSO to Chief Secretary KP dated 20 August 2018, as a consequence of which the undersigned has been deprived of retirement benefits, as deemed convict under Pka Bargain. It is once again reiterated that the undersigned is penalised for an act which was pardoned by the Competent Authority of NAB.

therefore depriving him of his due right without any convincing grounds was not justified.

16. In the circumstances were accept the appeal and direct that the appellant may be allowed substantive promotion in the rank of Inspector from 25.04.2003 as prayed for in the appeal. There is no order as to costs and file be consigned to the record.

In view of the above, it is humbly prayed that correction of record be made at NAB and the same be intimated to all concerned, so that with a copy to the undersigned, so that I may be able to avail my long awaited rightful retirement benefits.

Awaiting a quick response, please.

Yours humbly,

Sardar Ali,  
Ex Divisional Accountant,  
Banna Development Authority (BDA).

CNIC # \_\_\_\_\_

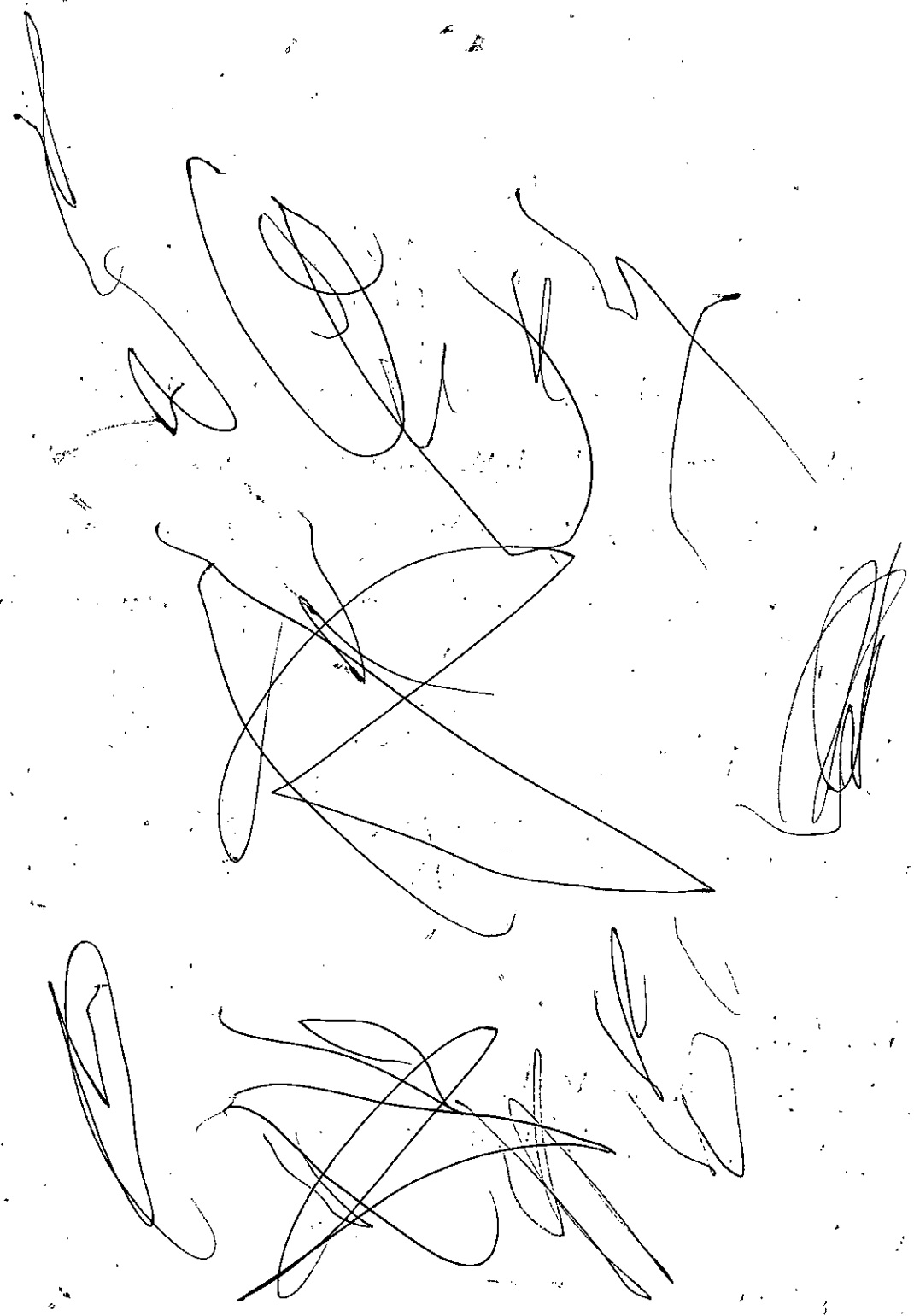
Mailing Address: \_\_\_\_\_

Mobile No: \_\_\_\_\_

0344-9083109

Trx ID 12145789179

12145798179



- Background of the instant appeal, in question, is that the appellant was appointed after fulfilment of codal formalities on contract basis and his services were regularized w.e.f. 01.07.2008 by the Large Bench Peshawar High Court Peshawar. On regularization, the appellant got status of civil servant and had been performing their duties in the erstwhile FATA Secretariat upto 30.06.2019.
- By virtue of the 25<sup>th</sup> Constitutional Amendment in the Constitution of the Islamic Republic of Pakistan, 1973, erstwhile FATA was merged into the Province of Khyber Pakhtunkhwa. Owing to the merger of erstwhile FATA into the Province of Khyber Pakhtunkhwa, the Appellant alongwith 116 employees were declared as "Surplus" vide Notification No.SO(O&M)/E&AD/3-18/2019 dated 25.06.2019. Feeling aggrieved from the above Notification dated 25.06.2019, the appellant alongwith other employees knocked at the door of the Hon'ble Peshawar High Court Peshawar in W.P No.3704-P/2019 and the Hon'ble Peshawar High Court Peshawar vide judgement dated 05.12.2019 has been pleased to order in W.P as infructuous in light of Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. Feeling aggrieved from the Hon'ble Peshawar High Court Peshawar ibid Judgement, the appellant alongwith other employees challenged the same before the Apex Court of Pakistan and vide order dated 04.08.2020 in CP No.881/2020, the Apex Court has been pleased to direct the appellant to approach the competent forum and move an appropriate application for condonation of delay the same shall justly sympathetically be considered in accordance with law and hence the instant appeal filed before this Tribunal as per decision of the Apex Court of Pakistan.
- The conditions of Surplus Pool Policy for declaring a Government Servant as Surplus are very much clear which involves abolition of post(s), cadre or department as well as serving an option to employee before transferring him to the surplus pool is also mandatory. However, the available record reveals that there has been no abolition of post nor has been there any reasons invoked by virtue of which the appellant could have been thrown surplus. The case of appellant neither of abolition of post or service or setup to begin with and the concerned Department/Directorates together with the post continue to exist and has not been abolished. Therefore, the appellant does not fall under the Surplus Pool Policy Khyber Pakhtunkhwa and not applicable to the situation arising out of the merger of erstwhile FATA with the Province of Khyber Pakhtunkhwa rather the appellant was supposed to be placed in respective cadre borne by the Establishment Department Khyber Pakhtunkhwa under Section-17(3) of APT Rules, 1989.
- A heinous discrimination has also been found while observing the instant appeal that out of 56,983 regular employees, working/posted in the erstwhile FATA, only the appellant alongwith other 116 employees were declared as Surplus and the rest of employees have been retained against their posts on its shifting to their respective administrative departments, attached Directorates and were placed in the seniority from the date of their regular appointment(s). The decimations are as under:-
  1. FATA Secretariat made appointment of Agency Planning Officers in 2004 on contract basis on similar terms and conditions of appointment vide Order No.GS/E/100-19/3372-85 dated 01.12.2004. The applicant was also appointed on the same terms & conditions. However, the Agency Planning Officers were absorbed/placed in PPS Cadre at Secretariat level and they were awarded seniority with effect from their regular appointment.
  2. The employees of P&D Department FATA Secretariat were also adjusted in the P&D Department Khyber Pakhtunkhwa in pursuance of merger vide Establishment Department Notification dated 08.01.2019 vide Notification No.SOE(P&D)/052/7-16/FATA/2019 dated 13.02.2019 with awarding seniority from the date of their regular appointment.
  3. The 210 employees appointed in Population Welfare Directorate by FATA Secretariat were also taken by their respective Department i.e Population Welfare Department Khyber Pakhtunkhwa in accordance with Rule-17(3) of the Civil Servant APT Rules, 1989 vide Notification No.SOE(PWD)/3-30/2020/Merged Districts dated 10.11.2020.

**Prayer:-**

The Notifications No.SO(O&M)/E&AD/3-18/2019 dated 25.06.2019 challenged before this Tribunal found illegal, unlawful and unjustifiable, therefore, the said Notification is set aside and the appellant shall be retained/absorbed against the post borne at the strength of Establishment & Administration Department Khyber Pakhtunkhwa with all back benefits including determination of seniority under Section-17(3) of APT Rules, 1989.