

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 3240/2021

Date of Institution ... 23.02.2021

Date of Decision ... 13.01.2022

Mr. Baz Muhammad Khan, Junior Clerk (BPS-11) o/o Chief Engineer (South) Public Health Department, District Peshawar. ... (Appellant)

VERSUS

The Secretary to Government of Khyber Pakhtunkhwa, Public Health Engineering Department, Civil Secretariat, Peshawar and three others.

... (Respondents)

Noor Muhammad Khattak & Aziz Khan Khattak,
Advocates

... For Appellant

Muhammad Adeel Butt,
Additional Advocate General

... For respondents

AHMAD SULTAN TAREEN
ATIQU-UR-REHMAN WAZIR

...
...

CHAIRMAN
MEMBER (EXECUTIVE)

JUDGMENT

ATIQU-UR-REHMAN WAZIR MEMBER (E):-

Brief facts of the

case are that the appellant initially joined the then Public Health Engineering Department as Chowkidar before merger vide order dated 14-04-1996. After abolition of Public Health Engineering Department in 2001, the appellant alongwith others were placed in surplus pool and vide order dated 02-03-2002, the appellant alongwith others were placed at the disposal of Works & Services Department, but the appellant was not adjusted. After considerable period the appellant remained unadjusted in any department being running without his salary and finally he was adjusted against a vacant post of Naib Qasid in the revived Public Health Engineering Department vide order dated 23-01-2007, but

the intervening period, during which the appellant remained in surplus pool was treated as leave without pay. After re-adjustment in his parent department, the appellant filed departmental appeal dated 29-07-2010 to respondent No. 1 for promotion to the post of Junior Clerk against departmental quota for Class-IV employees. The respondents accepted his stance and he was promoted as Junior Clerk vide order dated 27-11-2010 but without regularization of his previous service. The appellant filed applications to the respondents for his posting/adjustment and pay fixation with effect from 31-07-2003 to 23-01-2007 in the office of Public Health Engineering department, where the appellant initially joined and is his parent department but no heed was paid to his requests. The appellant filed departmental appeal dated 14-10-2020, which was processed at some length but his appeal was rejected vide order dated 21-01-2021, hence the instant service appeal with prayers that the impugned order dated 21-01-2021 may be set aside and the respondents may be directed to regularize the period with effect from 31-07-2003 to 23-01-2007 by treating the said period spent on duty and the respondents may be directed to adjust the appellant in the secretariat of Public Health Engineering Department instead of attached department of Public Health Engineering.

02. Learned counsel for the appellant has contended that by not regularizing the period with effect from 31-07-2003 to 23-01-2007 and not adjusting the appellant in secretariat i.e. parent hierarchy from attached department by respondents is against law, facts and norms of natural justice, hence the impugned order dated 21-01-2021 is liable to be set aside; that the appellant has not been treated in accordance with law, hence his rights secured under the constitution has badly been violated; that the respondents acted in arbitrary manner by not regularizing the period in question; that the appellant was in surplus pool with effect from 31-07-2003 to 23-01-2007 and is a civil servant and is entitled for the back benefits of that period but treatment meted out to the

appellant of the said period is against law and rule; that the appellant is a regular civil servant of the Public Health Engineering Department civil secretariat since his appointment and declaring surplus in 2001 and later on his absorption and posting in 2007 with the Chief Engineer, which is clear from the service record of the appellant, that the inaction of the respondents in sheer violation of law and rule.

03. Learned Additional Advocate General for the respondents has contended that the Provincial Government under the policy for absorption/adjustment of government servants declared as surplus in view of the transition of District System and resultant restructuring of the government organizations/departments, Public Health Engineering Department and Communication & Works department were merged into newly established Works & Services Department with effect from 01-07-2001; that the appellant was placed in the surplus pool for adjustment; that Section 5(e) of the Surplus Pool Policy states that surplus pool staff in BPS-1 to 15 shall not be adjusted in the districts other than their district of domicile; that the appellant being Class-IV was placed under Budget Section in Office of the Chief Engineer of the then Works and Services Department vide order dated 02-03-2002; that the appellant did not submit any application to the competent authority for his adjustment in his district of domicile; that the appellant was later on adjusted against the vacant post of Naib Qasid vide order dated 23-01-2007; that the appellant was promoted to the post of Junior Clerk on 27-11-2007; that in order to regularize his service, the period he spent in surplus pool was treated as leave without pay; that request of the appellant for his adjustment in civil secretariat from retrospective date was regretted being barred by time.

04. We have heard learned counsel for the parties and have perused the record.

05. Record reveals that the appellant was initially appointed as Chowkidar in Public Health Engineering Department vide order dated 14-04-1996. Upon merger of Public Health Engineering Department, Physical Planning & Housing Department and Communication & Works department into newly established Works & Services Department vide order dated 31-12-2001, the appellant and others were declared surplus. Vide order dated 02-03-2002, office of Chief Engineer Works & Services Department directed the appellant to assist the budget section of the office and such arrangements continued until 22-01-2007, where the appellant performed duty in the Directorate of Chief Engineer but without any pay as the appellant was not adjusted against any sanctioned post and he was assisting budget section without his proper adjustment for quite longer. It was interesting to note that vide order dated 32-01-2007 the appellant is shown as reinstated into service with immediate effect and adjusted against a vacant post of Naib Qasid, and in order to regularize the intervening period with effect from 31-07-2002 to 22-01-2007 was treated as leave without pay. As per Surplus Pool Policy, after revival of a department, the surplus employee was required to be adjusted against his own post in his parent department and to this effect letter of Establishment & Administration Department dated 24-11-2009 is very clear, which states that consequent upon bifurcation of Works & Services Department into Communication & Works Department and Public Health Engineering Department, the competent authority is pleased to order that the engineers and staff working in their respective defunct departments before merger of Communication & Works Department and Public Health Engineering Department shall revert back to the re-established Communication & Works Department and Public Health Engineering department as per terms and conditions of their initial recruitment. In case of the appellant, the respondents were required to adjust the appellant in his parent department i.e. Public Health Engineering Department but he was adjusted in the office of Chief Engineer of Public Health Engineering and that too after six years and the period he remained un-adjusted was treated as leave without pay,

whereas Section 2.7 of the Pension Rules provides that extra ordinary leave without pay does not count as qualifying service for purpose of pension, hence the treatment of the period as leave without pay is detrimental to the interest of the appellant and the appellant is not supposed to suffer for the lapses of the respondents. The appellant was promoted as junior clerk vide order dated 27-11-2010 and after promotion he repeatedly requested for his adjustment in his parent department and regularization of the period he remained un-adjusted and his request was seriously handled by respondents but his request was regretted by Establishment Department on the issue of limitation.

06. We are of the considered view that the appellant has not been treated in accordance with law, he however deserved to be adjusted in his parent department after its revival as per notification dated 24-11-2009 of Establishment & Administration Department and his intervening period was required to be treated as on duty as the appellant performed duty in budget section for longer without any pay.

07. In view of the foregoing, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

13.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ATTIQ-UR-REHMAN WAZIR)
MEMBER (E)


ORDER
13.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
13.01.2022

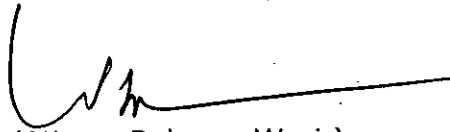

(AHMAD SULTAN TAREEN)
CHAIRMAN


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

11.01.2022

Nemo for the appellant. Mr. Muhammad Adeel Butt, Addl. AG alongwith Muhammad Yaseen, SDO and Irfan Anjum, Asstt. for the respondents present. Notice be issued to appellant/learned counsel for prosecution of the appeal.

To come up for arguments on ~~23.01~~ 23.01.2022 before the D.B.


(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

25.08.2021

Appellant alongwith his counsel Mr. Noor Muhammad Khattak, Advocate, present. Preliminary arguments heard.

Points raised need consideration, therefore, the appeal is admitted to regular hearing subject to all legal and valid objections including the objection of limitation. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 26.10.2021 before the D.B.

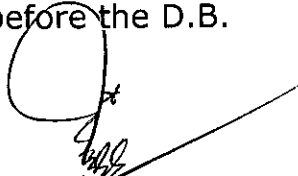
Appellant Deposited
Security & Process Fee
25/8/21



(SALAH-UD-DIN)
MEMBER (J)

26.10.2021

Appellant alongwith Mr. Said Khan (junior of learned counsel for the appellant) present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and sought time for submission of reply. Last opportunity given. To come up for reply/comments as well as arguments on 11.01.2022 before the D.B.



(MIAN MUHAMMAD)
MEMBER (E)



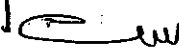


(SALAH-UD-DIN)
MEMBER (J)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3240 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/03/2021	<p>The appeal of Mr. Baz Muhammad resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07/05/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
07.05.2021		<p>Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 25.08.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Baz Muhammad Khan Junior Clerk PHE Department Peshawar received today i.e. on 23/02/2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Annexure-D of the appeal is illegible which may be replaced by legible/better one.

No. 393 /S.T,

Dt. 23/02 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Noor Muhammad Khattak Adv. Pesh.

Note : *objection has been removed.
never re-submitted today 01.03.2021*
[Signature]

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2021

BAZ MUHAMMAD KHAN VS PUBLIC HEALTH: & OTHERS

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APPLICANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

APPEAL NO. 3240 /2021

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 3082

Dated 23/2/2021

Mr. Baz Muhammad Khan, Junior Clerk (BPS-11)
o/o Chief Engineer (South) Public Health department, District Peshawar.

.....**APPELLANT**

VERSUS

- 1- The Secretary to government of Khyber pakhtunkhwa, public Health Engineering Department, Civil secretariat, Peshawar.
- 2- The Secretary to government of Khyber Pakhtunkhwa, Establishment Department, Peshawar.
- 3- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Chief Engineer (South), Public Health and Engineering Department, District Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT-1974 AGAINST IMPUGNED APPELLATE ORDER DATED 21.01.2021 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR REGULARIZATION OF THE PERIOD w.e.f 31.07.2003 TO 23.01.2007 AND ADJUSTMENT IN THE SECRETARIATE i.e IN PARENT HIERARCHY FROM ATTACH DEPARTMENT OF PUBLIC HEALTH AND ENGINEERING HAS BEEN REGRETTEED.

PRAYER:

that on acceptance of this appeal the impugned appellate order dated 21.01.2021 may very kindly be set aside and the respondents may very kindly be directed to regularize the period i.e w.e.f 31.07.2003 to 23.01.2007 by treating the said period as period spent on duty instead of leave without pay and the respondents may also directed to adjust the appellant in the secretariat i.e in parent hierarchy from attach department of Public health and engineering. Any other remedy which this August Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Filed to-day
Registrar
23/2/2021
Re-submitted to-day
and filed.
Registrar
23/2/2021

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

- 1- That the appellant is the employee of respondent department and is serving as Junior Clerk (BPS-11) in the office of Chief Engineer (South), Public Health & Engineering Department, District Peshawar, and since his appointment the appellant is performing his duties quiet efficiently and up to the entire satisfaction of his superiors.
- 2- That the appellant was initially appointed as Chowkidar (BPS-1) vide dated 14.04.1996 in the than Government of NWFP Public Health Engineering Department, Civil Secretariat, Peshawar before merger, similarly the appellant joined his duty via arrival report vide dated 14.04.1996 duly. Copy of the Appointment order dated 14.04.1996 and arrival report dated 14.04.1996 are attached as annexure..... **A & B.**
- 3- That after that the respondent department prepared proper service book of the appellant in which entries has been made by granting two advance increments to the appellant on account of passing/acquiring Higher Qualification of the matriculation over/above the prescribed qualification of Non-Matric and also regular subscriber of G.P Fund. Copy of the service book is attached as annexure **C**
- 4- That after that the then office of the Secretary Public Health engineering Department NWFP, Civil Secretariat, Peshawar was abolished in the year 2001 and placed all the staff in Surplus Pool and vide dated 02.03.2002 the appellant along with other colleagues have been placed Under the Works and Service department assigned to work in the Budget Section. Similarly some of the colleagues of the appellant in Surplus Pool were adjusted and others were unadjusted including appellant due to non-availability of official who left the office record without entrusting it to the responsible employee of the department for a considerable period. Copy of the order vide dated 02.03.2002 is attached as annexure**D.**
- 5- that after considerable period the appellant remained unadjusted in any department being running without his salaries, subsequently after couple of years the appellant was adjusted against the vacant post of Naib Qasid in the office of Chief Engineer public Health engineering Department Peshawar vide dated 23.01.2007 by the respondent department but the intervening period during which the appellant remained in Surplus Pool was treated leave without pay

without assigning any reason and justification. Copy of the adjustment order dated 23.01.2007 is attached as annexure.....**E.**

6- That after adjustment in the Public health and Engineering department the appellant moved departmental appeal to Respondent No.1 for promotion to the post of Junior Clerk against departmental quota for Class-IV employee vide dated 29.07.2010 and the department accepted the plea of the appellant and directed for issuing the promotion order vide order dated 18.08.2010 and 08.09.2010 against the available post in the office of XEN Public Health Engineering Division, Kohistan under the rules and law. Copy of the application dated 29.07.2010, order dated 18.08.2010 & 08.09.2010, and notification and rules are attached as annexure.....**F & G.**

7- That after that the respondent department issued order dated 27.11.2010 whereby the appellant was granted promotion to the post of Junior Clerk (BPS-07) with immediate effect and posted at the office of Chief Engineer (North) public Health & Engineering Department but without regularization of previous service of the appellant. That appellant time and again moved applications of posting/adjustment and pay fixation w.e.f 31.07.2003 to 23.01.2007 in the office of secretary public engineering department where the appellant was initially appointed and is his parent department but all went in vain. Copy of promotion order dated 27.11.2010 and applications are attached as annexure.....**H & I**

8- That the appellant feeling aggrieved against the inaction of the respondent department for nor regularization/pay fixation of the period w.e.f 2003 to 2007 neither posting in the parent hierarchy preferring departmental appeal to respondent No.1 dated 14.10.2020 which has been forwarded for seeking advice of the high ups on vide dated 22.09.2020 and 18.11.2020. Copy of the departmental appeal dated 14.10.2020, forwarding letters dated 22.09.2020 & 18.11.2020 are attached as annexure.....**J & K.**

9- That the respondent No.1 sought some questions from the department regarding the appellant services vide dated 19.02.2018 which were satisfactorily answered vide dated 02.12.2020 but ignored the above mentioned grievance of the appellant and thus rejected departmental appeal of the appellant vide date 21.01.2021 without any good grounds. Copy of the Questioner dated 19.02.2018, 02.12.2020 & rejection order is attached as annexure.....**L & M.**

10- That the appellant feeling aggrieved and having no other remedy but to file this instant appeal on the following grounds inter alia.

ON GROUNDS

- A- That by not regularizing the period w.e.f 31.07.2003 to 23.01.2007 and not adjusting the appellant in secretariat i.e in parent hierarchy from attach department of public health and engineering department by the respondent department is against law, facts, norms of natural justice and material on record hence appellant is entitled for regularization of period w.e.f 31.07.2003 to 23.01.2007 and impugned appellate order dated 21.01.2021 is liable to be set aside.
- B- That the appellant has not been treated by the respondent department in accordance with law and rules on the subject noted above as such and respondents violated Article 4 & 25 of the Constitution of the Islamic Republic of Pakistan.
- C- That the respondent department acted in arbitrary and malafide manner by not regularizing the period w.e.f 31.07.2003 to 23.01.2007 is against law and rules.
- D- That the respondent department acted in discriminately by not regularizing the period i.e. w.e.f 31.07.2003 to 23.01.2007 and no adjustment in the secretariat i.e in parent hierarchy from attaches department of public health and engineering department is against the norms of natural justice.
- E- That the appellant was in surplus pool w.e.f 31.07.2003 to 23.01.2007 and is a civil servant and is entitled for the back benefits of that period but treatment meted out of the said to appellant of that period is against law and rules.
- F- That the inaction of the respondents by not regularization of the period w.e.f 31.07.2003 to 23.01.2007 and treating the said period as leave without pay violates Article 38(e) of the constitution of Islamic of Republic of Pakistan.
- G- That the appellant is a regular civil servant of the public health and engineering department, secretariat, since his appointment and declaring surplus pool in 2001 and later on absorption and posting in 2007 with the chief Engineer (North) and then (south), public health and engineering department which is clear from the service record of

the appellant, that the inaction and action is sheer arbitrariness & malaise of the respondents by not regularizing the period w.e.f 31.01.2003 to 23.01.2007, thus impugned appellate order dated 21.01.2021 is liable to be set aside.

H- That the appellant seeks permission to advance any other ground and proof at the time of regular hearing.

Dated: 21.02.2021

APPELLANT

Baz Muhammad Khan

BAZ MUHAMMAD KHAN

THROUGH:

N
NOOR MUHAMMAD KHATTAK

&

AK
AFRASIAB KHAN WAZIR

ADVOCATES

GOVERNMENT OF N.W.F.P.
PUBLIC HEALTH ENGINEERING DEPARTMENT

NO. E&A (PHE) 1-14/93

Dated 14-04-1996

ORDER

Ans. A

6

Mr. Baz Muhammad Khan S/O Abdur Rahim Khan, Village Allgaddi Meetha Khel, District Karak, is hereby appointed as Office Chowkidar in BPS-01 (Rs.1245-35-1770) plus usual allowances as admissible under the rules in the Public Health Engineering Department on following terms and conditions:-

1. His appointment is purely temporary and his services are liable to be terminated without assigning any reason at 15-days notice or on the payment of 15-days salary in lieu of the notice period.
2. He has to join duty at his own expense.
3. In case he wishes to resign at any time, 15-days notice will be necessary or in lieu thereof 15-days pay will be foreited.
4. He should produce a medical certificate of fitness from the Civil Surgeon / Medical Superintendent, Peshawar.
5. He will be governed by such rules and orders relating to leave, traveling allowances, medical attendance, pay etc as may be issued by government for the category of Government Servant to which he will belong.
6. He will be deemed to be appointed from the date of the report for duty.

SECRETARY TO GOVT. OF N.W.F.P.
PUBLIC HEALTH ENGG. DEPARTMENT

Endst: No. & date as above.

Copy forwarded to:-

1. Accountant General N.W.F.P. Peshawar.
2. The Superintendent (Estt) PHE Department.
3. Accountant/Cashier Public Health Engg. Department.
4. Mr. Baz Muhammad Khan S/O Abdur Rahim Khan, Village Allgaddi Meetha Khel District Karak.
5. Office Order File / Personal File.

(NAJEM ANJUM)
SECTION OFFICER (GENERAL)
PUBLIC HEALTH ENGG. DEPARTMENT

ATTESTED

TO

The Section Officer (Genl)
PHE Dept

Annex B

SUBJECT:

ARRIVAL REPORT FOR DUTY.

(7)

Sir,

In response to this department order
No.SOG/PHED/1-14/93 dated the 14th April, 1996, I beg
to submit my arrival report for duty i.e. 14.4.96 today,
(AN).

Your obedient servant,

Baz Muhammad Khan 14/4/96

(BAZ MOHAMMAD KHAN) CHOWKIDAR,
SON OF MR.ABDUL RAHIM KHAN, VILLAGE
ALLGADDI MEETHA KHEEL DISTRICT KARAK.
14.4.1996.

Supdr

14/4/96

ATTACHED

Entries in this page should be renewed or re-attested at least every five years and the signature to 1 and 10 should be dated.

Answer "C" (8)

1. Name: Mr. Baz Mohammad Khan

2. Race: (Muslim) Pathan

3. Residence: Village Shawal Ada P.O. Mittha Khel
Tehsil and Distt: Kowak


4. Father's name and residence: Abdur Rahim
Village Shawal Ader P.O. Mittha Khel Teh: & Distt: Kowak


5. Date of birth by Christian era as nearly as can be ascertained: 07-02-1975
7th February Nineteen Seventy Five


6. Exact height by measurement: 5-6"


7. Personal marks for identification: Wound Mark of Right Side of Fore head.


8. Left hand thumb and finger impression of (Non-Gazetted) officer:

Little Finger 

Ring Finger 

Middle Finger 

Fore Finger 

Thumb 

9. Signature of Government Servant: Baz m

10. Signature and designation of the Head of the Office, or other Attesting Officer:

[Signature]
Section Officer (General)
Public Health Deptt.
Govt. of N.W.F.P.

D.S. (Admn) PHED

[Signature]

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servan
Chowkidar - B-I (1245-35-1770)	Temp:		Rs. 1245/- P.M.			14/04 1996	
Chowkidar B-I 1245-35-1770			Rs. 1280/- P.M.			01/12 1996	
Chowkidar			Rs. 1315/- P.M.			1/12 1997	
Revised Entries on the Grant of Two Advance Increments - ✓							
(1245-35-1770) B-I			Rs. 1315/- P.M.			14/4 1996	
			Rs. 1350/- P.M.			1/12 1996	
			Rs. 1385/- P.M.			1/12 1997	

10 Designation of the office of attesting officer in attestation of columns 1 to 3	11 Date of termination or appointment.	12 Reason of termination such as promotion, transfer, dismissal, etc.)	13 Signature of the head of the office or other attesting officer.	14 Leave:		15 Reference to any recorded punishment or censure or praise of the Government Servant.
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitale to another Government	
					Period	

Appointed as chowkidar vide PHE.D O/NO. 309/PHE.D/11-14/93.
dt: 14-04-1996. Reported arrival On 14-4-1996

[Signature]
Section Officer (General)
Public Health Engg. Deptt.
Govt. of N.W.F.P

30/11/96

Annual Increment Granted
Service Verified from 14/4/96 to 30/11/96 with the Pay Bills/ Attendance Rolls.

30/11/97

[Signature]
Section Officer (General)
Public Health Engg. Deptt.
Govt. of N.W.F.P

[Signature]
Section Officer (General)
Public Health Engg. Deptt.
Govt. of N.W.F.P

Annual Increment granted to 30/11/97 from the office copy of Pay bills/ Attendance Rolls.
Service Verified from 1/12/19 to 30/11/97 from the office copy of Pay bills/ Attendance Rolls.

[Signature]
Section Officer (General)
Public Health Engg. Deptt.
Govt. of N.W.F.P

[Signature]
Section Officer (General)
Public Health Engg. Deptt.
Govt. of N.W.F.P

Granted Two Nos. Advance Increments
On account of Passing/Acquiring Higher
Qualification of Matriculation Over/Above
the Prescribed qualification of Non-Matric vide
Secy: PHE.D Peshr. Order No. 309/PHE.D. 1-49/96/546-48
dt: 15-9-1998 in light of F.D. letter No. FD(PRC)1-1-89
dt: 14-8-1991 w.e.f. 14-04-1996 due date his appointment

[Signature]

(11)

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment
Chowkidar B-I 1245-35-1770	offg./Temp.		Rs. 1420/- P.M.			12/1998
Chowkidar - B-I 1245-35-1770	offg./Temp.		Rs. 1455/- P.M.			12/1999
1245-35-1770-B-I - do			Rs. 1490/- P.M.			12/2000
1245-35-1770 - offg./Temp.			Rs. 1525/- P.M.			12/2001
Pay Scale Revised W.E.F 1-12-2001						
Finance Dept. No. FD (PR) 1-1/2001 dt: 27/10/01						
Chowkidar - B-I Rs. 1870-55-3520			Rs. 2310/- P.M.			

U.S. (ADMIN) PHED

[Handwritten signature]

9 Name and Designation of head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer.	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
	30/11/1998						Service verified from 1/12/1998 to 30/11/1998 from the office copies of Pay bills / Acct: Koll.	
	30/11/1999						Service verified from 1/12/1998 to 30/11/1999 from the office copies of Pay bills / Acct: Koll.	
	30/11/2000						Service verified from 1/12/1999 to 30/11/2000 from the office copies of Pay bills / Acct: Koll.	
	30/11/2001						Service verified from 1/12/2000 to 30/11/2001 with the pay bills and Acct: Koll.	
Pay Scale Revised WEF 01-12-2001 vide Finance Deptt. No. FD. (PR) 1-1/2001 - dt. 27-10-2001.								

Section Officer (General)
Public Heart Engg. Deptt.

13

8

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment
Chowkideer, B-I RS, 1870-55-3520	officly/temp		RS, 2365/- P.M.			1/12 2002
-II-			2365/-			31/02 2003
-II-			2420/-			1/12 2003
-II-			2420/-			1/12 2004
			ATTACHED			

Signature and Designation of head of the office or other attesting officer in attestation of columns 1 to 8	10	11	12	13		14	15
	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitale to another Government		
				Period	Government to which debitale		
	30/11/2009	Annual Increment Granted	<i>[Signature]</i>			Service Verified from 1 ¹² / ₂₀₀₁ to 30/11/2002 from the office copies of Pay bills and assisment Roll.	
			Section Officer (General) Public Health Engg' Deptt. Govt: of N.W.F.P.			<i>[Signature]</i> Section Officer (General) Public Health Engg' Deptt. Govt: of N.W.F.P.	
		Leave without Pay.				Service Verified from 1 ¹² / ₂₀₀₂ to 30/4/2003 of Pay bills in office	
			Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.			<i>[Signature]</i> Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.	
		Annual Increment				Service Verified from 1 ¹² / ₂₀₀₃ to 30/4/2004 of Pay bills	
			Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.			<i>[Signature]</i> Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.	
		Annual Increment				Service Verified from 1 ¹² / ₂₀₀₄ to 30/4/05 of Pay bills	
			Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.			<i>[Signature]</i> Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt.	

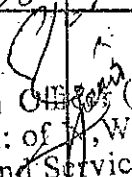
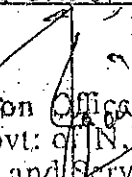

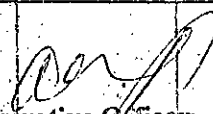
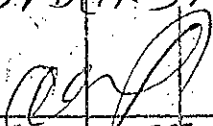
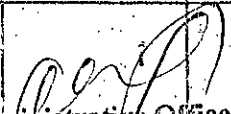

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15

1	2	3	4	5	6	7
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment
Chawikedar	BPS-01			2800/-		1-7-2005
11				2800/-		1-12-2005
11				2800/-		1-12-2006
Naib David	B-I			2800/-		23-01-2007 ✓

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "p"	7 Date of appointn
Naib Qasid						
Chaukidar BPS-2						
2530-85-6080				3295/-		1/7 2007
-16				3380/-		1/9 2007
				3465/-		1/12 2007
3035-107-6035				4135/-		1/7 08
-16				4235/-		1/12 08

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10	11	12	13		14	15	
Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.	
			Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
				Period.			Government to which debitable
Pay fixed in BPS-2 in light of FD letter No, SO(PR)2-I/07 dt: 20-7-2007		 Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt					
Granted Spl. Advance Increment on 01-09-2007		 Section Officer (Genl), Govt: of N.W.F.P. Works and Services Deptt					
Annual Increment granted				Service Resigned from 1 ¹² / ₀₇ to 30 ¹¹ / ₀₈ from office Copies of pay bills.			
Pay fixed in light of Finance Deptt:		 Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt: NWFP Peshawar.		 Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt: NWFP Peshawar.			
Peshawar letter No; FD(PRE)1-1/2008 dt: 15-7-2008.							
Annual Increment Granted.		 Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt: NWFP Peshawar.					
		 Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt: NWFP Peshawar.					

Name and Designation of the head of the office or other attesting officer in attestation of columns-1 to 8	10 Date of termination or appointment	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or praise of the Government Servant.	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
					1-12-09 to 21-11-09			
		Annual Increment Granted			Service from 1/12/08 to 31/11/09	Verified from the Office Copies of Pay Bills.		
			<i>[Signature]</i> Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt. NWFP Peshawar.			<i>[Signature]</i> Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt. NWFP Peshawar.		
					Promoted as Junior class BAS-07 & Transferred to No KEN DHE Dim. Div Lower Timergan Vide CE South PHED No; 02/E-4/PHE dt 27-11-2010 and No No; 02/E-4/PHE dt 12-12-2010			
					Reported Departure on 30-11-10 (AN)			
			<i>[Signature]</i> Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt. Khyber Pakhtunkhwa Peshawar.					
					As verified from the office record Reported Annual in this office on 01-12-2010 (FN).			
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
					As verified from the office record Annual Increment Granted. Service verified from 1-12-09 to 30-11-2010 from office copies of pay bills.			
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
						<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower		

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "P"	Date of appointment	Signature of Government Servant
Junior clerk BPS-07 3530-190-4230			Revised pay in B-07	NEF 01-12-2010	Rs 4670/-	12/2010	
J1 clerk - B-07 5800-320-15400		Office of the Accountant General Khyber Pakhtun Khwa Peshawar	Pay in the Revised Basic Pay Scale	Rs 7720/-		07/2011	
R.B.P.S. B-07			Pay Fixed @ Rs. w.e.f 01-01-2008				
Adj. B.P.S. 3025-100-6055-012			Pay Fixed @ Rs. 4135 w.e.f 01-07-2008				
R.B.P.S. 5800-320-15400 B-07			Pay Fixed @ Rs. 7720 w.e.f 01-07-2011				
J1 clerk - B-07 5800-320-15400		Date of Next increment on 12-12-2011 Accountant General	Rs 7720/-			31/08/2011	
Junior clerk - 07 5800-320-15400			Rs 7720/-			09/2011	
4135/28							
7720/7							

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punish- ment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government			
					Period			Government to which debitabale
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Executive Engineer Public Health Engg. Division Dir Lower					
			<i>[Signature]</i> Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt. Khyber Pakhtunkhwa Peshawar.					

Due to Promoted in BPS-07 Revised
Pay fixation in B-07 W.E.F 01-12-2010.

Verified from office record

Pay fixed O.R. 7.7207 PM in light
of Govt. of KPK Finance Deptt. Pesh. letter
No. FD (PRC) 1-1/2011 dt: 07-07-2011

Transferred to No CE (South) PHE Deptt. Pesh.
Vide G.O No, 18/E-9/DHE dt: 12-08-2011
Reported Defective on 31-08-11 (AN).

Service verified from
1-12-2010 to 31-8-2011 from
records of Pay Rolls.

Reported Annual on 01-9-2011 (FNO).

ATTE. 

1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant	nature of the other in a col
<u>Junior clerk - B-07</u>				Rs. 8040/-		12/2011		
Rs. 5800-320-15400								
<u>Junior clerk - B-07</u>				Rs. 8360/-		12/2012		
Rs. 5800-320-15400								
<u>J/clerk - 07</u>				✓ Rs. 8680/-		12/2013		
5800-320-15400								
<u>J/clerk - B-11</u>				Rs. 8900/-		20/2014		
6600-460-20400				Add'l Prem Rs. 460/- Rs. 9360/-				

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1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "p"	7 Date of appointment	8 Signature of Government Servant	9 Signature of the he or other In at colu
<u>BPS-11</u> 8540-595-26390 6600-460-20400				9820-		1/12 2014		
<u>BPS-11</u> 8540-595-26390		Revised Pay Scale - 2015	✓	12705-		1/17 2015		
<u>Officer</u>				13300/-		1/19 2015		
<u>J/ Clerk - B - 11</u> 10510-740-32710		Revised Pay Scale - 2016	✓	Rs. 16430/- M		1/7 2016		

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant
J/ Clerk - B-11 10510-740-32710			✓ Rs; 17170/- PM			1 ¹² / ₂₀₁₆	
Revised Pay Scale - 2017							
J/ Clerk - B-11 12570-880-38470			✓ Rs; 20490/- PM			5 ⁷ / ₂₀₁₇	
J/ Clerk - B-11 12570-880-39870			Rs; 21370/- PM			1 ¹² / ₂₀₁₇	
<p style="text-align: center;">2017</p> <p>Office of The Accountant General Khyber Pakhtunkhwa, Peshawar Pay Fixed 2017</p> <p>RBPS 8540 - 595 - 26880 C I</p> <p>Pay Fixed 12705 / 07-2017</p> <p>10510 - 740 - 32710 C II</p> <p>Pay Fixed 16030 / 07-2017</p> <p>RBPS 12570 - 880 - 38470 C I</p> <p>Pay Fixed 20490 / 07-2017</p> <p style="text-align: center;">297/12/17</p>							

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Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any records of punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government			
					Period			Government to which payable
		Annual Increment granted	<i>[Signature]</i>			Service from 01/12/2015 to 30/11/2016 - Verified from the Office Copies of Pay Bills		
		Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar	<i>[Signature]</i>			Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar		
		Pay fixed @ Rs. 20490/- per month in light of Finance Deptt. No. FD/SC (SR-1) 1-1/2017 dt. 17-7-2017	<i>[Signature]</i>			Service from 1/12/2016 to 30/11/2017 - Verified from the Office Copies of Pay Bills		
		Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar	<i>[Signature]</i>			Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar		
		Annual Increment granted	<i>[Signature]</i>					
		Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar	<i>[Signature]</i>					
		Transferred to No CE North, PHE Deptt. Peshawar vide CE South PHE Deptt. Peshawar order No. OS/E-9/PHE dt. 27-12-2017 Referred to Department dt. 01-1-2018 (F.N).	<i>[Signature]</i>			Reposited Arrival on 01-01-2018 (F.N).		
		Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar	<i>[Signature]</i>			Administrative Officer (North) Public Health Engg. Department Khyber Pakhtunkhwa Peshawar		
		Transferred vide No. OS/E-9/PHE dt. 27/12/2017 with immediate effect.	<i>[Signature]</i>					
		Administrative Officer Office of the Chief Engineer (South) Public Health Engineering Deptt Khyber Pakhtunkhwa Peshawar	<i>[Signature]</i>					

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.	
				Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period			Government to which debitable
					T.R. No. 1267 DT: 09-01-18 Drawn Rs 34822/- on a/c of pay & allowances w.e.f 01-01-18 to 31-01-18			
					<i>[Handwritten signature]</i> 15/1/18			
					<i>[Handwritten signature]</i> 14/1/18			
					Drawn Rs 4720/- on a/c of draw of Housing subsidy w.e.f from 7/10 to 11/10 vide TR No. 987			
					<i>[Handwritten signature]</i> 17/1/18			
					<i>[Handwritten signature]</i> 14/1/18			
					Annual Increment Granted:			
					<i>[Handwritten signature]</i> 12/1/18			
					Administrative Officer O/O the Chief Engineer (South) Public Health Engineering Deptt. Khyber Pukhtunkhwa, Peshawar			
					Service verified for the period from 1-12-2017 to 30-11-2018. From the office copies of pay and Acquittance Rolls.			
					Annual Increment Granted:			
					<i>[Handwritten signature]</i> 12/1/18			
					Administrative Officer O/O the Chief Engineer (South) Public Health Engineering Deptt. Khyber Pukhtunkhwa, Peshawar			
					Service Verified From the Period From 1-12-2018 to 30-11-2018 From the acquaintance rolls of the office Record.			
					<i>[Handwritten signature]</i> 12/1/18			
					Administrative Officer O/O the Chief Engineer (South) Public Health Engineering Deptt. Khyber Pukhtunkhwa, Peshawar			

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OFFICE OF THE CHIEF ENGINEER
WORKS & SERVICE DEPARTMENT
PESHAWAR

NO: 5773 /2/11-E.

Dated Peshawar the 02/03/2002

ORDER

In Pursuance of Secretary to Government of NWFP Works & Services Department letter No. E&A/W&S/11-137/2001 (Devolution Plan) date 31-12-2001 and consequent upon the merger of defunct PHE,PP&H&C&W Departments into Works & Services Department, the following Ministerial/Class-iv Surplus Employees of the Defunct PHE are hereby directed to assist/cooperate the under mentioned branches in the public interest till their final adjustment:

S.No:	Name & Designation of the official	Section to which attached.
1	Mr. Fazal karim Superintendent	Establishment Section
2	Mr. Noor Hassan Assistant.	-----do-----
3	Mr. Asfandyar Accounts Clerk(Cashier)	-----do-----
4	Mr. Riaz Khan Junior Clerk	-----do-----
5	Mr. Faiz-ur-Rehman Junior Clerk	-----do-----
6	Mr. Muhammad Riaz Junior Clerk	-----do-----
7	Mr. Safi ullah Junior Clerk	-----do-----
8	Mr. Liaqat Ali Junior Clerk	-----do-----
9	Mr. Muhammad Ayaz Naib Qasid	-----do-----
10	Mr. Sadaqat Shah Naib Qasid	-----do-----
11	Mr. Mir Nawaz Assistant.	Budget Section
12	Mr. Sanab Gul Junior Clerk.	-----do-----
13	Mr. Waqar Anjum Junior Clerk	-----do-----
14	Mr. Muhammad Sharif Junior Clerk	-----do-----
15	Mr. Mukhtiar Khan Junior Clerk	-----do-----
16	Mr. Muhammad Yousaf Khan Naib Qasid	-----do-----
17	Mr. Muhammad Zarif Naib Qasid	-----do-----
18	Mr. Khan Malik Dafrtari.	-----do-----
19	Mr. Baz Muhammad Chowkidar.	-----do-----
20	Mr. Marjan Ali Naib Qasid	-----do-----
21	Mr. Abd-ur-Reziq Naib Qasid	-----do-----

ATTACHED

Annex D 30

OFFICE OF THE CHIEF ENGINEER
WORKS & SERVICES DEPARTMENT,
PESHAWAR.

NO. 5773 / 2/11-E.

Dated Peshawar the 2 / 03 / 2002.

ORDER

In pursuance of Secretary to Government of NWFP Works & Services Department letter No. E&A/W&S/11-137/2001 (Devolution Plan) dated 31-12-2001 and consequent upon the merger of defunct PHE, PP&H & C&W Departments into Works & Services Department, the following Ministerial/Drawing/Class-Iv Surplus Employees of the Defunct PHE are hereby directed to assist/cooperate the undermentioned branches in the public interest till their final adjustment:

N. H. Khan
Secretary

S.No.	Name & Designation of the official.	Section to which attached.
1.	Mr. Fazal Karim-Superintendent.	Establishment Section.
2.	Mr. Noor Hassan Assistant.	---do---
3.	Mr. Asfandyar Accoupts Clerk(Cashier).	---do---
4.	Mr. Riaz Khan Junior Clerk.	---do---
5.	Mr. Faiz-ur-Rehman Junior Clerk.	---do---
6.	Mr. Muhammad Riaz Junior Clerk.	---do---
7.	Mr. Safiullah Junior Clerk.	---do---
8.	Mr. Liaquat Ali Junior Clerk.	---do---
9.	Mr. Muhammad Ayaz Naib Qasid.	---do---
10.	Mr. Sadaqat Shah Naib Qasid.	---do---
11.	Mr. Mir Nawaz Assistant.	Budget Section.
12.	Mr. Saqab Gul Junior Clerk.	---do---
13.	Mr. Waqar Anjum Junior Clerk.	---do---
14.	Mr. Muhammad Sharif Junior Clerk.	---do---
15.	Mr. Mukhtiar Khan Junior Clerk.	---do---
16.	Mr. Muhammad Yousaf Khan Naib Qasid.	---do---
17.	Mr. Muhammad Zarif Naib Qasid.	---do---
18.	Mr. Khan Malik Dastari.	---do---
19.	Mr. Bez Muhammad Chowkidar.	---do---
20.	Mr. Marjan Ali Naib Qasid.	---do---
21.	Mr. Abd-ur-Raziq Naib Qasid.	---do---
22.	Mr. Ali Akbar Assistant.	General Section.
23.	Mr. Arif Mehmood Junior Clerk.	General Section.
24.	Mr. Fazl-i-Amin Junior Clerk.	---do---
25.	Mr. Mastan Shah Naib Qasid.	---do---
26.	Mr. Muhammad Anwar Khan Naib Qasid.	---do---
27.	Mr. Tariq Hussain Head Draftsman.	Drawing Section.
28.	Mr. Shahab-ul-Haq Head Draftsman.	---do---
29.	Mr. Ahmad Ali Draftsman.	---do---
30.	Mr. Kifayatullah Tracer.	---do---
31.	Mr. Nizamullah Tracer.	---do---
32.	Mr. Muhammad Gul Tracer.	---do---
33.	S. Afaq Ali Shah Tracer.	---do---
34.	Mr. Anjad Ali Tracer.	---do---
35.	Mr. Ghulam Hussain Naib Qasid.	---do---
36.	Mr. Muhammad Jan Assistant.	Building Section.
37.	Mr. Fazl-ur-Rehman Senior Clerk.	Building Section.
38.	Miss Roheela Nazli Senior Clerk.	---do---
39.	Mr. Razi-ur-Rehman Junior Clerk.	---do---
40.	Mr. Jehangir Khan Assistant.	Road Section.
41.	Mr. Ghulam Hussain Naib Qasid.	Building Section.
42.	Mr. Muhammad Khan Naib Qasid.	Road Section.
43.	Mr. Shams-ur-Rehman Assistant Research Officer.	Defunct PHE Laboratory Kohat Road.

44	Mr.wajid ali junior labortary technician	----do----
45	Mr. Momin Khan chowkidar	----do----

CHIEF ENHGINEER

30.3.2002

ATTACHED

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PAGE 2

44.
45.

Mr. Wajid Ali Junior Laboratory Technician.
Mr. Momin Khan Chowkidar.

--do--
--do--

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CHIEF ENGINEER

30-3-2012

Copy to the:-

1. Deputy Secretary (Admin) Works & Services Department Peshawar.
2. Managing Director PHA Peshawar.
3. Chief Engineer, PHE (Defunct)
4. Incharge of Sections concerned. They are directed to ensure regular

attendance of the above attached staff and set right the record of the defunct PHE/C&W with their assistance for smooth running of official work in the public interest

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CHIEF ENGINEER

Proposed by

Handwritten signature

Handwritten signature

Handwritten signature

OFFICE OF THE CHIEF ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT

No. 10 /E-9/PHE.
Dated Peshawar, the 23/01/2007.

Annex E

32

OFFICE ORDER

The competent authority is pleased to reinstate into service Mr. Baz Muhammad, Chowkidar, Public Health Engineering Department with immediate effect in the public interest. In order to regularize his service, the intervening period with effect from 31/07/2003 to 22/01/2007 is hereby treated as leave without pay.

2. Consequent upon his reinstatement into service, the said official is hereby adjusted against the vacant post of Naib Qasid in the office of Chief Engineer Public Health Engineering Department Peshawar.

CHIEF ENGINEER

ENDST: OF EVEN NO. & DATE

Copy forwarded to the:-

- 1) Accountant General N.W.F.P. Peshawar.
- 2) Section Officer (Estt-II) W&S Department Peshawar.
- 3) Pay Roll Clerk (Local) PHE Peshawar.
- 4) Official concerned.
- 5) O/o File / Personal File.

ADMINISTRATIVE OFFICER

ATTESTED

The Secretary,
Government of Khyber Pakhtunkhwa,
Public Health Engineering Department.

Annex

33

SUBJECT: PROMOTION AS JUNIOR CLERK AGAINST THE DEPARTMENTAL QUOTA FOR CLASS-IV EMPLOYEES

Dear Sir,

With due respect it is stated that I was appointed as Office Chowkidar on 14.04.1996 vide Order No.SOG/PHED/1-14/93, Dated:14.04.1996 in the PHE Secretariat.

As per Service Rules for the appointment of initial recruitment in ministerial cadre, departmental quota is reserved for appointment of Class-IV employees of the department. (A copy of S&GAD Notification bearing No.SOS-III(S&GAD)1-107/72, Dated:23.08.1972 & letter No.SOS-IV(S&GAD)4(4)/89-VOL-II, Dated:13.05.1990 is enclosed herewith for ready reference).

It is further stated that the undersigned has appeared in B.A (Final) examination and likely to be passed in it. During the course of my service as Chowkidar I have been granted two advance increments on acquiring higher qualification over and above the prescribed qualification.

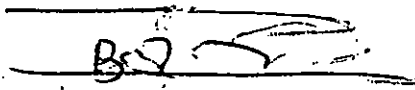
Beside the above, the undersigned have sufficient experience in office work as well as computer work. From the past three years I have been preparing the statistics books for the office of the C.E, P.H.E, Peshawar (relevant certificate is enclosed). Presently I am serving in the Diary & Dispatch Section of the PHE Secretariat.

Keeping in view my service period and qualification it is, therefore, very humbly requested that I may kindly be promoted to the post of Junior Clerk against the reserved quota for Class-IV Employees in the PHE Department.

I shall be grateful to you for this act of kindness.

Yours faithfully,

Dated Peshawar the 29-07-2010


(BAZ MUHAMMAD)
NAIB QASID,
O/O THE CHIEF ENGINEER,
PUBLIC HEALTH ENGINEERING,
PESHAWAR.

ATTACHED

GOVT. OF KHYBER PUKHTUNKHWA
PUBLIC HEALTH ENGG. DEPARTMENT

34

No.SO(ESTT)PHE/24-58/2010
Dated Peshawar, the August 18, 2010

To

The Chief Engineer (South),
PHE Peshawar.

Subject:- **PROMOTION AS JUNIOR CLERK (BPS-07) AGAINST THE
DEPARTMENTAL QUOTA FOR CLASS-IV EMPLOYEES**

I am directed to refer to the subject noted above and to state that Mr. Baz Muhammad Naib Qasid, O/O CE (South) PHE Peshawar, presently performing duties as Diary Clerk in the PHE Secretariat, has submitted an application (copy enclosed), requesting for promotion as Junior Clerk (BPS-07) as per quota reserved for promotion of Class-IV employees to the rank of Junior Clerk (BPS-07).

2. The official concerned has rendered more than 13-years spotless service and has got lot of experience particularly in the field of preparing yearly statistics for the office of Chief Engineer PHE Peshawar, Computer Office Automation, from the COMSATS College I.T. Division Islamabad, nominated by the PHE Department and official work as well. Besides, the official concerned has passed F.A in 2nd Division, from the Board of Intermediate and Secondary Education Peshawar and is presently doing B.A (final).

3. In this regard, the existing Service Rules of PHE Department, notified vide Notification dated 06-03-2010, the quota for promotion of Class-IV employees to the rank of Junior Clerk is as under:-

"Twenty (20 per cent. by promotion, from amongst the Daftari, Record Lifter, Daffadar, Barkandaz, Naib Qasids and Chowkidars, who have passed Secondary School Examination and are under 45 years of age and have at least two years service as such"

4. As per directions of the Secretary PHE Department, the Administrative Officer o/o Chief Engineer (South) PHE Peshawar has confirmed the availability 06-Nos vacant posts in the office of Executive Engineer PHE Division Kohistan.

5. In view of the above, I am, therefore, directed to state that necessary orders of promotion of the official concerned to the rank of Junior Clerk (BPS-07) under 20% quota as mentioned above may be issued urgently to help utilize services of the official at Secretariat level. However, he shall continue to serve in the office of Secretary PHE Department till further orders.

Encls: As above.

The official
should meet me

ENDST: OF EVEN NO. & DATE

(SHABBIR AHMED AWAN)
SECTION OFFICER (ESTT)

Copy forwarded to PS to Secretary PHE Department for information.

SECTION OFFICER (ESTT)

19/8

[Handwritten signature]

GOVT. OF KHYBER PUKHTUNKHWA
PUBLIC HEALTH ENGG. DEPARTMENT

No.SO(ESTT)PHE/24-58/2010
Dated Peshawar, the September 8, 2010

35

To

The Chief Engineer (South),
PHE Peshawar.

Subject:- **PROMOTION AS JUNIOR CLERK (BPS-07) AGAINST THE
DEPARTMENTAL QUOTA FOR CLASS-IV EMPLOYEES**

I am directed to refer to this department's letter of even number dated 18th August, 2010, on the subject noted above and to state that latest position of issuance of promotion orders of Mr. Baz Muhammad Naib Qasid, O/O CE (South) PHE Peshawar, to the rank of Junior Clerk (BPS-07) under 20% quota against the available 06-Nos vacancies of Junior Clerk in the office of XEN PHE Division Kohistan, may be intimated to this department urgently please.


(SHABBIR AHMED AWAN)
SECTION OFFICER (ESTT)

ENDST: OF EVEN NO. & DATE

Copy forwarded to PS to Secretary PHE Department for information.


SECTION OFFICER (ESTT)



GOVERNMENT OF N.-W.F.P.
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(ESTABLISHMENT WING)

9

36

NOTIFICATION

Peshawar, dated the 04th February, 2009

NO. SOE-III(E&AD)1-8/2008. - In pursuance of the provisions contained in sub-rule (2) of Rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the Establishment and Administration Department, in consultation with the Finance Department, hereby directs that in this Department's Notification No. SOR-I(S&GAD)4-2/82, dated 8th June, 1988, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix, for the existing entries in columns No. 3, 4 and 5 against serial No. 7, the following shall be substituted in the respective columns, namely:

	3	4	5
(i)	Secondary School Certificate or equivalent qualification from a recognized Board; and	18 - 30 years	a) Thirty-three per cent by promotion, from amongst Daftaries and Naib Qasids or other equivalent posts with two years service as such, who have passed Secondary School Certificate Examination; and b) Sixty-seven per cent by initial recruitment.
(ii)	A speed of 30 words per minute in typing.		

Note:- For the purpose of promotion, there shall be maintained a common seniority list of Daftaries and Naib Qasids etc with reference to the dates of their acquiring the Secondary School Certificate.

Provided that:

- (i) if two or more officials have acquired the Secondary School Certificate in the same session, the official having longer service shall rank senior to other officials; and
- (ii) where a senior official does not possess the requisite experience at the time of filling up a vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials.

SECRETARY TO GOVERNMENT OF THE
North-West Frontier Province
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT

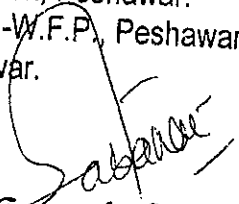
37

Endst. No. SOE-III(E&AD)1-8/2008

Peshawar, dated the 04th February, 2009

Copy forwarded to:

1. The Additional Chief Secretary, NWFP.
2. The Additional Chief Secretary FATA, Peshawar.
3. The Senior Member, Board of Revenue, N.-W.F.P.
4. All Administrative Secretaries to Government of N.-W.F.P.
5. The Accountant General, NWFP, Peshawar.
6. The Registrar, Peshawar High Court, Peshawar.
7. The Secretary to Governor, N.-W.F.P.
8. The Principal Secretary to Chief Minister, N.-W.F.P.
9. All Divisional Commissioners in NWFP.
10. All District Coordination Officers in N.-W.F.P.
11. All Heads of Attached Departments in N.-W.F.P.
12. The Secretary, NWFP Public Service Commission, Peshawar.
13. The Director, Anti-Corruption Establishment, N.-W.F.P., Peshawar.
14. The Registrar, NWFP Service Tribunal, Peshawar.

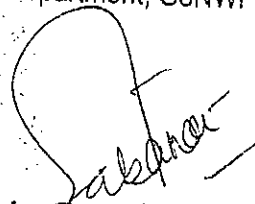

(Syeda Tanzeela Sabahat)
Section Officer (E-III)

Endst. No. SOE-III(E&AD)1-8/2008

Peshawar, dated the 04th February, 2009

Copy forwarded to:

1. The Special Secretary (Regulations), Establishment Department, GoNWFP.
2. The Director, Staff Training Institute, E&A Department, Peshawar.
3. All Additional Secretaries in E&A Department, GoNWFP.
4. The Reforms Coordinator, Establishment Department.
5. All Deputy Secretaries in E&A Department, GoNWFP.
6. All Section Officers in E&A Department, GoNWFP.
7. Private Secretary to Chief Secretary, N.-W.F.P.
8. Private Secretary to Secretary, Establishment Department, GoNWFP.
9. Librarian, E&A Department.


(Syeda Tanzeela Sabahat)
Section Officer (E-III)



38



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(REGULATION WING)

Dated Peshawar, the December 21, 1982

NOTIFICATION

NO.SOR/ (S&GAD) 4-7/86 (A):- In pursuance of the provisions contained in Sub Rule (2) of Rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, and in supercession of all previous rules, issued in this behalf, the Services & General Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the North-West Frontier Province, Civil Secretariat specified in column 2 of the said appendix.

APPENDIX

S.No	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of Recruitment
1.	Superintendent			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Assistant with at least five years services as such.
2.	Private Secretary			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Personal Assistant with at least two years services as such ¹

3.	Assistant	Degree from a recognized University	18 - 30 years	@ (a) 25% by initial recruitment; (b) 75% by promotion on the basis of seniority-cum-fitness, from amongst Senior Clerk with at least five years service as Junior and Senior Clerk.
4.	Personal Assistant			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Senior Scale Stenographers with at least three years services as such.
5.	Senior Scale Stenographer		18 - 30 years	By promotion, on the basis of seniority-cum-fitness from amongst the Stenographers (BPS-12) with at least five years service as such; provided that if no suitable candidate is available for promotion then by initial recruitment.
6.	Senior Scale Stenographer (Urdu)	(i) Matriculation or equivalent qualification from a recognized Board. (ii) A speed of 80 words per minute in Shorthand in Urdu and 60 words per minute in typing.	18 - 30 years	a) By initial recruitment; or b) By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Stenographer (Urdu) with at least three years services as such.
7.	Stenographer	(i) ⁵ Intermediate or equivalent qualifications from a recognized Board; and (ii) ⁶ A speed of 50 words per minute in Shorthand in English and 35 words per minute in typing and Knowledge of Computer in using MS Word. MS Excel.	18 - 30 years	By initial recruitment

² Substituted vide Notification No. SOR-I (S&GAD) 4-1/80, (Vol.III) dated 12/06/1999

³ Substituted vide Notification No. SOR.I (S&GAD) 4-7/80, dated 05/10/1989. SOR-I (S&GAD) 4-7/80, dated 05/10/1985 & No.SOR.IV (S&GAD) 3-2/96(A), dated 16/9/1996

⁴ Substituted vide Notification No. SOR.IV (S&GAD) 1-1/95, dated 11/01/1996.

⁵ Substituted vide Notification No. SOR.IV (S&GAD) 3-16/94(A), dated 10/4/1996 &

⁶ Substituted vide Notification No.SOE.IV (E&AD) 1-35/2002 dated 26/09/2002.

8.	Senior Clerk	
9. ✓	Junior Clerk	<p>i) Matriculation or equivalent qualification from a recognized Board; and</p> <p>ii) A speed of 30 words per minute in typing.</p>

(40)

	By promotion, on the basis of seniority-cum-fitness from amongst the post of Junior Clerk with two years services as such.
18 - 30 years	<p>(a) 33% by promotion from amongst Daftaries, G/Operator, Qasid and Naib Qasids including other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C.Examination; and</p> <p>(b) 67% by initial recruitment.</p>

Note:- For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc with reference to the dates of their acquiring the Secondary School Certificate provided that:-

- i. If two or more official have acquired the SSC in the same session, the official having longer service shall rank senior to other officials.
- ii. Where a senior official does not possess the requisite experience at the time of filling up a vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials.

SECRETARY TO GOVT. OF NWFP
ESTABLISHMENT & ADMINISTRATION DEPARTMENT

7. Substituted vide Notification No. SOR IV (S&GAD) 1-1/95(D), dated 13/3/1997.

Encls: NO SORI (S&GAD) 4-7/86 (A)

Dated Peshawar, the December 21, 1982

Copy forwarded for information to the:-

1. All Administrative Secretaries in NWFP.
2. Secretary to Governor, NWFP.
3. All Section Officers/Estate Officer, E & A Department.

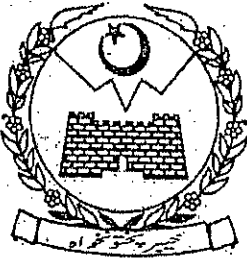
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SECTION OFFICER (R.I)

Updated on 31st March, 2004
By E.IV Section, E&AD

ATTN

Anxure "H" (4)



OFFICE OF THE CHIEF ENGINEER (SOUTH)
PUBLIC HEALTH ENGINEERING DEPARTMENT

No. 02 1E-4 1 PHE
Dated Peshawar, the November 23, 2010

OFFICE ORDER

In terms of sub section (a) of S.No.13 of Government of Khyber Pakhtunkhwa Public Health Engineering Department (Recruitment & Appointment) Rules 2010 as contained in Notification No.SO(E)/PHE/1-9/2010, dated 6th March, 2010, Mr.Baz Muhammad Khattak, Naib Qasid, office of Chief Engineer (South) PHE Peshawar, is hereby promoted against the vacant post of Junior Clerk (BPS-07) on regular basis with immediate effect.

2. Consequent upon his promotion, he is posted against the vacant post of Junior Clerk in the office of Chief Engineer (North) PHE Peshawar.


CHIEF ENGINEER (SOUTH)

Copy forwarded to the:-

- 1) Accountant General Khyber Pakhtunkhwa Peshawar.
- 2) Chief Engineer (North) PHE Peshawar.
- 3) Section Officer (Estt) PHE Department with reference to his letter No.SO(ESTT)PHE/24-58/2010 dated 18th August, 2010.
- 4) Accountant / Cashier, o/o Chief Engineer (North) PHE Peshawar.
- 5) Official concerned.
- 6) Office Order File / Personal File



ADMINISTRATIVE OFFICER



- I- (42)
Annexure
1. Date of appointment as regular civil servant in PHE Secretariat. 14.4.1996.
 2. Authority No.(Appointment order).No.SOG/PHED/1-14/93 dated 14.4.1996.
 3. Abolition of the office of Secretary PHE Department, NWFP, Peshawar 1.7.2001.
 4. Adjustment if surplus staff and placement of un-adjusted staff in surplus pool.
 5. Mr.Baz Muhammad with other colleagues remained un-adjusted due to non-availability of officials, who left the record without entrusting it to a responsible employee of the department.
 6. Under the circumstances some of the employees of PHE remained un-adjusted for a considerable period as the record of office was misplaced.
 7. After sometimes, the colleagues of Mr.Baz Muhammad were adjusted against the vacant posts with retrospective effect viz; Kachkol Driver, Mr.Sardar Khan, Driver, Mr.Shah Zaman Driver and later on Surrendar Kumar and Marjan Ali.
 8. Un-adjustment of some of the PHE employees was due to non-availability of responsible staff who left the office and record on abolition of the offices.
 9. Mr.Baz Muhammad having rendered more than 7 years service in PHE Secretariat, now adjusted has not been given effect of past service.
 10. It is quite un-justice to ignore his past service despite the fact that he has been granted two advance increments and a regular subscriber of G.P.Fund which is available on record.
 11. According to civil servants act, he deserves to be given the benefit of fixing pay with reference to his past service.

It is requested that the pay of Mr.Baz Muhammad may kindly be fixed from the period during which the PHE Secretariat was abolished.

2/10/01



To

43

The Secretary,
Government of NWFP,
Public Health Engineering Department.

**SUBJECT: POSTING / ADJUSTMENT IN OFFICE OF THE SECRETARY,
PUBLIC HEALTH ENGINEERING DEPARTMENT**

Dear Sir,

With due respect it is submitted that I am a regular civil employee of the defunct Public Health Engineering Secretariat. I was appointed as Office Chowkidar vide Secretary, PHE Department vide Office Order No.SOG/PHED/1-14/93, Dated:14.04.1996 in PHE Secretariat (Copy Enclosed).

Unluckily during the course of devolution of powers to District Governments, PHE Secretariat was radically abolished; its staff was adjusted in other offices, some were placed in surplus pool and the lower formation were controlled by W&S Secretariat.

Furthermore it is stated that:-

1. I was adjusted against the post of Naib Qasid and was posted in the office of the Chief Engineer, Public Health Engineering.
2. It is submitted that during my service I have got / acquired higher qualification two advance increments on account of higher qualification. Moreover, I have sufficient experience of Computer Skill and has already performed my duty as a steno/K.P.O in the Office of the Chief Engineer (PHE), Peshawar as well as in W&S Secretariat and also know other official work very well.

Keeping in view my past office work/experience as well higher qualification I deserve to be adjusted / appointed against any post of Junior Clerk or KPO/Steno.

I earnestly request your goodself that I may be adjusted / posted in my original place i.e., PHE Secretariat against any vacant post of Junior Clerk/Steno etc.

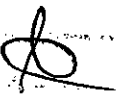
I hope my application will be given favour and due consideration.

Thanking you in anticipation.

Dated Peshawar the 09.01.2010

faithfully yours,

Baz Muhammad Khattak
(BAZ MUHAMMAD KHATTAK),
NAIB QASID,
O/O THE CHIEF ENGINEER,
PUBLIC HEALTH ENGINEERING,
NWFP, PESHAWAR



44

To

The Secretary to Govt. of NWFP,
Public Health Engineering Department.

SUBJECT:- REQUEST FOR ADJUSTMENT IN PHE SECRETARIAT.

Dear Sir,

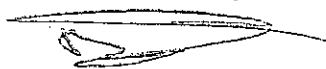
It is humbly requested and to say that I was appointed as Chowkidar in BPS-1 in Public Health Engineering Department on 14.04.1996 (copy enclosed). During the course of devolution of powers to District Governments, PHE Secretariat was radically abolished and its staff was adjusted in other offices, some staff along with me were placed in surplus pool and the lower formation were controlled by W & S Department.

It is stated furthermore, that I was adjusted against the post of N/Qasid and posted in the office of Chief Engineer, PHE instead of PHE Secretariat. As per the orders of Provincial Government, the PHE Department also established / separated and the staff working in the defunct W & S Department have been transferred to the PHE Department as before the merger.

In view of the above facts, it is, therefore, requested that I may kindly be adjusted against the vacant post of Naib Qasid in PHE Secretariat Department (i.e. my parent department) before devolution plan. I will be thankful to you for your this act of kindness and oblige.

Dated:-28-01-2010.

Yours faithfully,


(BAZ MUHAMMAD)
NAIB QASID,
O/O

the Chief Engineer PHE Deptt:

Copy forwarded to Secretary Administration Department, Government of NWFP for similar necessary action as requested above.

ATTACHED

45

The Hon'ble Chief Minister,
Khyber Pakhtunkhwa Province Peshawar.

Attention: The Secretary to Govt. of Khyber Pakhtunkhwa,
Establishment Department.

Subject:- ADJUSTMENT / ABSORPTION IN CIVIL SECRETARIAT
(E&A), BEING ITS FORMER EMPLOYEE

Dear sir,

Most respectfully, I beg to state that I was appointed as Chowkidar (BPS-01) in the Civil Secretariat, Public Health Engineering Department vide order No.SOG/PHE/1-14/93, dated 14-04-1996 (Annex-I). For about 8-years, I had been receiving pay and allowances from the regular budget of PHE Secretariat. During the process of devolution of powers to gross root level (District Governments) various offices were closed. The PHE and C&W Departments were merged together into a new department i.e. Works & Services Department. I was adjusted in the attached department of PHE Department (Chief Engineer PHE). Now I have been promoted as Junior Clerk (BPS-07) and posted to the office of Chief Engineer (South).

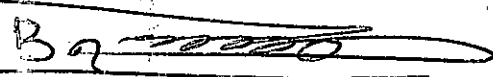
2. It is further stated that the Establishment Department had recently advertised sufficient number of posts of Junior Clerks (BPS-07) against one I can be easily adjusted / absorbed.

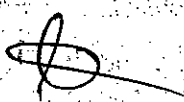
3. Keeping in view my 8-years service in the Civil Secretariat (PHE Department), it is therefore, requested that I may kindly be absorbed / adjusted as Junior Clerk (BPS-07) in the Civil Secretariat and reposted in the PHE Secretariat where sufficient posts are lying vacant.

4. I shall be very grateful for your this act of kindness.

Yours faithfully,

Dated 17-11-2011


(BAZ MUHAMMAD KHATTAK)
JUNIOR CLERK (BPS-07)
O/O C.E.(SOUTH) PHED



46

OFFICE OF THE CHIEF ENGINEER
PUBLIC HEALTH ENGG: DEPARTMENT

32

No. 101 / E-1 / PHE

Dated Pesh: the 11 / 07 / 2009.

To
The Section Officer (E-II),
Works & Services Department,
Peshawar.

Subject: REQUEST FOR REGULAR ADJUSTMENT AGAINST ANY POST
IN THE CIVIL SECRETARIAT, NWFP.

Reference: Your letter No. SOE-II/W&S/17-3/09, dated 9.07.2009.

I am directed to refer to the above noted subject and to state that Mr. Baz Muhammad & Syed Qasim Shah were employed as Naib Qasids in the O/O defunct Secretary PHE. On abolition of the said office during July 2003 the officials were neither adjusted nor placed in the Surplus Pool and hence they remained out of service for the period noted against each as under:-

S.#	Name & Designation	Period for which they served in Secretary PHE Office	Date of adjustment in O/O Chief Engineer PHE	Period for which they remained out of service.
1	Baz Muhammad	14.4.1996 to 31.7.2003	23.01.2007	1.8.2003 to 22.01.2007
2	Syed Qasim Shah	25.9.1995 to 31.7.2003	23.01.2007	1.8.2003 to 22.01.2007

It is, therefore, requested that the officials who rendered services in Secretariat and the gap occurred therein may please be regularized /condoned, to avoid suffering. *by them*

[Signature]
ADMINISTRATIVE OFFICER

[Handwritten mark]

بخدمت جناب سیکرٹری صاحب ورکس اینڈ سروسز ڈیپارٹمنٹ پشاور

جناب عالی!

☆ گذارش ہے کہ سائل سال 14 اپریل 1996ء میں دفتر سیکرٹری پبلک ہیلتھ انجینئرنگ ڈیپارٹمنٹ میں بطور چوکیدار بھرتی ہوا۔ چونکہ سائل کی تعلیم میٹرک تھی اس لئے دو ایڈوانس ترقیاں بھی دی گئیں۔ سائل نے عرصہ پندرہ سال ورکس اینڈ سروسز حالیہ پبلک ہیلتھ انجینئرنگ ڈیپارٹمنٹ میں خدمات انجام دی ہیں۔

☆ جولائی 2003ء میں تمام عملہ کو دوسرے دفاتر میں ایڈجسٹ کیا گیا۔ اس کے بعد پبلک ہیلتھ ڈیپارٹمنٹ کو ختم کر کے ورکس اینڈ سروسز ڈیپارٹمنٹ بنالیا۔ اسی دوران سائل کو لوکل یعنی ورکس اینڈ سروسز کی سرپلس میں بھیج دیا گیا اور باقاعدگی سے جولائی 2003ء تک تنخواہ لینا رہا۔ اس کے بعد فنڈ نہ ہونے کی وجہ سے تنخواہ بند ہو گئی۔ اس کے باوجود سائل اپنی ڈیوٹی سرانجام دیتا رہا۔ اور ساتھ ساتھ افسران بالا کو ایڈجسٹمنٹ کی درخواستیں دیتا رہا۔ 2003ء سے 2007ء کے درمیان جو پریڈتھادہ بغیر تنخواہ کے شامل کر دیا گیا۔

☆ سائل تقریباً دو سال تک ایڈجسٹمنٹ کے انتظار میں در بدر کی ٹھوکریں کھاتا رہا۔ حالانکہ ہمارے دوسرے ساتھی بروقت ایڈجسٹ ہو گئے تھے۔ اور سائل نے مختلف مواقع پر کئی درخواستیں دیں۔ (فوٹو ٹیٹ لف ہذا ہیں) اور آخر کار چیف انجینئر PHE پشاور نے نمبر 10/E-7/PHE مورخہ 23-1-2007 پر سائل کے ایڈجسٹمنٹ کے احکامات صادر فرمائے۔ چونکہ سائل سیکرٹری کارگیور ملازم تھا اور اس مذکورہ بالا آرڈر پر سائل کنٹریکٹ ہو گیا۔ جس کا اطلاع پرانے ملازمین پر نہیں ہوتا۔ اور سائل کی سابقہ سروس اس میں شامل نہیں کی گئی۔ اور مستقبل میں ریگولر ہونے کی امید نہیں ہے۔ محکمہ نے کئی بار تسلیم کیا کہ سائل پبلک ہیلتھ انجینئرنگ سیکرٹریٹ کارگیور ملازم تھا۔ چونکہ چیف انجینئر PHE پشاور نے ہمارے ساتھ ہمدردی کی ہے لیکن پھر بھی سائل کو ناقابل تلافی نقصان پہنچا ہے۔

لہذا استدعا ہے کہ معروضات بالا کی روشنی میں میرے تعلیمی معیار اور سروس کو مد نظر رکھتے ہوئے سائل کو سیکرٹریٹ میں بطور ریگولر کسی بھی پوسٹ پر ریگولر ایڈ کریں۔ کیونکہ میرے ساتھ دوسرے ملازمین کی پرموشن ہوئی ہے تاکہ سائل کا مستقبل تاریک نہ ہو۔

العارضی

آپ کا تابعدار: باز محمد خان

(نائب قاصد دفتر چیف انجینئر PHE پشاور)

15/06/09

درخواست بمراد ایڈجسٹمنٹ ورکس اینڈ سروسز سیکرٹریٹ

جناب عالی:

موزبانہ گزارش ہے کہ ہم سائیلان عرصہ ایک سال سے بار بار اپنی ایڈجسٹمنٹ کے لئے اپیلیں کر رہے ہیں۔ جس پر ابھی تک مثبت اقدام نہیں لے لئے سائیلان ایک بار پھر گزارش کر رہے ہیں کہ سائیلان عرصہ 9 سالوں سے محکمہ پبلک ہیلتھ انجینئرنگ موجودہ ورکس اینڈ سروسز ڈیپارٹمنٹ میں ملازمین خدمات سرانجام دے رہے تھے۔ (حکم نامے تقرری لفٹ ہیں) ستم ظریفی تو یہ ہے کہ ہمارے ساتھ ڈیپارٹمنٹ کے دوسرے ملازمین کو محکمہ ایڈجسٹ کیا گیا ہے۔ محکمہ ہمیں سرپلس میں بھیج دیں۔ تاکہ سائیلان کی تنخواہیں شروع ہو سکیں۔ پالیسی کے مطابق ریگولر ملازمین کو سرپلس پول میں رکھا گیا ہے۔ ہمارے ایڈجسٹمنٹ پر محکمہ نے ابھی تک کسی قسم کا غور نہیں کیا۔ اور نہ ہمیں سرپلس ملازمین ظاہر کیا گیا۔ سائیلان اسی طرح ایک سال سے اس بات کے لئے ہیں کہ محکمہ سائیلان کو ڈیپارٹمنٹ میں کسی بھی جگہ ایڈجسٹ کرنے تاکہ سائیلان کی تنخواہیں شروع ہو سکیں۔ اس سلسلے میں چند گزارشات پیش خدمت ہیں۔ یہ کہ سرپلس ملازمین باقاعدگی سے ماہانہ تنخواہ لے رہے ہیں لیکن ہمیں ابھی تک سرپلس ملازمین ظاہر نہیں کیا گیا۔ تقریباً ایک سال سے ہم لوگ تنخواہ نہیں لے رہے۔ جس کی وجہ ہم سخت مالی مشکلات کا شکار ہیں۔

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یہ کہ سائیلان کو نوکری پر رکھنا ان کا قانونی حق ہے۔ اور یوں سائیلان کو تنخواہیں نہ دینا ظلم ہے۔ کیونکہ ریگولر سرکاری ملازم کو بلا جواز تنخواہ نہ دینا سراسر ظلم ہے۔

یہ کہ سائیلان کو سرپلس پول ملازمین کے کٹ میں شامل کیا جائے۔ بار بار اپیلیں کرنے کے باوجود کسی قسم کا غور و فکر نہیں ہوا۔ اور یوں ہماری اپیلیں سروسز نظر ہوگی۔ مگر آج تک ان اپیلیں پر کسی قسم کی کارروائی نہیں ہوئی۔

یہ کہ سائیلان مالی مشکلات سے دوچار ہیں۔ سائیلان کی تنخواہیں ایک سال محکمہ سرپلس پول میں فنڈ بند ہونے کی وجہ سے بند ہیں۔

یہ کہ سائیلان کا ریکارڈ ہر لحاظ سے ظاہر کرتا ہے کہ سائیلان ریگولر ملازمین ہیں۔ محکمہ ہڈالے سالانہ انگریجمنٹس ہر سال باقاعدگی سے سروسز بک میں سرورس ہوتی تھیں۔ جی پی فنڈ کوٹی اور اس کے علاوہ تعلیم پر فنڈس کی طرف دو ایڈوانس انگریجمنٹ بھی ملتے تھے۔ (چھٹی لفٹ ہے)

لہذا استدعا ہے کہ سائیلان کی درجہ بالا گزارشات کو مد نظر رکھ کر سائیلان کی نو سالہ ریگولر گورنمنٹ سروسز کے طور پر خدمات کو برقرار رکھیں اور سائیلان کے اس جائز حق کو تسلیم کرنا اور سرپلس ملازم ظاہر کرنے کے بعد کسی بھی محکمہ میں ایڈجسٹمنٹ کروانے کے احکامات صادر فرمائیں۔ سائیلان کی ریگولر نو سالہ کی سروسز ضائع ہونے سے بچ سکے۔ کیونکہ موجودہ حکومت کی پالیسی بھی یہی ہے کہ غریب کو زیادہ سے زیادہ ریلیف دیا جائے۔ صاحبان سے استدعا ہے کہ ہماری درخواست پر ہمدردانہ غور فرما کر سائیلان کی دادری فرمائیں۔ جناب کی اس عنایت کے لئے تاحیات دعا گو رہیں گے۔

انصار
Boz Muhammad et al

بلائے محمد ظاہر ایڈوکیٹس شاہ۔ سٹریٹ PHEDU سیکرٹریٹ عالیہ۔ محکمہ ورکس اینڈ سروسز ڈیپارٹمنٹ



To

Annex J (49)

The Secretary to Govt: of Khyber Pakhtunkhwa
Public Health Engineering Department.

Subject

**REQUEST FOR ADJUSTMENT IN CIVIL SECRETARIAT KHYBER
PAKHTUNKHWA FROM RETROSPECTIVE DATE**

R/Sir,

Most respectfully, I beg to state that I was appointed as matric based post in the Public Health Engineering Department Civil Secretariat Peshawar, vide Secretary to Govt. of N.W.F.P PHE Department's Office Order No. E&A(PHE)1-14/93 dated 14.04.1996 (**Annex-I**), Photo copy of the Service Book is at **Annex-II**, I served in PHE Secretariat satisfactorily from 14.04.1996 to 31.07.2003.

2. On abolition of PHE Department in July 2003, I neither adjusted anywhere nor placed in the surplus pool hence I remained out of service for the period from 31.07.2003 to 23.01.2007. However, I was reinstated into service and in order to regularize my services, the said period was regularized and treated as leave without pay by the office of Chief Engineer PHED, vide Order No. 10/E-9/PHE dated 23.01.2007 (**Annex-III**), instead of office of Secretary PHED. Due to this state of affairs, I was neither granted annual increments nor annual budgetary increase in salary. From 2007 till now, I have been serving in PHE Secretariat while drawing pay from the office of Chief Engineer (South) PHE Peshawar.

3. In view of the above, it is humbly requested that my application may be forwarded to the Establishment Department for further action please.

I shall be grateful for this act of kindness.

Yours faithfully,

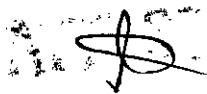


Baz Muhammad Khan

Junior Clerk

O/O Chief Engineer (South) PHED

Dated: 14.10.2020



Anxxare "K" (50)

(50)



GOVT: OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

No.SOG/PHED/1-257/PF
Dated Peshawar, the October 22, 2020

To

The Secretary to Govt: of Khyber Pakhtunkhwa
Establishment Department.

01
Stamp
33/10/20

Subject: REQUEST FOR ADJUSTMENT IN CIVIL SECRETARIAT KHYBER
PAKHTUNKHWA FROM RETROSPECTIVE DATE

Dear Sir,

I am directed to refer to the subject noted above and to state that Mr. Baz Muhammad Junior Clerk office of the Chief Engineer (South) PHE Department, has submitted an application (copy enclosed), wherein he has stated that he was appointed as Chowkidar (BPS-01) in PHE Secretariat on 14.04.1996.

On abolition of PHE Department in July 2003, he was neither adjusted anywhere nor placed in the surplus pool; hence he remained out of service for the period from 31.07.2003 to 23.01.2007.

He was then reinstated into the service on 23.01.2007 and was adjusted as Naib Qasid in the office of Chief Engineer PHE, treating the intervening period as leave without pay, thus he was deprived from all the back benefits.

The official has now requested for adjustment in Civil Secretariat Khyber Pakhtunkhwa from retrospective date.

It is therefore, requested that the application of the said official may be processed as per first appointment order and service book entries.

Yours faithfully,

Encl: As Above

Sumari
SECTION OFFICER (G)

Endst: Of Even No. & Date

Copy forwarded to

1. PS to Secretary PHED Peshawar.
2. Mr. Baz Muhammad, Junior Clerk

O/S

Sumari
SECTION OFFICER (G)

[Handwritten signature]

51

1st Reminder



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN: DEPARTMENT
(REGULATION WING)

No.SOR-V(E&AD)/6-1/2020

Dated 18th November, 2020

To

✓ The Secretary to Govt. of Khyber Pakhtunkhwa,
PHE Department.

SECRET

Dairy No 291

Dated 20/11/20

Subject:

**REQUEST FOR ADJUSTMENT IN CIVIL SECRETARIAT KHYBER
PAKHTUNKHWA FROM RETROSPECTIVE DATE.**

Dear Sir,

I am directed to refer to your letter No. SOG/PHED/1-257/PF dated 22-10-2020 and this Department letter of even number dated 19-2-2018 (copy enclosed) on the subject cited above and to state that the requisite reply in the matter is still awaited, which may be expedited.

Enclose As Above

Pb. respond

So(E)

25/11

Yours faithfully,

(SULTAN WAZIR KHAN)
SECTION OFFICER (REG-V)

Endst: of even No. & Date.

Copy forwarded for information to the PA to Deputy Secretary (R-III) Establishment Department.

Perkins to

SE (E)

Asst.

23/11

SECTION OFFICER (REG-V)

Dairy No 756
Date 23-11-20

Asst

25/11



GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN: DEPARTMENT
(REGULATION WING)
(Tel. 091.9211783)

No. SOR-V(E&AD)/6-1/PHE/017/Vol-III
Dated Peshawar, the 19th February, 2018

136
25
52

Annex "L"

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
PHE Department.

Subject: Request for Adjustment in Civil Secretariat KPK from Retrospective Date

Dear Sir,

146/c

I am directed to refer to your letter No.SO(Estt)/PHE/1-9/2017 dated 16.01.2018 and this department letter of even number dated 01.02.2018 on the subject noted above and to state that the following points may be clarified, raised during the meeting held on 07.02.2018 at 1000 hours under the chairmanship of Additional Secretary (Regulation) in his office:-

1. How the official namely Mr. Baz Muhammad was declared surplus on 02.03.2002 after merger of PHE, C&W and Physical Planning & Housing Department.
2. Reinstatement into service of official on 23.01.2007 needs clarification as to how and why he was reinstated. How he was adjusted as Naib Qasid and subsequently his service regularized? His adjustment as Naib Qasid and subsequent regularization needs clarification.
3. As to why he remained out of service w.e.f.31.07.2003 to 23.01.2007.
4. How was he reinstated into service, was he removed from service?
5. As to how the Department promoted him to the post of Junior Clerk?
6. As to why the Department inordinately delayed the case for advice?
7. The official was promoted to the post of Junior Clerk on 27.11.2010 and why the Administrative Department had not clarified the issues at the time.

Yours faithfully,

SECTION OFFICER (REG-V)

Endst: of even No. & Date

Copy forwarded to the PA to Deputy Secretary(R-III), Establishment Department.

SECTION OFFICER (REG-V)



53

**GOVT: OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT**

No.SOG/PHED/1-257/PF
Dated Peshawar, the December 02, 2020

To

The Section Officer (Reg-V)
Establishment & Administration Department.

*Received
12/12/2020*

Subject: **REQUEST FOR ADJUSTMENT IN CIVIL SECRETARIAT KHYBER
PAKHTUNKHWA FROM RETROSPECTIVE DATE**

I am directed to refer to your letter No. SOR-V(E&AD)/6-1/2020 dated 18.11.2020 and letter No. SOR-V(E&AD)/6-1/PHE/017/Vol-III dated 19.02.2018 on the subject noted above;

2. The observations are clarified as under;

S.No	Observations	Clarifications
1.	How the official namely Mr. Baz Muhammad was declared surplus on 02.03.2002 after merger of PHE, C&W and Physical Planning & Housing Department.	Mr. Baz Muhammad was appointed in Public Health Engineering Secretariat on 14.04.1996 as Chowkidar (BS -01) on regular basis (Annex-A), he was declared as surplus due to abolition of office of Secretary PHE Department
2.	Reinstatement into service of official on 23.01.2007 needs clarification as to how and why he was reinstated. How he was adjusted as Naib Qasid and subsequently his service regularized? His adjustment as Naib Qasid and subsequent regularization needs clarification	The official was already a regular employee, It was not reinstatement, rather it was adjustment, the word reinstatement used in the office order of the Chief Engineer PHE (Annex-B), does not fit in context.
3.	As to why he remained out of service w.e.f 31.07.2003 to 23.01.2007.	After declared as surplus, the official did not remain out of service, rather the official was serving in Works & Services Department vide Works & Services Department Order No. 5773/2/11-E dated 02.03.2002 (Annex-C) without drawing salary after 31.07.2003, and was adjusted in office of Chief Engineer PHE instead of the Works & Services Department.
4.	How was he reinstated into service, was he removed from service?	The official was not removed from service. The Un-adjustment of the official was due to non-availability of responsible staff who left the office and record on abolition of the offices.

54 (19)

5.	As to how the Department promoted him to the post of Junior Clerk?	After adjustment, the official was promoted to the post of Junior Clerk as per service structure of the office of the Chief Engineer PHE (Annex-D)
6.	As to why the Department inordinately delayed the case for advice?	Advice is sought on application of the official, submitted on 14.10.2020, however the official submitted applications in the then Works & Services Department time and again (Annex-E), but were not considered by the department, at that time.
7.	The official was promoted to the post of Junior Clerk on 27.11.2010 and why the Administrative Department had not clarified the issues at that time.	The promotion was done by the attached formation / office of Chief Engineer PHE according to their Service Structure.

[Signature]
SECTION OFFICER (G)

Endst: Of Even No. & Date

- Copy forwarded to
1. PS to Secretary PHED Peshawar.
 2. Mr. Baz Muhammad, Junior Clerk

[Signature]
SECTION OFFICER (G)

O/C
~~D~~
7-12-2020

ATTACHED *[Signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN: DEPARTMENT
(REGULATION WING)

No.SOR-V(E&AD)/6-1/PHE/2019
Dated 20th January, 2021.

Anxxure M111-

55

To

✓ The Secretary to Govt. of Khyber Pakhtunkhwa,
PHE Department.

SECY PHED

Dairy No 1230

Dated 21-1-21

Subject:

**REQUEST FOR ADJUSTMENT IN CIVIL SECRETARIAT
KHYBER PAKHTUNKHWA FROM RETROSPECTIVE DATE.**

Dear Sir,

I am directed to refer to your letter No.SOG/PHED/1-257/PF dated 02-12-2020 on the subject noted above. The case is examined in Establishment Department and observed that the applicant has been adjusted in the light of Surplus Policy/instruction of the provincial government and after passing of 14 years of his adjustment has no link with the department where he served before merger. Therefore, his request at this stage is not tenable being badly time barred, please.

Your faithfully,

(Sultan Wazir Khan)
SECTION OFFICER (REG-V)

Endst: of even No. & Date.

Copy forwarded:

1. PS to Secretary, Establishment Department.
2. PS to SSR, Establishment Department.
3. PA to Deputy Secretary (R-III), Establishment Department.

SO(G)

22/11

SECTION OFFICER (REG-V)

ATTACHED

56

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

_____ OF 2021

Baz Muhammad Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Public Health & others

(RESPONDENT)
(DEFENDANT)

I/We BAZ MUHAMMAD KHAN

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

Dated. ____/____/2021



CLIENT(S)

ACCEPTED

NOOR MOHAMMAD KHATTAK

15401-0705985-5

BC-08-0853

&

KAMRAN KHAN

AFRASIAB KHAN WAZIR

HAIDER ALI

ADVOCATES

OFFICE:

Flat No.4, Upper Floor,
Juma khan plaza near (FATA) Secretariat
Warsak road Peshawar.

Mobile No. **0345-9383141**

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 3240/2021

Baz Muhammad Khan Junior Clerk (BPS-11) **APPELLANT**

V E R S U S

1. Secretary Public Health Engineering Department Khyber Pakhtunkhwa & Others.

..... **RESPONDENTS**

JOINT PARAWISE COMMENTS ON BEHALF OF (RESPONDENTS No. 01-04)

PRELIMINARY OBJECTIONS:-

1. The Appellant has no cause of action nor locus standi.
2. The Appellant has not come to this court with clean hands.
3. The instant Appeal is hit by "laches" and as such is not maintainable.
4. The present Appeal is liable to be dismissed for mis-joinder / non-joinder of necessary parties.
5. The Appellant has filed the instant Appeal on malafide intentions.
6. The instant Appeal is against the prevailing laws and rules.
7. The Appellant is estopped by his own conduct to file the instant Appeal.
8. The instant Appeal is not maintainable in the present form and also in the present circumstances of the issue.
9. The present appeal is badly time barred.

RESPECTFULLY SHEWETH:-

ON FACTS:-

1. Pertains to record. Hence no comment.
2. Pertains to record. Hence no comment.
3. Pertains to record. Hence no comment.
4. Incorrect and misconceived. On 08 June 2001 Provincial Government under policy for absorption / adjustment of Government Servants declared as surplus in view of the transition of District System and resultant restructuring of the Government organizations / departments, Public Health Engineering Department & Communication and Works Departments were merged into newly established Works and Service Department with effect from 01/07/2001. The appellant was placed in the surplus pool for adjustment. Decision of the meeting of worthy Chief Secretary with District Coordination Officers, on the issue of surplus pool dated 04/08/2001 states that ***"The Section 5(e) of the surplus pool states that surplus staff in (BPS-01) to (BPS-15) shall not be adjusted in the district other than their district of domicile"***. However, the appellant being class-IV was placed under budget section in the office of the Chief Engineer of the then Works & Services Department Peshawar vide office Order No 57733/2/11-E dated 02-03-2002. It is also worth mentioning that appellant being class-IV did not submit any application to the competent authority for adjustment in his district of domicile.

5. Incorrect and misconceived. It is worth mentioning that office of the Chief Engineer Public Health Engineering Department vide office Order No. 10/E-9/PHE dated 23-01-2007 adjusted him against the vacant post of Naib Qasid in his office **(Copy of the office order is attached as Annexure-A)**. The appellant joined the post of Naib Qasid and did not show his unwillingness for the said post.
6. Correct. It is worth mentioning that Public Health Engineering Department entertained departmental appeal of the appellant and promoted him under 33% quota reserved for class-IV i.e. Daftaries, G/Operator, Naib Qasid. The appellant was promoted to the post of Junior Clerk (BPS-07) on 27-11-2007.
7. Incorrect and misconceived. The appellant was adjusted into service as Chowkidar on 23-01-2007, in PHED. In order to regularize his service, the intervening period with effect from 31-07-2003 to 22-01-2007 was treated as leave without pay and the appellant was adjusted against the vacant post of Naib Qasid in the office of the Chief Engineer Public Health Engineering Department vide Order No.10/E-9/PHE dated 23-01-2007.
8. It is worth mentioning that the appellant submitted an application to the secretary Public Health Engineering Department requesting for adjustment in Civil Secretariat Khyber Pakhtunkhwa from retrospective date which was forwarded to the Establishment Department. However, the Establishment Department regretted the same, as his request at this stage is not tenable being badly time barred **(Copy of letter of Establishment and Administration Department is attached as Annexure-B)**.
9. As discussed above.
10. No comment.

GROUNDS:-

- A- Incorrect and misconceived, hence denied. The appellant was adjusted into service as Chowkidar on 23-01-2007, in PHED. In order to regularize his service, the intervening period with effect from 31-07-2003 to 22-01-2007 was treated as leave without pay and the appellant was adjusted against the vacant post of Naib Qasid in the office of the Chief Engineer Public Health Engineering Department vide Order No.10/E-9/PHE dated 23-01-2007. At the very first instant, the appellant joined the services and did not raise any objection over the order of the competent authority and after his adjustment, he raised objection which is a violation of the terms and conditions of the office order of the competent authority in Annexure-A on the basis of which the appellant served PHED department as Naib Qasid from 23-01-2007 and onwards. On 29-07-2010, the appellant requested Secretary Public Health Engineering Department for promotion as Junior Clerk (BPS-07) **(See page No 33 Annexure-F of the appellant appeal)**. The time gap shows that the appeal of the appellant is time barred which cannot be entertained in the court of law. However, within 4 months the appellant was promoted to the post of Junior Clerk (BPS-07) by the office of the Chief Engineer, Public Health Engineering in response to appeal of the appellant. Keeping in view the above facts, the appellant has no right to file appeal in this Honorable Court.
- B- Incorrect and misconceived as discussed above.
- C- As explained in Para A above.
- D- Incorrect and misconceived. The appellant promoted to the post of Junior Clerk (BPS-07) in the office of the Chief Engineer Public Health Engineering Department. The appellant got promotion and made no

same building
That was for
pay purpose.

He was performing
duties already.

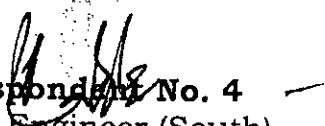
He kept on
requesting for
his due right.


objection and joins his duty in the office of the Chief Engineer as Junior Clerk (BPS-07). As such at that time the appellant should not have joined the post of Junior Clerk and he also did not challenge his promotion and posting in office of the Chief Engineer PHED instead of Public Health Engineering secretariat in the court of law.

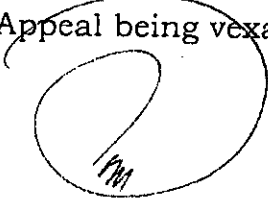
- E- Incorrect. That ***"The Section 5(e) of the surplus pool states that surplus staff in (BPS-01) to (BPS-15) shall not be adjusted in the district other than their district of domicile"***. Appellant did not opt for his district of domicile and joined his duty after the issuance of order of the competent authority.
- F- Incorrect and misconceived. As discussed above.
- G- Incorrect and misconceived. As discussed above.
- H- The respondent departments seek permission from this Honorable Court to raise additional grounds at the time of arguments, please.

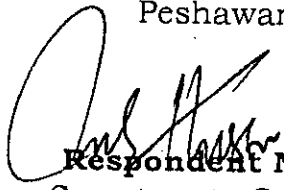
PRAYER:-

In view of the above aforementioned facts, it is therefore most humbly prayed before this honorable court that the Appeal being vexatious and devoid of merit may please be dismissed with cost.


Respondent No. 4
 Chief Engineer (South)
 Public Health Engg: Department
 Peshawar


Respondent No. 3
 Secretary to Govt: of
 Khyber Pakhtunkhwa
 Finance Department
 Peshawar


Respondent No. 1
 Secretary to Govt: of
 Khyber Pakhtunkhwa
 PHE Department
 Peshawar


Respondent No. 2
 Secretary to Govt: of
 Khyber Pakhtunkhwa
 Establishment Department
 Peshawar

2.5 Apprentices and probationers

- (1) One-half of the period of apprenticeship qualifies for pension.
- (2) The service of a probationer who is subsequently confirmed in a permanent post without interruption qualifies for pension.

2.6 Training – The time spent by a Government servant in approved training shall count as service qualifying for pension.

Note: – The period of training before actual appointment to Government service shall not count for pension.

2.7 Leave – All leave (other than extraordinary leave) counts as qualifying service for purposes of pension.**2.8 Military Service** – (1) Military pensionable service which terminates before a pension has been earned in respect of it, when followed by Civil pensionable service, counts as part of such service provided that any bonus or gratuity received in lieu of pension on or since discharge from military service shall be refunded in lump sum or in monthly installments not exceeding 36. The military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to the Controller of Military Accounts.

(2) Persons who joined the Armed Forces on or after the outbreak of World War-II, and rendered whole time satisfactory service in Government Forces under the British Rule in India and Pakistan and were appointed in a Civil pensionable post on or before the 18th July, 1949 shall be allowed to count such War Service not exceeding five years rendered between the 3rd September, 1939, and the 1st April, *1946, for purpose of Civil Pension and they shall not be required to refund military bonus or gratuity.

Note – In the case of a civil employee who has rendered satisfactory paid military service in the World War-II, in addition to military service pensionable under the military Rules, before or after such war service but who did not earn a pension by his war service in conjunction with his other military service, that portion of the military service which was rendered before or after the war service shall be dealt with in accordance with the provisions of sub-rule (1). The war service portion (i.e. the period of service rendered between 3rd September, 1939, and 1st April, 1946) shall, however, be dealt with under sub-rule (1) or (2) as the Government servant may opt in this behalf, subject, of course, to the limitation prescribed in the respective sub-rule. If the war service is counted under sub-rule (1), the whole of it shall count, but if it is counted under sub-rule

* Substituted *Vide* notification No. SO(SR) V-3027/64, dated 9th January, 1965.
 @ Inserted by Government of West Pakistan Notification No. SO(SR) V-1274/68, dated 24th May, 1968.

(2) only completed years upto a maximum of five years shall count and the residue of war service shall not be counted under sub-rule (1).

If the entire military service, including war service is dealt with under sub-rule (1), the whole of the gratuity received in lieu of pension (but not that given as a reward of war service) shall have to be refunded by the Government servant concerned. If, however, the portion which was war service is dealt with under sub-rule (2) and the rest of the military service before or after the war under sub-rule (1). The amount of gratuity which the Government servant will refund in respect of the latter portion shall bear the same proportion to the total amount of gratuity received in lieu of pension the period dealt with under sub-rule (1) bears to the total period of military service, including the period of war service.

For the purpose of this note it is immaterial whether or not there was a break between the war service and other military service.

2.9 Deputation – Time spent by a Government servant holding pensionable post on deputation to (1) another Government (2) foreign service, or (3) service in a temporary or non-pensionable post under Government counts for pensions as if it were a time spent under the Government.

Note: **Rule of Proportion.** The 'Rule of proportion' and the other associated rules and accounting instructions shall continue to be operative and the apportionment of pensionary liability between the various Departments and Federal / Provincial Governments, as the case may be, shall be made by the audit and Accounts Officer issuing a Pension Payment Order. Finalization of pension cases shall not be held up on this account. If there is any dispute with regard to the apportionment of pensionary liability, the matter should be sorted out by the Audit and Accounts Officers involved. The authorities concerned are required to forward the pension case of the retired government servants to the audit office concerned. Complete in all respects and with the documents mentioned in (Annex).

No. SOSR-III(FD)4-36/75(Vol-II), FD-
 Khyber Pakhtunkhwa,
 Dated Peshawar, the 28th April, 1991.

2.10 Suspension – If a Government servant is suspended from service pending enquiry into his conduct, the period of suspension counts for pension if it is immediately followed by reinstatement, unless the Government servant reinstated with forfeiture of a part of his pay or allowances for the period of suspension.**2.11 Forfeiture of Past Service** – A Government servant forfeits his past service in the following cases: –

- (a) Resignation of a post unless it is to take up another post service in which counts for pension.
- (b) Removal or dismissal from service.
- (c) Absence from duty without leave.

13/1/2022

Baz Mohid

Appointed as Chemist on 14/4/96.
in Public Health engg.

Merger - 2001 :-

P/30 2/3/2002 for salary purpose.
2003 to 2007 No salary.

P/32 23/1/2007 - leave with int pay.
(31/7/2003 to 22/1/2007)
Adjusted as N/B--

D.A. 14/10/2020

Notification - 24/11/2009.

Rule 17 of APT.

pension rule = 2.7 = 1463



Annex - M 77
GOVERNMENT OF NWFP
ESTABLISHMENT & ADMN: DEPARTMENT
(Regulation Wing)

Dated Peshawar, the 24th November, 2009

ORDER

No. SO(O&M)E&AD/2-22/2006-Vol-IV. Consequent upon the bifurcation of Works and Services Department into Communication and Works Department and Public Health Engineering Department, and in pursuance of the Establishment & Administration Department Notification No. SO(O&M)E&AD/2-22/2006-Vol-III dated 24-11-2009, the competent authority is pleased to order that the Engineers and staff working in their respective defunct departments before merger of Communication & Works Department and Public Health Engineering Department shall revert back to the re-established Communication & Works Department and Public Health Engineering Department as per terms & conditions of their initial recruitment.

CHIEF SECRETARY
GOVERNMENT OF NWFP

Endst. No. & Date Even

Copy to:-

1. The Additional Chief Secretary, NWFP, P&D Department.
2. The Additional Chief Secretary (Home), Home Department.
3. The Additional Chief Secretary (FATA), FATA Secretariat.
4. All Administrative Secretaries to Govt. of NWFP.
5. The Secretary to Governor, NWFP.
6. The Principal Secretary to Chief Minister, NWFP.
7. All Divisional Commissioners in NWFP.
8. All Heads of Attached Departments, NWFP.
9. Director Information, NWFP.
10. All District Coordination Officers/Political Agents in FATA.
11. Accountant General, NWFP.
12. Registrar Peshawar High Court, Peshawar.
13. Registrar Service Tribunal, NWFP Peshawar.
14. Secretary Public Service Commission, NWFP Peshawar.
15. Private Secretary to Governor, NWFP.
16. Private Secretary to Chief Minister, NWFP.
17. All PSs to Provincial Ministers in NWFP.
18. PS to Chief Secretary, NWFP.
19. Controller, Government Printing Press Peshawar.
20. The Section Officer (Secrete), Establishment Department, NWFP.

(JAN SAID)
SECTION OFFICER (O&M)



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 467 /ST

Dated: 17-2- /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

The Chief Engineer South PHE Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 3240/2021 MR. BAZ MUHAMMAD KHAN.

I am directed to forward herewith a certified copy of Judgement dated 13.01.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR