

15th April, 2022

Counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. A.G for the respondents present. Arguments heard and record perused.

2. Vide our detailed judgment of today, connected 25 pages, in connected Service Appeal No. 7659/2021 titled "Shahid Ali Khan Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others, we allow this appeal and direct the respondents to consider the appellant for promotion against the vacant post. The DPC shall be held at the earliest possible, but not later than a month of receipt this judgment. Copies of this judgment be placed on all the connected appeal files. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 15th day of April, 2022.*



(KALIM ARSHAD KHAN)

Chairman

(ROZINA REHMAN)

Member (J)

01.04.2022

learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. A.G alongwith Faizul Haq, Superintendent for the respondents present.

Written reply submitted which is placed on file. The appeal is assigned to D.B for arguments on 14.04.2022. The appellant may furnish rejoinder, if any, within fortnight.



Chairman

14.04.2022

Mr. Amin-ur-Rehman Yousafzai, advocate for the appellant present. Mr. Muhammad Riaz Khan Paindakheil Asst. AG for the respondents present.

Arguments heard. To come up for order on 15.04.2022 before this D.B.



Rozina Rehman
Member (J)



Chairman

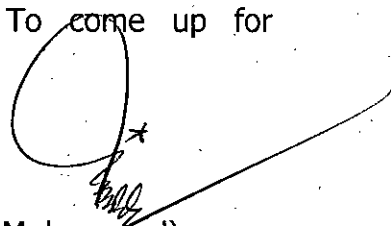
13.12.2021

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant was appointed as Sub-Engineer (BS-11) in the respondent-department on 16.09.2013 and having passed his departmental examination (category-D and A) was eligible for promotion as SDO (BS-17). However, in departmental promotion committee held on 23.06.2021 item No-III was deferred on the basis of certain clarification sought regarding interpretation of amendment in serial-4 of the service rules notified on 25.06.2012. Feeling aggrieved the appellant submitted departmental appeal on 13.07.2021 which was not responded within the statutory period, hence, the instant service appeal was filed on 18.10.2021.

The appeal is admitted to regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 22.02.2022 before S.B.

Appellant Deposited
Security & Process Fee


(Mian Muhammad)
Member(E)

22.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 16.03.2022 for the same as before.


Reader

16.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 16.03.2022 for the same as before.

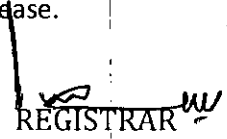
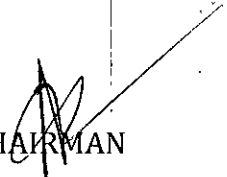

Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 7663/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/10/2021	<p>The appeal of Mr. Inamullah resubmitted today by Mr. Amin-ur-Rehman Yousafzai 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> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>13/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>


The appeal of Mr. Inam Ullah S/O. Purdil Khan, SDO Irrigation Sub Division, Tehsil Shangla District Swat received today i.e. on 18.10.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Annexures of the appeal may be attested.
2. Annexure D and E attached with the appeal are illegible which may be replaced by legible/better one

No. 2077 /S.T.

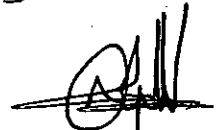
Dt. 18/10 /2021

Mr. Amin Ur Rehman Yousafzai Adv.
High Court Pesh.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Resubmit:-

Sir, All the objection cleared
Please received the case!


25/10

Clerk Noman Kamal

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Imamullah

v/s

Govt of I.P.K & others

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <u>Mr. Amin-ur-Rehman Yashtani</u>	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Mr. Amin-ur-Rehman Yashtani

Signature: _____

Dated: 18/10/21

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 7663/2021

Inam Ullah, Sub Divisional Officer. Appellant

....VERSUS....

Government of Khyber Pakhtunkhwa & others. Respondents

I N D E X

S.No.	Description of documents	Annex	Pages
1.	Grounds of Service Appeal		1-4
2.	Affidavit		5
3.	Addresses of the parties		6
4.	Copy of detailed CV	A	7-8
5.	Copy of offer of appointment dated: 19.11.2011	B	9
6.	Copy of recommendations dated: 02.11.2011 of the Khyber Pakhtunkhwa Public Service Commission	C	10
7.	Copy of up-gradation Notification dated: 07.03.2018	D	11
8.	Copy of OPS promotion Notification dated: 09.12.2016	E	12
9.	Copy of last posting notification dated: 18.12.2020	F	13
10.	Copy of Office Order dated: 16.08.2018	G	14-18
11.	Copy of Office Order dated: 15.10.2020 (Grade-A Exam)	H	19-21
12.	Copy of Rules of Service with all amendments upto date	I	22-25
13.	Copy of working paper alongwith ancillary documents, including panel of eligible Graduate Sub Engineers	J	26-31
14.	Copy of minutes of the DPC meeting held on 23.06.2021	K	32-35
15.	Copy of Departmental Appeal dated: 13.07.2021	L	36-39
16.	Wakalatnama		40

APPELLANT
Through

Amin ur Rehman Yusufzai

Sajjad Ahmad Mehsud

Khalid Khan Mohmand

&

Muhammad Kareem Afridi

Advocates, Peshawar
3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar

Cell No.0321-9022964, 0333-9981464

Dated: 14.10.2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Case No. 7754

S. Appeal No: 7663/2021

Dated 18/10/2021

Service Appeal No. /2021

Inam Ullah S/O Purdil Khan,
Sub Divisional Officer, Irrigation Sub Division,
Tehsil Shangla District Swat. **Appellant**

.... **V E R S U S**

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa Irrigation Department, Civil Secretariat Peshawar.
3. Chief Engineer (South) Irrigation Department, Warsak Road, Khyber Pakhtunkhwa Peshawar. **Respondents**

⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974, READ WITH ALL ENABLING PROVISIONS OF LAW, GOVERNING THE SUBJECT, AGAINST THE DECISION / RECOMMENDATION OF THE DEPARTMENTAL PROMOTION COMMITTEE, IN ITS MEETING HELD ON 23.06.2021, REGARDING AGENDA ITEM NO.III, ON BASIS WHEREOF, CASE OF PROMOTION OF APPELLANT AS ASSISTANT ENGINEER/SUB DIVISIONAL OFFICER (BS-17) WAS DEFERRED.

PRAYER-IN-APPEAL:

On acceptance of instant appeal, impugned decision/recommendation of the Departmental Promotion Committee, in its meeting held on 23.06.2021, regarding Agenda Item No.III, vide which case of promotion of appellant as Assistant Engineer/Sub Divisional Officer (BS-17) was deferred, alongwith subsequent proceedings thereto, may be declared as illegal, unlawful, without lawful authority, void ab-initio and of no legal effect, hence be set at naught and Respondent Department may further be directed to promote him to the rank of Assistant Engineer/Sub Divisional Officer (BS-17) from the date of eligibility with all consequential benefits.

⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄⇄

Filed to-day
Registrar

18/10/21

Respectfully Sheweth:

1. That appellant is law abiding peaceful citizen of Pakistan and permanent resident of District Swat. He passed examinations of:
 - i. Diploma in Associate Engineer (DAE), in the year 2001, with distinction/ Gold Medalist (73.88%), from Government Polytechnic Institute Swat.
 - ii. B.Sc. (Civil Engineering), in the year 2006 (62.77%), from University of Engineering & Technology, Peshawar.
(Copy of detailed CV is attached as Annexure "A").
2. That appellant, being qualified, was appointed as Sub Engineer (BPS-11), in Respondent Department, by the Competent Authority, vide Office Order No.8344/52/IB/A/3-E, dated: 19.11.2011, on the recommendations dated: 02.11.2011 of the Khyber Pakhtunkhwa Public Service Commission.
(Copies of offer of appointment dated: 19.11.2011 & recommendations dated: 02.11.2011 of the Khyber Pakhtunkhwa Public Service Commission, are attached as Annexures "B" & "C" respectively).
3. That Respondent Department, in pursuance of recommendation of the Up-gradation Committee and approval granted by the Competent Authority,

accorded sanction to the up-gradation of the post of Sub Engineers, from BPS-11/12 to BPS-16 (one time), as personal to the incumbents, having ten years or more service to their credit, in the same scale in all the Government Departments of Khyber Pakhtunkhwa, vide Notification No.FD/SO(FR)7-13/2017/6253, dated: 07.03.2018.

(Copy of up-gradation Notification dated: 07.03.2018 is attached as Annexure "D")

4. That, keeping in view eligibility coupled with excellent performance of appellant, Respondent Department posted/appointed him as Sub Divisional Officer (OPS), vide Notification No.SO(E)/IRR:/4-1/83/Vol-IV, dated: 09.12.2016 and presently posted as Planning Officer (OPS) Planning & Monitoring Cell of Irrigation Department, Chief Engineer (North), Peshawar, on the strength of Notification No.SO(E)/IRR/4-10/77/Vol-VI, dated: 18.12.2020 and having more than 11 years spotless career at his credit.
(Copies of OPS promotion Notification dated: 09.12.2016 and last posting Notification dated: 18.12.2020, are attached as Annexures "E" & "F" respectively).
5. That appellant gone, successfully, through Departmental Grade-B & Grade-A Examinations, evident from Office Orders dated: 16.08.2018 and 15.10.2020 respectively, therefore, in view whereof, coupled with length of service, he became eligible for promotion to the post of Assistant Engineer / Sub Divisional Officer (BS-17), as per rules in vogue.
(Copies of Office Orders dated: 16.08.2018 (Grade-B Exam), 15.10.2020 (Grade-A Exam) & Rules of Service with all amendments upto date, are attached as Annexures "G", "H" & "I" respectively).
6. That Respondent Department initiated case of appellant, alongwith other eligible employees, for promotion to the post of Assistant Engineer (BS-17) and prepared working paper, alongwith panel of eligible Graduate Sub Engineers, for consideration against 12 % quota, reserved for B.Sc. Engineering Degree holders.
(Copy of working paper alongwith ancillary documents, including panel of eligible Graduate Sub Engineers is attached as Annexure "J").
7. That synopsis of appellant, alongwith others, was put before DPC, in its meeting held on 23.06.2021, under Agenda Item No.III, but astonishingly appellant, alongwith other Graduate Engineers, has not been recommended for promotion and deferred the Agenda Item No.III ibid, on the pretext to seek guidance from Establishment Department, on the following:
 - i. As per amended service rules of irrigation department notified on 25.06.2012, 12 posts of Assistant Engineers (BS-17) comes under 12% share quota of Graduate Sub Engineers alongwith passing of Departmental Grade-B & Grade-A Examinations against which six officers are working on regular basis while seven officers, included in the panel at Sr.No.1 to 6 & 9 are working as Assistant Engineers (BS-17) acting charge basis since 2011.
 - ii. Before 25.06.2012 the passing of Grade-B & A examination was not mandatory for promotion to the post of Assistant Engineers and the above mentioned 7 graduates Sub Engineers were appointed to the post of Assistant Engineer (BS-17) on acting charge basis in 2011.
 - iii. The departmental B & A examination is conducted after every two year. The last examination was held in 2020 and the next will be held in 2022. The officers of panel at Serial No.1 to 6 & 9 (except serial No.4 B & A passed) have passed their mandatory Grade-B Examination and will appear in the A Examination in 2022.
 - a. As to whether the amended rules notified on 25.06.2012 are applicable to the above employees who were appointed in the year 2011 on acting charge basis or the present recruitment rules will be applicable in the instant case?

- b. If the present service rules are applicable upon the officers appointed on acting charge basis then before completion of mandatory examination by these officers, the officers junior to them can be promoted to the post of Assistant Engineers on regular basis or otherwise?

(Copy of minutes of the DPC meeting dated: 23.05.2021 is attached as Annexure "K")

8. That appellant preferred Departmental Appeal dated: 13.07.2021 to the Competent Authority/ Respondent No.1, against the decision dated: 23.06.2021 supra of DPC, which has not so far been decided, although, statutory period of 90 days has been elapsed, hence the instant appeal.

(Copy of Departmental Appeal dated: 13.07.2021 is attached as Annexure "L")

9. That appellant being aggrieved of decision/recommendation of the Departmental Promotion Committee, in its meeting held on 23.06.2021, on Agenda Item No.III, and having no other efficacious and alternate remedy, approaches this Hon'ble Tribunal, inter-alia, on the following grounds:

GROUND S:

- A. That appellant is performing duties as Sub Divisional Officer, since 09.12.2016, against vacant post, with the entire satisfaction of the superiors. Furthermore, department has also recommended him to be promoted as Sub Divisional Officer on regular basis, but has been deferred, which has caused grave miscarriage of justice.
- B. That appellant has been deprived from his due right of promotion as Assistant Engineer, without any deficiency, which attracts jurisdiction of this Hon'ble Tribunal to ensure fair-play and justice.
- C. That Respondent Department has no lawful authority to keep pending case of promotion of appellant for indefinite period, that too, on the basis of no cogent reason, which is equated to discrimination in service within the meaning of Article 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- D. That appellant has neither been treated in accordance with law nor extended him equal protection of law, enshrined in Articles 4 & 10-A of the Constitution of Islamic Republic of Pakistan, 1973.
- E. That Respondent Department/Departmental Selection Committee has very conveniently departed from normal course of law, which speaks volumes of malafide on their part.
- F. That some blue-eyed employees of the Respondent Department, who have not yet completed/passed Grade-B & Grade-A Departmental Examinations, were not eligible for promotion as Assistant Engineer, therefore, DPC delayed promotion case of appellant to deprive him from his right of seniority as Assistant Engineer, which is not permissible under the law of the land.
- G. That appellant is eligible from all aspects:
- i. Seniority-cum-fitness
 - ii. Length of service
 - iii. Qualification
 - iv. Passed Departmental Training B & A Examinations

However, deferred for no plausible reason, which tantamount to colourful exercise of jurisdiction.

H. That any other ground, with the permission of this Hon'ble Tribunal, will be taken at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of instant appeal, impugned decision/recommendation of the Departmental Promotion Committee, in its meeting held on 23.06.2021, regarding Agenda Item No.III, vide which case of promotion of appellant as Assistant Engineer/Sub Divisional Officer (BS-17) was deferred, alongwith subsequent proceedings thereto, may be declared as illegal, unlawful, without lawful authority, void ab-initio and of no legal effect, hence be set at naught and Respondent Department may further be directed to promote him to the rank of Assistant Engineer/Sub Divisional Officer (BS-17) from the date of eligibility, with all consequential benefits.


Any other relief, not specifically prayed for and deemed appropriate by this Hon'ble Tribunal in circumstances of the case, may also be granted.


APPELLANT

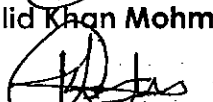
Through


Amin ur Rehman Yusufzai

Sajjad Ahmad Mehsud


Khalid Khan Mohmand

&


Muhammad Kareem Afridi

Advocates, Peshawar
3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar

Cell No.0321-9022964, 0333-9981464

Dated: 14.10.2021

VERIFICATION:

Verified on oath that the content of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.


Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. ____/2021

Inam Ullah, Sub Divisional Officer..... **Appellant**

....**V E R S U S**....

Government of Khyber Pakhtunkhwa & others..... **Respondents**

A F F I D A V I T

I, **Inam Ullah S/O Purdil Khan**, Sub Divisional Officer, Irrigation Sub Division, Tehsil Shangla District Swat., do hereby solemnly affirm declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief, and that nothing has been kept concealed from this Hon'ble Tribunal.

Identified By:

[Signature]
DEPONENT
CNIC #: 15601-1043584-1

Amin ur Rehman Yusufzai
Advocate, Peshawar



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. ____/2021

Inam Ullah, Sub Divisional Officer. **Appellant**

.... **V E R S U S**

Government of Khyber Pakhtunkhwa & others. **Respondents**

ADDRESSES OF THE PARTIES

APPELLANT:

Inam Ullah S/O Purdil Khan,
Sub Divisional Officer, Irrigation Sub Division,
Tehsil Shangla District Swat.

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa Irrigation Department, Civil Secretariat Peshawar.
3. Chief Engineer (South) Irrigation Department, Warsak Road, Khyber Pakhtunkhwa Peshawar.


APPELLANT

Through


Amin ur Rehman Yusufzai


Sajjad Ahmad Mehsud


Khalid Khan Mohmand

&


Muhammad Kareem Afridi

Advocates, Peshawar

3-A, Park Avenue, Bhattani Plaza,
University Town, Peshawar

Cell No.0321-9022964, 0333-9981464

Dated: 14.10.2021

CV

Annex = "A"

7



Permanent Add: Village & P.O. Chupria
Tehsil: Mulla - District: Swat - Province KPK
Pakistan.

Cell # (+92) - 346-9400922
348-9416251

Engr. INAMULLAH KHAN

Date of Birth: 15 Jan. 1982
C.N.I.C: 15601-1043548-1

Career Objective:

To serve in a progressive organization offering job satisfaction, challenging work environment and vast opportunities of career development based purely upon achievement and result.

ACADEMIC QUALIFICATION

<u>2006</u>	BSc (Civil-Engineering) U.E.T Peshawar Percentage: 62.77% Division: 1 st
<u>2001</u>	Diploma of Associate Engineer (Civil) Govt. Poly Technical Institute Swat <u>Award:</u> Gold medal Percentage: 73.88% Division: 1 st
<u>1997</u>	Matriculation Board of Intermediate & Secondary Education, Swat Percentage: 60% Division: 1 st

PROFESSIONAL EXPERIENCE TO DATE:

1: Internship: Served as internee of Irrigation Department Swat Division for Period of Four Months.

2: From May 2006 To April 2007: I have worked as a Site Engineer in Fazal karim Construction Co. I am responsible for construction supervision, giving layout and preparing bills for work done all in accordance with drawing and specification of a Civil Hospital in Batkhela Malakand Agency.

ATTESTED

3: From 2007 To Dec 2011: I worked as a Engineer in Water Management Department. I am responsible for preparing Feasibility report, Survey, Rough cost estimate, Supervision of works and as built estimate of Irrigation Channels.

4: From Dec 2011 To Till Date: I work as a Engineer in Irrigation Department. My responsibility is preparing Feasibility report, Survey, Rough cost estimate, Supervision of works, as built estimate and preparing PC-4 of Different projects.

COMPUTER SKILLS:

Advanced knowledge and experience working in a Windows based environment & of MS office applications:

- > Microsoft Excel (Advance)
- > Microsoft Word (Advance)
- > Microsoft PowerPoint
- > Microsoft Access.
- > Auto CAD

Communication skill: English, Urdu , Pushto

Hobbies:

Reading books and Newspaper.

References:

Upon request.

**Engr. Inamullah Khan
Chuprial Matta Swat**



OFFICE OF THE CHIEF ENGINEER (SOUTH)

IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR

Phone No. 091-9212118 Fax No. 091-9212652

Annex = "B"

9

044-521B/A3-E

Dated Peshawar the 19/11/2011

Mr. Manzullah S/O Purdil Khan
Village & PO Chuprial Tehsil Maitu
District Swat.

[Handwritten signature]
21/11/2011

APPOINTMENT OF SUB ENGINEER (BS-11) IN IRRIGATION DEPARTMENT ON CONTRACT BASIS.

Consequent upon the recommendations of the Khyber Pakhtunkhwa Public Service Commission No KPK-PSC-SR-VI-055582, dated 2-11-2011 received through Secretary to Govt. of Khyber Pakhtunkhwa Irrigation Department letter NO. SO(E)IRR/4-1473/ Vol-II dated 14-11-2011, you are hereby offered the post of Sub Engineer BS-11 purely on contract basis subject to the following conditions:-

1. Your service will be governed under the Govt. of Khyber Pakhtunkhwa contract policy 2002 issued vide Secretary to Govt. of Khyber Pakhtunkhwa Finance Department No. FD(SOSR-II) 12-1/2002 dated 26-10-2002 and E&A Department Circular letter No SR-VI(E&AD) 1-13/2005 dated 10-8-2005.
2. You will be granted the minimum of BS-11 (600-460-20400) with usual allowance as admissible under the Govt. of Khyber Pakhtunkhwa Contract Policy 2002.
3. The appointing authority can terminate the contract on two months notice or two months salary in lieu thereof.
4. You will be provided facilities of contribution of provident fund as admissible under the contract policy.
5. You will not contribute GP fund and shall not be entitled for pension and gratuity.
6. Any terms and conditions issued by the Govt. hereafter in this regard will also be binding upon you.
7. You will remain on probation for the period of one year, extendable for another one year.

If you are willing to accept this offer of appointment on the above terms and conditions of appointment you should report to the undersigned not later than 05-12-2011 positively. The offer of appointment shall stand cancelled if you fail to report by the stipulated period.

You will have to submit the following original certificates alongwith attested photo state copies for filing in the department.

- a) Domicile Certificate.
- b) Medical Fitness Certificate.
- c) Educational Qualification Certificate.
- d) That you are not a dismissed Govt. Servant.
- e) Character Certificate.
- f) An undertaking on stamp paper of Rs. 30/- duly attested by the Oath Commissioner to the effect that the offer of appointment is accepted on all the above terms and condition.

In case the above noted documents and your reply to the acceptance of this offer is not received within stipulated period (i.e. 05-12-2011) the offer of appointment shall stand automatically null and void.

[Handwritten signature]
o/c. SUPERINTENDING ENGINEER
(HEADQUARTER)

Copy of the above is forwarded to the:-

1. Secretary to Govt. of Khyber Pakhtunkhwa Irrigation Department Peshawar with reference to his letter No. SO(E)IRR/4-1473, dated 14/11/2011.
2. Chief Engineer (North) Irrigation Department Khyber Pakhtunkhwa Peshawar.
3. Accountant General, Khyber Pakhtunkhwa Peshawar.
4. Deputy Secretary - II Khyber Pakhtunkhwa Public Service Commission 2 Fort Road Peshawar Cantt. (Near Governor House) with reference to the above for information.
5. All Superintending Engineers in Irrigation Department.
6. All Executive Engineers in Irrigation Department.
7. All Agencies / District Account Officers.
8. Personal File.
9. For Information.

[Handwritten signature]
o/c. SUPERINTENDING ENGINEER
(HEADQUARTER)

A

CONFIDENTIAL

212
3/11/2011

Annex="C"

10

PUBLIC SERVICE COMMISSION
Peshawar Cantt. (Near Governor House)
CLASS 1
S. 117/2



No.KPK-PSC-SR-VI (555)2

Dated: 2/11/2011

79/8
02/11/11

✓ The Secretary to Govt. of Khyber Pukthunkhwa,
Irrigation Department,
Peshawar.

Subject: **RECTT: OF (06) POSTS OF SUB ENGINEER (BPS-11) IN IRRIGATION DEPTT: (ADVT:NO.07/2010.S.NO.49).**

I am directed to refer to our letter No.KPK-PSC-SR-VI/051131 Dated 24.09.2011 on subject noted above and to state that the Commission recommends the following to Government for appointment against the subject cited post: -

Vacancy	Allocation	Merit Order	Name with Father's Name	Domicile
Vacancy	Zone-4	03	Muhammad Munir S/O Razim Gul	Hangu/4
Vacancy	Zone -5	05	Saddam Ali S/O Muhammad Younis	Haripur/5
Vacancy	Zone-1	01	Arshad Ali S/O Amir Sultan	Bajaur Agency/1
Vacancy	Zone-02	04	Muhammad Younas S/O Muhammad Ayub Khan	Peshawar /2
Vacancy	Zone-3	07	Inam Ullah S/O Purdil Khan	Swat /3

Vacancy	Allocation	Merit Order	Name with Father's Name	Domicile
Vacancy	Zone-1	02	Muhammad Ismail S/O Shams Ud Din	Bajaur Agency/1

Zonal state will be as under:-

	Zone-1	Zone-2	Zone-3	Zone-4	Zone-5	Total
Share :	02	01	01	01	01	06
Adust:	02	01	01	01	01	06
Balance :	-	-	-	-	-	-

Recommendation in favour of the recommendees is provisional subject to Medical fitness.

Original applications (with enclosures) of the recommendees are sent here for your record. Please acknowledge receipt.

ATTACHED

Yours faithfully,

[Signature]
DIRECTOR

2/11
Secy Irrigation

[Signature]
02/11

DIRECTOR

Annex = "D"

11



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

No SO(FR)/FD/7-13/2017/6253
Dated Peshawar the 07-03-2018

NOTIFICATION

NO.FD/SO(FR)7-13/2017/6253 in pursuance of recommendations of the upgradation committee and approval granted by Competent Authority, sanction is hereby accorded to the upgradation of the post of Sub-Engineers from BPS-11/12 to BPS-16 (one time) as personal to the incumbents having 10 years or more service at their credit in the same scale in all the Government Departments of Khyber Pakhtunkhwa with immediate effect.

Spd/Secy
Pl. circulate

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst No. & Date even.

Copy of the above is forwarded for information and necessary action to the:-

1
2
3
4

1. PS to Additional Chief Secretary, FATA.
2. All Administrative Secretaries Government of Khyber Pakhtunkhwa.
3. Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
4. Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. Registrar, Peshawar High Court, Peshawar.
10. Registrar, Service Tribunal Khyber Pakhtunkhwa.
11. The Treasury Officer, Peshawar.
12. All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
13. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar.
14. PS to Finance Secretary.
15. All Section Officers/Budget Officers in Finance Department.

Pl. circulate

[Signature]
SECTION OFFICER (FR)

Steph

J 12/3
[Signature]

12-03-18

25/128

BETTER COPY

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

No.SO(FR)/F/D/7-13/2017/6253

Dated Peshawar the 07.03.2018

NOTIFICATION

NO.FD/SO(FR)7-13/2017/6253

In pursuance of recommendations of the up-gradation committee and approval granted by the Competent Authority, sanction is hereby accorded to the up-gradation of the post of Sub Engineers from BPS-11/12 to BPS-16 (one time) as personal to the incumbents having 10 years or more service of their credit in the same scale in all the Government Department of Khyber Pakhtunkhwa with immediate effect.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
FINANCE DEPARTMENT.

Endst: No. & Date as above.

Copy of the above is forwarded for information and necessary action to the:

1. PS to Additional Chief Secretary, FATA.
2. All Administrative Secretary Government of Khyber Pakhtunkhwa.
3. Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
4. Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. Registrar, Peshawar High Court, Peshawar.
10. Registrar, Service Tribunal, Khyber Pakhtunkhwa.
11. The Treasury Officer, Peshawar.
12. All District/Agency Accounts Officer in Khyber Pakhtunkhwa/FATA.
13. Director Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
14. PS to Finance Secretary.
15. All Section Officers/Budget Officers in Finance Department.

SECTION OFFICER (FR)



GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

Annex = "E"

12

Dated Peshawar 9th December, 2016

NOTIFICATION

No. SO(E)/IRR/4-1/83/Vol-IV: The competent authority is pleased to transfer ~~Mr. A. A. Khan, B.E., P.W.D., Irrigation Division, Swat and Mr. A. A. Khan, B.E., P.W.D., Irrigation Division, Swat~~ as Sub-Divisional Officer, Irrigation Sub-Division, Swat and to report post in his own right from 17.12.2016. This transfer is an additional charge of the post with immediate effect in the public interest.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Encls: No. 2, Date as above

Copy of the above is forwarded to:-

- 1- The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- The Chief Engineer (North), Irrigation Department, Peshawar.
- 3- The Chief Engineer (South), Irrigation Department, Peshawar.
- 4- The Superintending Engineer (H/O) North Irrigation Department.
- 5- The Superintending Engineer (H/O) South Irrigation Department.
- 6- The Superintending Engineer, Irrigation Circle 3, Swat.
- 7- The ZEM, Swat Irrigation Division, Swat.
- 8- The District Account Officer, Swat.
- 9- The Section Officer (Dist.) Irrigation Department.
- 10- The officer/official concerned.
- 11- PS to Senior Minister for Irrigation, Khyber Pakhtunkhwa, Peshawar.
- 12- PS to Secretary Irrigation Department.
- 13- Personal file of the officer/official.
- 14- Master file No. 4/10/11.

Fazal Elahi
(FAZAL ELAHI) 9/12
SECTION OFFICER (ESTT.)

OFFICE	NO.	DATE
Minister		9/12
804	5050	9/12
AO		
AAO		

A/3
13/12

BETTER COPY

GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

Dated Peshawar 9th September, 2016

NOTIFICATION

No.SO(E)IRR:/4-1/83/Vol-IV

The Competent Authority is pleased to transfer Mr. Inamullah Graduate Sub Engineer Swat Irrigation Division, Swat and post him as Sub Divisional Officer Irrigation Sub Division Shangla against the vacant post in his own pay scale relieving Mr. Nazir Ahmad Sub Engineer from additional charge of the post with immediate effect in the public interest.

Secretary to Govt. of Khyber Pakhtunkhwa,
Irrigation Department.

Endst: No. & Date as above.

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Chief Engineer (North) Irrigation Department, Peshawar.
3. The Chief Engineer (South) Irrigation Department, Peshawar.
4. The Superintending Engineer (HQ) North Irrigation Department.
5. The Superintending Engineer (HQ) South Irrigation Department.
6. The Superintending Engineer, Irrigation Circle, Swat.
7. The XEN Swat Irrigation Division, Swat.
8. The District Accounts Officer, Swat.
9. The Section Officer (Dev.) Irrigation Department.
10. The officer/official concerned.
11. PS to Senior Minister for Irrigation, Khyber Pakhtunkhwa, Peshawar.
12. PS to Secretary Irrigation Department.
13. Personal file of the officer/official.
14. Master file i.e. 4 10/77.

(FAZAL ELAHI)
SECTION OFFICER-ESTT:



GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT
(Establishment Section)

Annex = "F"

(13)

Dated Peshawar 18th December, 2020

NOTIFICATION

No. SO(E)/IRR/4-10/77/Vol-VI: The Competent Authority is pleased to place the services of Mr. Inamullah, Planning Officer (OPS), Planning & Monitoring Cell of Irrigation Department at the disposal of Chief Engineer (North) Irrigation Department with immediate effect in the public interest with the direction to report the Chief Engineer (North) Irrigation on Monday i.e. 21st December, 2020 positively

Consequent upon the above, the Competent Authority is further pleased to authorize the above named officer to draw his monthly salary against the vacant post of Assistant Engineer, office of Chief Engineer (North) Irrigation


Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Endst: No. & Date as above

Copy of the above is forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar
2. The Chief Engineer (North/South), Irrigation Department, Peshawar.
3. The Chief Engineer (Merged Areas) Irrigation Department.
4. The Director (Tech) PMC, Irrigation Department.
5. All Superintending Engineers of Irrigation Department.
6. The Officer concerned
7. The Section Officer (Dev) Irrigation Department.
8. PS to Minister for Irrigation, Khyber Pakhtunkhwa, Peshawar.
9. PS to Secretary Irrigation Department.
10. PA to Additional Secretary, Irrigation Department.
11. PA to Deputy Secretary (Admn), Irrigation Department.
12. Personal File of the officer.

ATTESTED


(Abdul Rauf)
Section Officer (Estt.)

Annex = "G"

14



OFFICE OF THE CHIEF ENGINEER (SOUTH)
GOVT. OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT PESHAWAR

Ph: 091-9212116 Fax No. 091-9212652 E-Mail: chiefoffice@yahoo.com

No. 4336/IB/A/33-G,

Dated Peshawar 16/08/2018

OFFICE ORDER

The following candidates of Irrigation Department, Khyber Pakhtunkhwa have
Passed the Departmental Grade B Examination held on 4, 5 and 6 April 2018

S.No	Name, designation	Name of Office
1	Mr. Shah Rehman S/Engineer OPS	Swabi Divn. No.1 Swabi
2	Abdur Razaq Sub Engineer (OPS)	Kohat Irrigation Divn. Kohat
3	Mr. Bakhtiar SDO	Swat Irrigation Division Swat
4	Mr. Fawad Ahmad Work Munshi	Swat Irrigation Divn. Swat
5	Imran Sub Engineer	-do-
6	Azeemullah Sub Engineer	-do-
7	Mr. Ahmad Jamil Sub Engineer	-do-
8	Mr. Amjad Iqbal Sub Engr. OPS	-do-
9	Mr. Rizwan SDO OPS	Gomal Zam Division DE Khan
10	Mr. Samiullah Sub Engineer (OPS)	CRBC Irrigation Divn. DE Khan
11	Noor Mohammad Sub Engineer	Malakand Irrigation Division
12	Mr. Gul Said Sub Engineer OPS	Warsak Canals Divn. Peshawar
13	S. Islam Hussain Sub Engineer OPS	-do-
14	Mohammad Iqbal Canal Inspector	Peshawar Canals Divn. Peshawar
15	Mr. Asad Ali Sub Engineer	Swabi Irrigation Division No.2
16	Mr. Yasir Fawad Sub Engineer OPS	Swabi Irrigation Division No.2
17	Mr. Suleman Work Munshi	-do-
18	Mr. Ikram Ali Work Munshi	-do-
19	Mr. Asghar Ali Sub Engineer	Mechanical Division Peshawar
20	Muhammad Mumtaz S/Engineer	Mechanical Irr. Divn. Peshawar
21	Asad Zia Sub Engineer	Mechanical Irr. Divn. Peshawar
22	Mr. Imtiaz Ali Sub Engineer	T/Well Irrigation Divn. Peshawar
23	Mohammad Shafi S/Engineer OPS	-do-

24	Waheedullah Sub Engineer (OPS)	Marwat Canal Divn: Bannu
25	Imtiaz Hussain Sub Engineer OPS	Flood Irrigation Division DIKhan
26	Mr. Kifayatullah Sub Engr: OPS	-do-
28	Muhammad Arsalan S/Engineer OPS	Malakand Irrigation Division
29	Mr. Shahid Ali Shah SDO (OPS)	Dir Irrigation Division Dir
30	Mr. Sadam Khan Sub Engineer OPS	Swat Irrigation Divn: Swat
31	S. Mazhar Ali Shah S/Engineer OPS	Peshawar Canal Divn: Peshawar
32	Muhammad Nawaz S/Engineer	Warsak Canals Divn: Peshawar
33	Mr. Inamullah S/Engineer OPS	PHLC Project Swabi.
34	Mr. Razaullah Sub Engineer	Kohat Irrigation Divn: Kohat
35	Mr. Amin Khan Sub Engineer OPS	Kohat Irrigation Divn: Kohat
36	S. Khurshid Gul Sub Engineer OPS	Kohat Irrigation Divn: Kohat
37	Muhammad Shafiq Sub Engineer OPS	-do-
38	Mohammad Raziq Sub Engineer (OPS)	-do-
39	Mr. Sadam Khan Sub Engineer	Hazara Irr: Din: A/Abad
40	Mr. Javedullah Sub Engineer	Small Dams P&C Divn: Mardan
41	Mr. Johar Rehman Sub Engineer	Irr: & Hydel SW Agency
42	Saeedur Rehman Sub Engineer	Irr: & Hydel SW Agency
43	Muhammad Awais Sub Engineer	Irr: & Hydel SW Agency
44	Aurangzeb Sub Engineer	Irr: & Hydel SW Agency
45	Mr. Inamullah SDO (OPS)	Swat Irrigation Divn: Swat
46	Mr. Asif Munir Sub Engineer OPS	Hazara Irrigation Div: A/Abad
47	Roohul Qudos S/Engineer OPS	-do-
48	Muhammad Saeed Surveyor	Hydrology Irr: Division Peshawar
49	Mr. Zeeshan Zaheer Sub Engineer	Peshawar Canals Divn: Peshawar
50	Muhammad Tahir Work Munshi	-do-
51	Muhammad Qaseem Jan Sub Engineer OPS	Warsak Canal Division Peshawar
52	Mr. Naveed Ahmad Canal Inspector	Remodeling Project Peshawar
53	Mr. Saeed Gul Sub Engineer	-do-
54	Mr. Amad Sub Engineer	Warsak Canals Divn: Peshawar
55	Mr. Abdul Qudos Sub Engineer	SIRAN Project A/Abad
56	Muhammad Haris Rafiq Surveyor	CRBC Division DIKhan

ATTACHED

16

57	Mr. Mohammad Manan S/Engineer	Dir Irrigation Division Dir
58	Mr. Rizwan Khan Sub Engineer	Swat Irr: Divn: Swat
59	Mr. Abdul Ghaffar Gauge Reader	W.C. Divn: Peshawar
60	Muhammad Ilyas Gauge Reader	Mardan Irrigation Division
61	Hamidullah Sub Engineer	Marwat Canal Divn: Bannu
62	Muhammad Hilal Sub Engineer OPS	Swat Irrigation Divn: Swat
63	Arifullah Work Munshi	Marwat Canal Divn: Bannu
64	Mr. Zainul Akbar Work Munshi	Rehabilitation Project Peshawar
65	Fahimullah Work Munshi	Gomal Zam Divn: DIKhan
66	Hidayatullah Sub Engineer (OPS)	Marwat Canal Divn: Bannu
67	Mr. Kamal Khan Sub Engineer	Irrigation & Hydrel FATA
68	Mr. Nizamul Haq Sub Engineer OPS	Dir Irrigation Division Dir

The following candidates have failed in the subject noted examination

Sl. No.	Name, designation	Name of Office	Subject in which failed	Marks obtained	Remarks
1	Mr. Asadullah Gauge Reader	Bannu Canal Divn: Bannu	Practical Accounts Professional	54 48 55	Lost 1st chance Passed Survey in this year
2	Mr. Inamullah Work Munshi	Bannu Canal Divn: Bannu	Practical	62	Lost 1st chance Passed professional Survey & Accounts this year
3	Mr. Zar Muhammad Work Munshi	Bannu Canal Divn: Bannu	Professional Accounts Practical	44 46 62	Lost 1st chance Passed Survey this year
4	Habibur Rehman Work Munshi	Gomal Zam Divn: DIKhan	Professional Accounts Practical	49 32 82	Lost 1st chance passed survey this year
5	Hafiz Jehanzeb Work Munshi	CRBC Irrigation Division DIKhan	Professional Accounts	38 44	Lost 2 nd chance passed survey and practical previously.
6	Umarsaid Gauge Reader	Charsadda Irr: Divn: Charsadda	Practical	34	Lost 1st chance passed professional, Survey and accounts this year
7	Mr. Uzair Khan Sub Engineer	Small Dams (P&C) Divn: Mardan	Practical	74	Lost 1st chance passed professional, survey and accounts this year.
8	Muhammad Irfan Haidar Work Munshi	Paharpur Irr: Divn: DIKhan	Professional	22	Lost 2 nd chance passed accounts this year & practical & survey previously
9	Mr. Nazar Muhammad Work Munshi	Swabi Irrigation Division No. 2	Professional Accounts	47 53	Lost 2 nd chance passed survey this year and practical previously

ATTACHED

10	Mr. Fazal Subhan Work Munshi	-do-	Professional Accounts Survey	40 44 52	Lost 2 nd chance passed practical this year
11	Hidayatullah Work Munshi	Flood Irrigation Division DIKhan	Professional Accounts Survey	50 32 43	Lost 1st chance passed practical this year
12	Mr. Saleh Mohammad Work Munshi	Swabi Irrigation Division No.1	Survey	40	Lost 2 nd chance passed professional, Practical, and accounts previously
13	Mr. Farooq Work Munshi	Mardan Irrigation Division Mardan	Professional Accounts	47 30	Lost 2 nd chance passed practical and Survey previously
14	Mohibullah Gauge Reader	Mardan Irrigation Division Mardan	Accounts	24	Lost 1st chance passed professional Survey & practical this year
15	Mr. Abdullah Gauge Reader	Warsak Canals Division Peshawar	Professional Accounts	34 46	Lost 1st chance passed practical and survey this year
16	Mr. Sardar Gul Sub Engineer	Charsadda Irrigation Division	Accounts Practical	49 77	Lost 1st chance passed Professional, & Survey this year
17	Mr. Tariq Mehmood Work Munshi	Mardan Irrigation Divn: Mardan	Professional Accounts Survey	44 13 23	Lost 2 nd chance passed, practical previously
18	Mr. Naveed Ayaz Work Munshi	Swabi Irrigation Division No.2	Professional Accounts	21 43	Lost 1st chance passed survey & practical this year
19	Muhammad Mansoor Work Munshi	Gomal Zam Division DIKhan	Survey Practical	22 75	Lost 1st chance passed Professional and Survey this year
20	Mr. Ihsanullah Gauge Reader	Hydrology Divn: Peshawar	Professional Accounts Practical	45 34 42	Lost 1st chance passed Survey this year
21	Mr. Asmatullah	CRBC Division DIKhan	Professional Accounts Practical	21 33 42	Lost 1st chance passed survey this year
22	Waqar Anjum Work Munshi	Paharpur Irr: Divn: DIKhan	Professional Accounts Practical	25 51 78	Lost 1st chance passed survey this year
23	Tahid Khan Gauge Reader	Morwat Canal Division Bannu	Practical	53	Lost 1st chance passed professional, survey and accounts this year
24	Fahad Khan Work Munshi	Swabi Division No.1	Professional Practical	49 83	Lost 1st chance passed Accounts and survey this year
25	Muhammad Hamad Hussain Gauge Reader	Swabi Division No.1 Swabi	Accounts Practical	54 49	Lost 1st chance passed professional and survey this year
26	Ghulam Jillani Gauge Reader	Paharpur Irrigation Divn: DIKhan.	Professional Accounts Survey	52 35 49	Lost 2 nd chance
27	Mutabar Khan Sub Engineer	Irrigation & Hydrl FATA	Professional Accounts Practical	55 42 69	Lost 1st chance passed survey this year
28	Niaz Hussain Mate	CRBC Division DIKhan	Professional Accounts	42 53	Lost 1st chance passed survey & practical this year
	Hashmatullah Gauge Reader	Paharpur Irr: Divn: DIKhan	Professional Practical	28 71	Lost 1st chance passed survey and accounts this year

30	Muhammad Rizwan Gauge Reader	Paharpur Irr: Divn: DIKhan	Professional Accounts Survey Practical	31 40 40 36	Lost 1st chance failed in all subjects
31	Bahadur Khan Work Munshi	Paharpur Irr: Divn: DIKhan	Professional Accounts Survey Practical	17 22 44 77	Lost 1st chance failed in all subjects
32	Kilayatullah Sub Engineer (OPS)	Gomal Zam Divn: DIKhan	Accounts	54	Lost 1st chance passed survey, professional and practical this year
33	Mr. Shahid Riaz Work Munshi	Hazara Irrigation Divn: A/Abad	Professional Accounts	Absent	Lost 1st chance passed survey & practical this year
34	Ibrar Shah Work Munshi	Marwat Canal Divn: Bannu	Professional	Absent	Lost 1st chance passed survey, accounts and practical this year
35	Hayatullah G/Reader	Marwat Canal Divn: Bannu	Accounts	37	Lost 1st chance passed professional, survey and practical this year
36	Javed Hassain Shah Work Munshi	Paharpur Irr: Divn: DIKhan	Professional Accounts Survey	37 35 Absent	Lost 2nd chance Passed practical previously
37	Samiullah Khan Work Munshi	Marwat Canal Divn: Bannu	Practical Survey	54 Absent	Lost 1st chance passed professional and accounts this year
38	Nawaz Awan Work Munshi	CRBC Divn: DIKhan	Professional Practical	40 76	Lost 1st chance
39	Mr. Fazal Sher	Warsak Canal Division Peshawar	Professional Accounts Survey	Absent Absent Absent	Lost 1st chance passed practical this year
40	Mudassir Hussain Mechanic	CRBC Divn: DIKhan	Professional Accounts Survey	Absent Absent Absent	Lost 1st chance passed practical this year
41	Mr. Hidayatullah Gauge Reader	Hydrology Irr: Division Peshawar	Accounts	33	Lost 1st chance passed professional, survey & practical this year
42	Mr. Ghafar Ali Sub Engineer OPS	PHLC Project Swabi	Survey	38	Lost 2 nd chance passed professional, accounts and practical this year

[Signature]
CHIEF ENGINEER (SOUTH)

Chief Engineer (North) Irrigation Department.
 Director General Small Dams Directorate Irrigation Department.
 Director FATA Irrigation and Hydel FATA Secretariat.
 Project Director SIRAN Right Bank Canal Project A/Abad.
 Project Director Remodeling of Warsak Canal Project Peshawar.
 Project Director PHLC Project Swabi.
 All Superintending Engineers in Irrigation Department.
 All Executive Engineers in Irrigation Department.
 Deputy Director Small Dams (P&C) Division Kohat/A/Abad, Peshawar and Mardan.
 Official concerned.

CHIEF ENGINEER (SOUTH)

ATTACHED

Annex = "H"

19



OFFICE OF THE CHIEF ENGINEER (SOUTH)
GOVT. OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT PESHAWAR

Ph: 091-9212116 Fax No. 091-9212652 E-Mail: chiefoffice@yahoo.com

No. 4728/III/A/33-G,

Dated Peshawar 15/10/2020

OFFICE ORDER

The following candidates of Irrigation Department Khyber Pakhtunkhwa have
Passed the Departmental Grade A Examination held on 13,14 and 15 July 2020:-

Sl. No	Name, designation	Name of Office to which attached
1	Mr. Abdul Ghaffar Sub Engineer (OPS)	SIRAN Project A/Abad.
2	Mr. Abdul Qudos Sub Engineer	-do-
3	Mr. Abdur Razzaq Sub Engineer (OPS)	Irr. and Hydel Power NWTD Tank
4	Mr. Adil Khan Sub Engineer (Mech:)	Tubewell Division Peshawar
5	Mr. Amjad Iqbal Sub Engineer (OPS)	Swat Irrigation Divn: Swat
6	Asad Ali Sub Engineer	Warsak Canal Division Peshawar
7	Asghar Ali Sub Engineer	Paharpur Irr: Division DIKhan
8	Mr. Asif Munir Sub Engineer (OPS)	Small Dams (P&C) A/Abad
9	Mr. Aurang Zeb Sub Engineer	Irr. and Hydel Power NWTD Tank
10	Azhar Qayum	Small Dams (P&C) Divn: Kohat
11	Mr. Azimullah SDO (OPS)	Chitral Irrigation Division Chitral
12	Mr. Bakhtiar SDO	Malakand Irrigation Division MKD.
13	Mr. Fawad Ahmad Sub Engineer (OPS)	Swat Irrigation Division Swat
14	Mr. Fida Mohammad Sub Engineer	Malakand Irrigation Division
15	Hamidullah Sub Engineer	Marwat Canal Division Bannu
16	Hidayatullah Sub Engineer (OPS)	Paharpur Irrigation Divn: DIKhan
17	Hidayatullah Gauge Reader	Hydrology Division Peshawar
18	Mr. Ikramullah Sub Engineer	Mardan Irrigation Divn: Mardan
19	Imad Jan Sub Engineer	Peshawar Canals Division Peshawar
20	Mr. Imran Khan Sub Engineer	Swat Irrigation Division Swat
21	Mr. Imriaz Ali Sub Engineer	Mardan Irrigation Division Mardan
22	Mr. Imtiaz Hussain Sub Engineer OPS	CRBC Division DIKhan
23	Mr. Inamul Haq Lodhi Sub Engineer	Hazara Irrigation Division A/Abad
24	Mr. Inamullah SDO (OPS)	Irrigation Secretariat (PMC)
25	Mr. Inamullah Sub Engineer (OPS)	PHILCE Project Swabi
26	Mr. Javedullah SDO (OPS)	Irr. and Hydel Power Khyber Divn:
27	Jauhar Rehman SDO	-do-
28	Kamal Khan Sub Engineer	Irr. and Hydel Power Divn: Kurram
29	Mr. Kifayatullah Sub Engineer (OPS)	Paharpur Irr: Divn: DIKhan
30	Mr. Kifayatullah Sub Engineer (OPS)	Irr. and Hydel Power NWTD Tank

CD 10/20/2020 of grade A 2020.docx

ATTESTED

31	Mr. Manan Khan Sub Engineer	Charsadda Division
32	Muhammad Nawaz Sub Engineer	Peshawar Canal Division Peshawar
33	Mohammad Arif Sub Engineer	CRBC Division DIKhan
34	Muhammad Arsalan Sub Engineer	Swat Irrigation Division Swat
35	Muhammad Awais Sub Engineer	Irr. and Hydel Power NWT D Tank
36	Mohammad Hilal Sub Engineer (OPS)	Swabi Division No.1
37	Muhammad Mumtaz Sub Engineer	Hydrology Division Peshawar
38	Mohammad Shafi Sub Engineer (OPS)	Warsak Canal Division Peshawar
39	Muhammad Shafiq Sub Engineer (OPS)	Kohat Division Kohat
40	Mr. Nizamul Haq Sub Engineer (OPS)	Dir Irrigation Divn: Dir
41	Mr. Noor Mohammad SDO (OPS)	Swat Irrigation Division Swat
42	Mr. Noor Rehman Sub Engineer OPS	Tubewell Division Peshawar
43	Mr. Rizwan Khan Sub Engineer	Swat Irrigation Division Swat
44	Mr. Rizwan SDO (OPS)	Flood Division DIKhan
45	Syed Khurshid Gul Sub Engineer (OPS)	Kohat Division Kohat
46	Syed Mazhar Ali Shah Sub Engineer OPS	Peshawar Canal Division Peshawar
47	Mr. Saadullah Sub Engineer	Gomal Zam Divn: DIKhan
48	Mr. Sadam Khan SDO (OPS)	Hazara Irrigation Division A/Abad
49	Mr. Saeed Gul Sub Engineer	Remodeling Project Peshawar
50	Mr. Saeedur Rehman Sub Engineer	Irr. and Hydel Power Divn: Khyber
51	Mr. Samiullah Sub Engineer (OPS)	Gomal Zam Division DIKhan
52	Mr. Shahid Ali Khan SDO (OPS)	Dir Irrigation Division Dir
53	Mr. Sohail Khan Sub Engineer (OPS)	Swabi Irrigation Division No.2
54	Mr. Suleman Khan Sub Engineer (OPS)	Charsadda Division Charsadda
55	Mr. Sultan Ali Sub Engineer	Marwat Canal Division Bannu
56	Mr. Tareeb Said SDO (OPS)	Dir Irrigation Division Dir
57	Mr. Wahidullah Sub Engineer (OPS)	Marwat Canal Division Bannu
58	Mr. Wajahat Hussain Shah SDO (OPS)	Warsak Canal Divn: Peshawar
59	Mr. Yasir Fawad Sub Engineer (OPS)	Mardan Irrigation Division
60	Mr. Zeeshan Zaheer SDO (OPS)	Irr. and Hydel Power Divn: Kurram

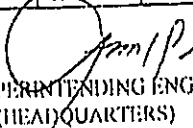
The following candidates have failed in the subject noted examination

ATTESTED

Sl. No	Name, designation	Name of Office	Subject in which failed	Marks obtained	Remarks
1	Mr. Ahmad Jamil Sub Engineer	Swat Division	Accounts Professional	34 20	Passed Practical & Survey this year
2	Mr. Anwar Hayat Sub Engineer (Mech)	CRBC Divn: DIKhan	Accounts	30	Passed professional and Practical previously
3	Mohammad Huris Rafiq, Surveyor	Peshawar Canals Divn: Peshawar	Professional Accounts Survey Practical	23 40 48 45	Failed in all subjects


21

4	Mohammad Qasem Jan Sub Engineer OPS	Warsak Canals Division	Professional Accounts Survey Practical	40 0 12 16	Failed in all subjects
5	Mr. Razaullah Engineer	Sub Kohat Division	Professional Accounts Survey	51 51 42	Passed Practical this year
6	Mr. Sadam Engineer (OPS)	Sub Dir Irrigation Division	Professional Accounts Survey Practical	30 42 37 15	Failed in all subjects
7	Samiullah Munshi	Work Marwat Canal Divn: Bannu	Accounts Practical	39 61	Passed professional this year
8	Fahimullah Work Munshi	Gomal Zam Divn: DIKhan	Professional Accounts Survey Practical	06 10 02 02	Failed in all subjects
9	Mohammad Hyas Gauge Reader	Mardan Irrigation Division Mardan	Professional Accounts Survey Practical	18 10 16 18	Failed in all subjects


SUPERINTENDING ENGINEER
(HEADQUARTERS)

CC

1. Secretary to Government of Khyber Pakhtunkhwa Irrigation Department.
2. Chief Engineer (North) Irrigation Department.
3. Chief Engineer (Merged Area) Irrigation Department Peshawar.
2. Director General Small Dams Directorate Irrigation Department.
3. Director Irr: and Hydel Power (Merged Area).
4. Project Director SIRAN Right Bank Canal Project A/Abad.
5. Project Director Remodeling of Warsak Canal Project Peshawar.
6. Project Director P.H.C Project Swabi.
7. All Superintending Engineers in Irrigation Department.
8. All Executive Engineers in Irrigation Department.
9. Deputy Director Small Dams (P&C) Division Kohat/A/Abad, Peshawar and Mardan.
10. Official concerned.


SUPERINTENDING ENGINEER
(HEADQUARTERS)

ATTESTED

Annex = I

22

EXTRAORDINARY

EXTRAORDINARY
GOVERNMENT

REGISTERED NO. PIII
GAZETTE



KHYBER PAKHTUNKHWA
Published by Authority

PESHAWAR, SATURDAY, 2ND APRIL, 2011.

GOVERNMENT KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT.

NOTIFICATION

Dated Peshawar the 17th February, 2011.

NO.SO(E)IRR:/23-5/73: 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, 1989 and in supersession of all previous rules and notifications, issued in this behalf, except Notification No.SO(E)IRR:/23-5/73 dated 20-12-2006, the Irrigation Department, in consultation with the Establishment Department and the Finance Department hereby lays down, the method of recruitment, qualification and other conditions specified in columns No. 3 to 5 of the Appendix (pages 1 to 5) to this Notification which shall be applicable to the posts in column No. 2 of the Appendix.

Secretary to Government of the Khyber Pakhtunkhwa Province
Irrigation Department.

688

Printed and published by the Manager,
Staty. & Ptg. Dept., Khyber Pakhtunkhwa, Pesh.

ATTACHED



KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 2ND APRIL, 2011.

APPENDIX

23

S#	Nomenclature of Post	Qualification for appointment	Age Limit	Method of recruitment
1	2	3	4	5
PART-I-ENGINEERING-STAFF				
1.	Chief Engineer/ Director General (BPS-20)			By selection, on merit from amongst the Senior Superintending Engineers and Directors with at least seventeen years service in BPS-17 and above, possessing Degree in B.E/BSc Engineering (Civil) from a recognized University.
2.	Superintending Engineer/Director (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above.
3.	Executive Engineer/ Deputy Director (BPS-18)			By promotion, on the basis of seniority cum fitness, from amongst the Sub Divisional Officers, Assistant Engineers and Assistant Directors possessing Degree in B.E/BSc Engineering (Civil or Mechanical) from a recognized University, with at least five years service as such, and have passed the Professional or Revenue Examination under the prescribed rules.
4.	Assistant Engineer/Sub Divisional Officer/ Assistant Director (BPS-17)	BE/BSc Degree in Civil/Mechanical Engineering from a recognized University	21 to 32 years	a. Sixty five percent by initial recruitment. b. ten percent by promotion, on the basis of seniority cum fitness, from amongst the Sub Engineer's who has acquired during service degree in Civil or Mechanical Engineering from a recognize university. c. five percent by promotion, on the basis of seniority cum fitness, from amongst the Sub Engineer's who joined service as degree holders in Civil/Mechanical Engineering and d. twenty percent by promotion, on the basis of seniority-cum-fitness from amongst the Sub Engineer's, who hold a diploma of Civil, Mechanical, Electrical or Auto Technology and have passed Departmental Grade A examination with ten years service as such. Note: - Provided that where candidate under Clause (b) & (c) above is not available for promotion, the vacancy shall be filled in by initial recruitment.
5.	Sub Engineer (BPS-11)	Diploma of Associate Engineering in Civil/Mechanical/Auto/Electrical Technology from a recognized Institute.	18 to 30 years	a. Eighty percent by initial recruitment; and b. twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Canal Inspectors, Work Takers, Gauge Readers, Surveyors and other establishments having Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology from a recognized institute or Board of Technical Education of Government with at least ten years service, and have passed the departmental Grade B and Grade A examination.

24

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.M.
G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 25TH JUNE, 2012.

**GOVERNMENT OF KHYBER PAKHTUNKHWA,
IRRIGATION DEPARTMENT.**

NOTIFICATION

Dated: 25th June, 2012.

No. SOE/IRRI/23-5/2010-11. — In pursuance of the provisions contained in sub-rule (2) of rule-3 of the Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Irrigation Department in consultation with the Establishment Department and the Finance Department, hereby directs that in this Department's Notification No. SO(E)Irr./23-5/73 dated 17.02.2011, the following amendments shall be made namely:-

AMENDMENTS

In the Appendix,

Against Serial No. 4, in column No. 5, for the existing entries, in clause (b), (c) and (d), the following shall be respectively substituted, namely:

(b) twelve percent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers, having degree in Civil Engineering or Mechanical Engineering from a recognized university and have passed departmental grade B&A examination with five year service of such.

Note- For the purpose of Clause (b), a Joint seniority list of the Sub Engineers having Degree in Civil Engineering or Mechanical Engineering shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub-Engineer.

(c) eight percent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineers, having Degree in B. Tech (Hons) and have passed departmental Grade B and A examination with five years service as such; and

Note- For the purpose of clause (c), a seniority list of Sub Engineers having Degree in B. Tech (Hons) shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub Engineer.

(d) fifteen percent by promotion, on the basis of seniority-cum-fitness from amongst the Sub Engineers, who hold a Diploma of Associate Engineer in Civil, Mechanical, Electrical or Auto Technology and have passed departmental Grade B and A examination, with five years service as such.

Note- For the purpose of clause (d), a seniority list of Sub Engineers having Diploma of Associate Engineering in Civil Mechanical, Electrical or Auto Technology shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub Engineer.

1212

ATTACHED

25

Note- The quota of clause (b), (c) and (d), above respectively shall be filled in by initial recruitment, if no suitable Sub Engineer is available for promotion:

- ii. against serial No. 5, in column No. 5, for the existing entries in clause (b), the following shall be substituted, namely:
 - (b) fifteen percent by promotion, on the basis of seniority-cum-fitness, from amongst the Canal Inspectors, Work Takers, Gauge Readers, Surveyors, having Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology from a recognized Board of Technical Education, having passed the departmental Grade-B and Grade-A examination, with at least seven years service as such; and
 - (c) five percent by promotion, on the basis of seniority-cum-fitness, from amongst the Canal Inspectors, Work Takers, Work Munshi, Surveyors, and work superintendent, having passed the departmental Grade-B examination with at least ten years service as such;
- iii. Against serial No. 7, in column No. 5, for the words "three years" the words "one year" shall be substituted;
- iv. against serial No. 9, in column No. 3, for the existing entry the following shall be substituted, namely:
 - a. Bachelor Degree or equivalent qualification from a recognized University; and
 - b. A speed of 80 words per minute in short hand in English and 40 words per minute in English typing; and
- v. against serial No. 13, in column No. 5, in clause (b), the words and figures "and are under 45 years of age" shall be deleted.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT.

Printed and published by the Manager,
Stacy. & Ptg. Dept., Khyber Pakhtunkhwa, Pesh.

ATTACHED

Scanned with CamScanner

Annex = J

PROFORMA-I

26

Subject:- WORKING PAPER FOR DEPARTMENTAL PROMOTION COMMITTEE

Department IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA

1. Nomenclature of the post Assistant Engineer/Sub Divisional Officer BS-17
 2. Service Cadre Engineering cadre (Graduate) ✓
 3. Sanctioned strength of Regular cadre
 (i) Irrigation Department = 80
 (ii) Merged Area = 21
 Total:- = 101

i	Percentage of share	Direct	Promotion			Transfer	Remarks
		65%	12% Graduate	8% Btech Honours	15% Diploma Holder		
ii	No. of posts in each category	65.65 (Say- 66)	12.12 (Say 12) ✓	8.08 (Say-08)	15.15 (Say-15)	-	-
iii	Present occupancy position	29	06 ✓	6	08	-	Detail attached
iv	No. of vacancies in each category	37	06 ✓	02	07	-	-

(v) How did the vacancy (i.e) under Promotion quota accrue and since

Due to promotion of Muhammad Sajjad and Muhammad Younas Sub Divisional Officers BS-17 to the rank of Executive Engineer BS-18 vide Notification No.SO(E)IRR:/4-3/DPC/PSB/2012 Vol:V 22-1-2020. (Annexure-I) and retirement of Muhammad Naeem³ Wahidullah¹ and Hayatullah Graduate SDO (Annexure-II,III and IV) and including 21 posts of Assistant Engineers BS-17 of Irrigation Department (Merged Area)

(vi) Recruitment Rules

- 65% by initial recruitment.
- Twelve percent by promotion on the basis of seniority cum fitness from amongst the Sub Engineers, having degree in Civil Engineering or Mechanical Engineering from a recognized University and have passed departmental Grade B&A examinations with five year service as such:
 Note:- For the purpose of clause(b) a joint seniority list of the Sub Engineers having Degree in Civil Engineering or Mechanical Engineering shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub Engineer or from the date of acquiring degree whichever is later.
- Eight percent by promotion on the basis of seniority cum fitness from amongst the Sub Engineers having degree in B.Tech: (Hons) and have passed departmental Grade B and A examinations with five years' service as such and.
 Note:- For the purpose of clause(c) a seniority list of the Sub Engineers having Degree in B.Tech: (Hons) shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub Engineer or from the date of acquiring degree whichever is later

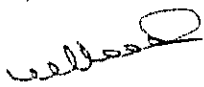
27


- d. Fifteen percent by promotion on the basis of seniority cum fitness from amongst the Sub Engineers who hold a Diploma of Associate Engineer in Civil, Mechanical, Electrical or Auto Technology and have passed departmental Grade B and A examinations with five years' service as such and.

Note:- For the purpose of clause(d) a seniority list of the Sub Engineers having Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology shall be maintained and their seniority is to be reckoned from the date of their 1st appointment as Sub Engineer.

Note:- The quota of clause (b) (C) and (d) above respectively shall be filled in by initial recruitment if no suitable Sub Engineers is available for promotion:

Final Seniority list of degree holder Sub Engineer as stood on 31-12-2020 is attached along with synopsis of the officials


Additional Secretary
Irrigation Department


A. T. A. T. E. E.

PROFORMA-II

28

Panel of Graduate Sub Engineers for consideration

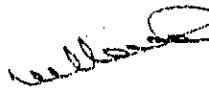
S.No.	Name of Sub Engineers	Date of ist Entry into service	Prescribed Length of Service for promotion	Eligible for Promotion	Remarks
1	Mr, Roohul Amin	12-12-1990	05 years	Not eligible	Not yet passed Grade A Examination Working as SDO On acting charge basis since 13-12-2011
2	Shaukat Badshah	09-12-1990	05 years	Not eligible	Not yet passed Grade A Examination Working as SDO on acting Charge basis Since 13-12-2011
3	Mr. Saeedullah	19-3-1992	05 years	Not eligible	Not yet passed Grade B & A Examination Working as SDO on acting Charge basis Since 13-12-2011
4	Mr. Bakhtiar	19-3-1992	05 years	Eligible	passed Grade B & A Examinations and Working as SDO on acting Charge basis Since 13-12-2011
5	Mr. Faridullah	16-8-1992	05 years	Not eligible	Not yet passed Grade B & A Examination Working as SDO on acting Charge basis Since 13-12-2011
6	Mr. Asif Khan	24-4-1995	05 years	Not eligible	Not yet passed Grade A Examination Working as SDO on acting Charge basis Since 13-12-2011
7	Mr. Yahya Hameed	04-03-1996	5 years	Not eligible	Not yet passed Grade A Examination
8	Mr. Inamullah	19-11-2011	5 years	Eligible	Passed Grade B & Grade A Examinations

9	Musharaf Shah	17-11-2006	5 years	Not eligible	Not yet passed Grade A Examination Working as SDO on acting Charge basis Since 13-12-2011
10 ✓	Mr. Shahid Ali Khan	16-9-2013	5 years	Eligible	Passed Grade B & Grade A Examinations
11 ✓	Mr. Rizwan	16-9-2013	5 years	Eligible	Passed Grade B & Grade A Examinations
12	Mr. Jamshed Akram	17-11-2006	5 years	Not eligible	Not yet passed Grade A Examination
13 ✓	Mr. Javedullah	19-10-2010	5 years	Eligible	Passed Grade B & Grade A Examinations
12	Miss Naila Sajjad	2-10-2018	5 years	Not eligible	Not yet passed Grade A Examinations /not completed 5 years service
13	Mr. Nauman Khan	17-7-2019	5 years	Not eligible	Not yet passed Grade A Examinations /not completed 5 years service
14	Mr. Sohail Khan	9-8-2019	5 years	Not eligible	Not yet passed Grade B and Grade A Examinations /not completed 5 years service
15 ✓	Mr. Wajahat Hussain	19-10-2010	5 years	Eligible	Passed Grade B & Grade A Examinations

Certificates

- i. Certified that neither any disciplinary/departmental proceeding/anti-corruption cases/judicial enquiry is pending against the officials included in the panel nor any of them is involved in VR cases.
- ii. Certified that all of them are regular members of the service/cadre and are presently working in their respective service/cadre.
- iii. Certified that the officials included in the panel are holding the lower posts on regular basis and are not ad-hoc appointees.
- iv. Certified that the posts of Assistant Engineers are regular.
- v. Personal Registers along with synopsis are enclosed.

The Departmental Promotion Committee is requested to determine the suitability of (06) eligible Graduate Sub Engineer for promotion as Assistant Engineers BS-17 on regular basis against the vacant posts under the share quota in Irrigation Department.


 Additional Secretary
 Irrigation Department



quota of each promotion of each categories are as under:-

II/ SHARE QUOTA IN SERVICE/PRE SERVICE DEGREE HOLDERS PROMOTE @ 12%=12.12 SAY 12

S.NO.	NAME OF ASSISTANT ENGINEER	REMARKS
1	Amir Mohammad	
2	Akbar Khan	
3	Khushal Khan	
4	Fazli Maula	
5	Mr. Abdul Sadiq	
6	Aftab Alam	

III/ SHARE QUOTA OF DIPLOMA HOLDERS 15%=15.15 Say 15

S.NO.	NAME OF ASSISTANT ENGINEER	REMARKS
1	Hassan Zulqarnain	
2	Alamzeb	
3	Tahir Said	
4	Jamshid Ahmad Rases	
5	Sherin Jan	
6	Mr. Farid Gul	
7	Mr. Inayatullah Jan	
8	Mr. Fatehullah	

IV 8% =8.08 say=08 B.TECH HONS

S.NO.	NAME OF ASSISTANT ENGINEER	REMARKS
1	Amanullah	
2	Niaz Badshah	
3	Saifullah	
4	Muhammad Younas	
5	Jehanzeb	
6	Javid Ahmad	

**STATEMENT SHOWING DETAIL OF ASSISTANT ENGINEERS WORKING
IN EACH CATEGORY**

I DEGREE HOLDERS UNDER SHARE QUOTA OF DIRECT

Total posts 101 share quota of direct 65% = 65.65 Say 66

S.NO.	NAME OF ASSISTANT	REMARKS
1	David Nisbat	
2	Zar Gul	
3	Mohammad Arif	
4	Muhammad Jawad Khan	
5	Ghulam Rasool	
6	Fakree Aman	
7	Mafiz Muhammad Yasin	
8	Suleman Daud	
9	Muhammad Idrees	
10	Imran Shah	
11	Masood Ahmad	
12	Sohail Same	
13	Muraz Khan	
14	Ali Ahmad	
15	Miss Tabinda Nausheen	
16	Talwar Zahid	
17	Anwarullah	
18	Syed Ahmad Amin Shah	
19	Mamroz Khan	
20	Ayesha Amer	
21	Mustafa Ali	
22	Hassan Khan	
23	Mazhar Hussain	
24	Sherif Khan	
25	Qamar Shehzad	
26	Syed Suleman	
27	Aqab Ali	
28	Rashid Abbasi	
29	Abdul Shakoor	

Annex="K"

32

MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 23.6.2021 AT 1200 HOURS UNDER THE CHAIRMANSHIP OF SECRETARY IRRIGATION DEPARTMENT

In order to fill in the vacant posts of different categories in the Irrigation Department on regular basis, a meeting of the Departmental Promotion Committee held on 23.06.2021 under the chairmanship of Secretary Irrigation. The following attended the meeting:-

- | | | |
|----|---|------------------|
| 1. | Muhammad Tahir Orakzai, Secretary Irrigation | In chair |
| 2. | Engr: Sahibzada Muhammad Shabir, C.E (South) Irrigation | Member |
| 3. | Mr. Wasil Khan, Additional Secretary Irrigation Department. | Secretary/Member |
| 4. | Mr. Jamshid Khan, Deputy Secretary (Reg-III), Establishment Department. | Member |
| 5. | Mr. Njamat Khan, Section Officer (SR-III), Finance Department. | Member |

2. The following agenda items were discussed in the meeting:-
- Promotion of Zilladar (BS-15) to the rank of Deputy Collector (BS-17).
 - Promotion of Assistant (BS-16) to the rank of Superintendent (BS-17).
 - Promotion of Graduate Sub Engineers to the post of Assistant Engineer/Sub Divisional Officer (BS-17).
 - Promotion of Diploma Holder Sub Engineers to the post of Assistant Engineer/Sub Divisional Officer (BS-17).
 - Promotion of B. Tech (Hons) Degree holder Sub Engineers to the post of Assistant Engineer/Sub Divisional Officer (BS-17).
 - Promotion of Superintendent (BS-17) to the post of Administrative Officer (BS-17).
 - Promotion of Assistant (BS-16) to the rank of Superintendent (BS-17). Circle Cadre.

Item No. I

3. After recitation from the Holy Quran, the chair welcomed the participants and apprised the forum about the agenda items. The Additional Secretary presented the agenda that (05) regular posts of Deputy Collector (BS-17) are lying vacant which are required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Zilladars with at least five years service as such.

4. After examining all the relevant record of the Zilladars included in the panel, the committee unanimously recommended the following eligible Zilladars (BS-15) to the post of Deputy Collector (BS-17) in Irrigation Department on regular basis:-

- Mr. Noor Rehman.
- Mr. Farid Ullah.
- Mr. Muhammad Saad Jan.
- Mr. Nabi Rehmat.
- Mr. Abdul Wadood.

ATTACHED

Item No. II

5. The Additional Secretary presented the agenda that (04) No. regular posts of Superintendent (BS-17) are lying vacant which are required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Assistants and Senior Scale Stenographers with at least five years service as such.

6. After examining all the relevant record of the Assistants (BS-16)/Senior Scale Stenographers, the forum was informed that the official included in the panel at Sr. No. 4 i.e. Mr. Nusrat Noor has not submitted his PERs. The forum agreed to defer his promotion. After detailed discussion, the committee unanimously recommended the following (03) eligible Assistants (BS-16) to the post of Superintendent (BS-17) in Irrigation Department on regular basis:-

- i. Mr. Farhad Ali.
- ii. Mr. Liaqat Ali.
- iii. Mr. Ghulam Farooq.

Item No. III

7. The Agenda Item was ^{deferred} ~~differeed~~ for want of clarification of Establishment Department on the following:-

- i. As per amended service rules of Irrigation Department notified on 25.6.2012, twelve (12) posts of Assistant Engineer (B-17) comes under 12% share quota of Graduate Sub Engineers alongwith passing of departmental grade B and A examination against which Six (06) officer are working on regular basis while Seven (07) officers, included in the panel at Sr. No. 1 to 6 & 9 are working as Assistant Engineer (BS-17) acting charge basis since 2011.
- ii. Before 25.6.2012 the Passing of Grade B&A examination was not mandatory for promotion to the post of Assistant Engineer and the above mentioned seven Graduate Sub Engineers were appointed to the post of Assistant Engineer (BS-17) on acting charge basis in 2011.
- iii. The Departmental B & A Examination is conducted after every two years. The last examination was held in 2020 and the next will be held in 2022. The officers of panel at Sr. No. 1 to 6 & 9 (except S.No.4 "B&A passed) have passed their mandatory Grade B examination and will appear in the A examination in 2022.

8. The advice of the Establishment Department will be solicited through a separate letter that:-

- i. As to whether the amended rules notified on 25.06.2012 are applicable to the above employees who were appointed in the year 2011 on acting charge basis or the present Service Recruitment rules will be applicable in the instant case .
- ii. If the present service rules are applicable upon the officers appointed on acting charge basis then before completion of mandatory examination by these officers, the officers junior to them can be promoted to the post of Assistant Engineer on regular basis or otherwise.

Item No. IV

9. The Chief Engineer (South) Irrigation presented the agenda that (07) No. regular posts of Assistant Engineers/Sub Divisional Officer (BS-17) are lying vacant against the 15% share quota of Diploma Holder Sub Engineers which are required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers who hold a Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology and have passed departmental Grade B and A examination with five years service as such.

10. The official mentioned at Sr. No. 1 of the seniority list has not yet passed Grade B&A examination which is pre-requisite for promotion to the post of SDO. After detailed discussion and examining all the relevant record, the committee unanimously recommended the following (07) eligible Diploma Holder Sub Engineers/SDOs acting charge basis to the post of Assistant Engineer/Sub Divisional Officer (BS-17) in Irrigation Department on regular basis:-

- i. Mr. Riaz Muhammad.
- ii. Mr. Waqar Shah.
- iii. Mr. Noora Jan.
- iv. Mr. Jehanzeb.
- v. Mr. Farman Ullah.
- vi. Mr. Shafqat Faheem.
- vii. Mr. Asad Ullah Jan.

Item No. V

11. The Chief Engineer (South) Irrigation presented the agenda that (02) No. regular posts of Assistant Engineers/Sub Divisional Officer (BS-17) are lying vacant against the 8% share quota of B. Tech (Hons) Degree Holder Sub Engineers which are required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Sub Engineers having degree in B. Tech (Hons) and have passed departmental Grade B and A examinations with five years service as such.

ATTENDED

14-3/1

12. After examining all the relevant record of the B. Tech (Hons) Degree Holder Sub Engineers, the committee unanimously recommended the following (02) eligible B. Tech (Hons) Sub Engineers in the post of Assistant Engineer/Sub Divisional Officer (BS-17) in Irrigation Department on regular basis:-

- i. Mr. Khurshid Ahmad.
- ii. Mr. Muhammad Shoalb.

Item No. VI

13. The Additional Secretary Irrigation Department presented the agenda that (01) No. regular post of Administrative Officer (BS-17) is lying vacant due to creation in the Office of Chief Engineer, newly Merged Areas Irrigation Department which is required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Superintendents of the Department having at least three years service.

14. After examining all the relevant record of the Superintendents (BS-17), the committee unanimously recommended Mr. Akhtar Nawaz, Superintendent (BS-17) to the post of Administrative Officer (BS-17) in Irrigation Department on regular basis.

Item No. VII

15. The Chief Engineer (South) Irrigation Department presented the agenda that (01) No. regular post of Superintendent (BS-17) is lying vacant in the office of Superintending Engineer, Irrigation Circle, D.I. Khan (Circle Cadre) which is required to be filled in by promotion on the basis of seniority-cum-fitness from amongst the Assistants and Senior Scale Stenographers with at least five years service as such.

16. After examining all the relevant record of the Assistants/Senior Scale Stenographers (BS-16), the committee unanimously recommended Mr. Muhammad Saleem, Assistant (BS-16) to the post of Superintendent (BS-17) in the Circle Cadre, D.I. Khan on acting charge basis due to lack of prescribed length of 05 years service.

The meeting ended with vote of thanks from and to the chair.

Secretary Irrigation
Chairman

Chief Engineer (South)
Irrigation Department (Member)

Deputy Secretary (Reg-III)
Establishment Department (Member)

Additional Secretary
Irrigation Department
(Secretary/Member)

Section Officer (SR-II)
Finance Department (Member)

To

The Chief Secretary
Government of Khyber Pakhtunkhwa,
Peshawar.

Annex = "L"

15 ~~7~~
2021

36

Subject: DEPARTMENTAL APPEAL AGAINST THE UNLAWFUL DECISION OF THE DEPARTMENTAL PROMOTION COMMITTEE IN ITS MEETING DATED 23-06-2021 AND TO RE-CONSIDER THE CASE IN ACCORDANCE WITH THE LAW / RULES AND ALLOW REGULAR PROMOTION OF THE APPELLANT AGAINST THE POST OF ASSISTANT ENGINEERS BPS-17 FROM THE DATE OF DPC 23-06-2021

Respectfully Submitted:

1. That, the I am serving in Irrigation Department and have been appointed as Sub Engineers on the basis of Diploma of Associates Engineer (DAE) through Public Service Commission.
2. That, I improved our academic qualification during service and acquired B.Sc degree in Civil Engineering. The aim behind acquiring higher engineering education was to better acquired my self with advance knowledge in the field of Engineering and also to avail the opportunity of promotion to the next higher post as per promotion rules of the department.
3. That, I have passed the departmental Grade-B and Grade-A examinations, which are mandatory to have been passed by a Sub Engineer for promotion to the post of Assistant Engineer BPS-17.
4. That, I fulfill the pre-requisite promotion criteria for the Post of Assistant Engineer BPS-17 and the basis of the same, I am working as Assistant Engineer in Own Pay Scale since pretty long time and have been performing our duties to the entire satisfaction of the department.
5. That, as per service rules, 12% promotion quota is reserved for Sub Engineer having B.Sc Degree in Engineering, on the basis of seniority-cum-fitness and I fully satisfy the promotion criteria and have legal rights to be promoted on the basis of qualification and seniority-cum-fitness and practice in vogue in the department. (Copies of working paper, subsequent promotion notifications and seniority lists of Assistant Engineers promoted form the category of Graduate

ATTESTED

Engineers in 2020 are attached as **annex-I, annex-II and Annex-III** for ready reference).

37

6. That, some post of Assistant Engineers BPS-17 have become vacant which are to be filled by promotion from the Sub Engineers having B.Sc Engineering and being fit for promotion, the Department vide their letter No.1820/IB/A/3-E, dated 07-04-2021, directed the to submit my ACRs (copy of **annex-IV**). Similarly, Copy of working paper for the DPC is attached as **annexure - V**. Accordingly, my synopsis were put before the DPC in its meeting held on 23.06.2021 under agenda item No. III, but it is very astonishing to note that none of the graduate engineer has been recommended for promotion. The committee has deferred this agenda item with no reason and have recommended to seek guidance from Establishment Department for the rules amended in 2012 and thereafter in 2020 merely to make it controversial and pave the way for promotion of some of their blue-eyed sub engineer who not only do not fulfill the promotion criteria at the present but even will not be able to acquire the promotion criteria by 2022 refer Minutes of the DPC meeting dated 23-06-2021.
7. That, vide minutes of the meeting of the DPC, dated: 23.06.2021, it has been recommended to seek clarification from the Establishment Department on the following:
 - i. As per amended service rules of Irrigation Department notified on 25.06.2012, twelve (12) posts of Assistant Engineer (BS-17) comes under 12% share quota of Graduate Sub Engineers along with passing of departmental grade B and A examination against which six (06) officer are working on regular basis while Seven (07) officers, included in the panel at Sr. No. 1 to 6 & 9 are working as Assistant Engineers (BS-17) acting charge basis since 2011.
 - ii. Before 25.06.2012 the passing of Grade B&A examination was not mandatory for promotion to the post of Assistant Engineer and the above mentioned seven graduate Sub Engineers were appointed to the post of Assistant Engineer (BS-17) on acting charge basis in 2011.
 - iii. The Departmental B&A Examination is conducted after every two years. The last examination was held in 2020 and the next will be held in 2022. The officers of panel at Sr. No. 1 to 6 & 9 (except S.No 4 "B&A passed) have passed their mandatory Grade B examination and will appear in the A examination in 2022.

ATTESTED

The advice of the Establishment Department will be solicited through a separate letter that:-

38

- a) As to whether the amended rules notified on 25.06.2012 are applicable to the above employees who were appointed in the year 2011 on acting charge basis or the present service recruitment rules will be applicable in the instant case.
 - b) If the present service rules are applicable upon the officers appointed on acting charge basis then before completion of mandatory examination by these officers, the officers junior to them can be promoted to the post of Assistant Engineer on regular basis or otherwise.
8. That, the Department have deliberately kept the DPC in dark from the fact that promotion of seven (07) officers at Sr. No. 1 to 6 & 9 were appointed on acting charge basis against the project posts (copy of working paper of DPC dated: 16.11.2011 is **annexed at VI**). The numbers of project posts have increased many fold due to currency of numerous mega projects and to full this gap, Department should have appointed deserving candidates on acting charge basis as per provisions in ESTA CODE (**copy attached as annex-VII**) to make them entitled for drawing pay and allowances according to post they actually works on rather it post the engineers on OPS, just to keeps its employee deprived of its due incentives in violation of Finance Department Government of Khyber Pakhtunkhwa (Regulation Wing) Notification No. FD (PRC) 1-1/2012 dated 01.01.2013 (**copy attached as annex-VIII**). However, as per Esta Code 9 (6) "acting charge appointment shall not confer any vested right for regular promotion to the post held on acting charge basis".
9. That, before 25.06.2012 amendments in service rules (Copy attached as **annex-IX**), the B.Sc degree holders had two sub-categories on the basis of pre-service & during service engineering with promotion quotas as 5% and 10% respectively, which have been abolished and created a single category of graduate engineers, with 12% promotion quota to the post of Assistant Engineer vide amended rules, dated 25-06-2012 (copy attached as **annexure-X**) and subsequent amended rules 10-07-2020 (copy attached as **annex-XI**). The department on one side accept the latest amended rules with 12% promotion quota under single category of B.Sc Graduate Engineers but on the other hand confused the DPC as to whether Departmental B&A examination are mandatory, for sub engineers who were appointed on acting charge basis in 2011. It is pertinent to mention

ATTENDED

that even departmental grade B&A examination are mandatory for promotion as permanent sub engineer vide Para 84 of PWD Code (copy attached as **annex-XII**).

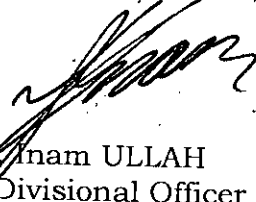
39

10. That, the department has changed its rules on 25.06.2012 & then on 10.07.2020, since 2012, departmental grade B&A examination have been held four times, but the sub engineers on acting charge basis don not accept the rules and intentionally do not participate in the exams, either they are incapable to pass it or they blackmail the department on their acting charge appointment rather they should had improved themselves according to obligatory criteria for the post they are working on and seeking future permanent promotion as per prevailing rules. According to PWD Code a member of NWFP service of Engineers, who has not passed departmental examination by the end of sixth year of his service shall not, except with special sanction of the Government, receive any further increment or increase of pay until he has passed the departmental examinations. Owing to the above, the sub engineers in whose favour the department has stop promotions under their category are not even entitled to remain on the post of Assistant Engineer on acting charge basis. Similarly, as per Recruitment, Appointment, Seniority and Promotion Rules (Civil Servant Rules) 1973, 8-A "No promotion on regular basis shall be made to posts in basic pay scales 17 to 22 and equivalent unless the officer concerned has completed such minimum length of service, attended such training and **passed such departmental examinations**, as may be prescribed from time to time (copy enclosed as **annex-XIII**).
11. That, the department was never in doubt about its clear service rules as it has been promoting its graduate engineer who met the promotion criteria as explained vide para-6 above, but this time it is trying to make the rules controversial to merely to deprive me from my due, just and legitimate rights of promotion.
12. Non recommendation of appellatant case under 12% quota reserved for Graduate sub engineers of their category is injustice & violation of laid down rules.
13. That, if the department were feeling ambiguity in the service rules and its interpretation / clarification of its own framed rules were necessary it should had been sought before conducting its earlier DPCs in May 2018, January 2020 & September 2020, but it didn't, it clearly transpires that the department is doing all this to benefit some of his blue eyed.

ATTESTED

Keeping in view the above, it is earnestly requested to set aside the decision taken during DPC under Agenda item No. 3 and consider me for promotion to next grade in BS-17 from DPC date 23-06-2021 as per prevailing rules, please.

39/A


Engr. Inam ULLAH
Sub-Divisional Officer (OPS)
Chief Engineer (North) Peshawar

Copy of the above is forwarded for similar action to:

1. Secretary to Govt; of Khyber Pakhtunkhwa Irrigation Department
2. Chief Engineer (South) Irrigation Department Khyber Pakhtunkhwa Peshawar

ATTESTED

ATTESTED 

وکالت نامہ

بعدالت جناب سروس لٹریچر پبلسٹی پشاور

الفام اللہ بنام گورنمنٹ

منجانب Appellant دعویٰ اجرم

تھانہ ایف آئی آر تاریخ

باعث تحریر آنکے

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے بیروی و جوابدہی بمقام پشاور کے لئے

ایمن الرحمن یوسفزئی ایڈووکیٹ ہائی کورٹ و فیڈرل شریعت کورٹ آف پاکستان،

سجاد احمد محسود ایڈووکیٹ خالد خان مہمند ایڈووکیٹس ہائی کورٹ، پشاور

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یا بذریعہ تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے۔ اگر مقدمہ علاوہ صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء کے ذریعہ نظر ثانی اپیل و گمرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور ہر قسم کی وراثتی نامہ کو فیصلہ بر خلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری کی طرف درخواست حکم امتناعی یا قرقنی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادا ہوگی علیحدہ مختار نامہ بیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزوی کارروائی کے واسطے یا بصورت اپیل، اہیل کے واسطے کسی دوسرے وکیل یا ایئر سٹرو کو بجائے اپنے یا اپنے امراء مقرر کرے۔ اور ایسے شیرت قانون کو ہر امر میں وہی اور دوسرے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری نہیں تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ مختار نامہ لکھ دیا کہ سند رہے مورخہ _____ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھا لیا ہے اور منظور ہے۔

ATTESTED & ACCEPTED:

Amin ur Rehman Yusufzai
Advocate High Court

Federal Shariat Court of Pakistan
CNIC: 17301-5813582-3
Cell No. 0321-9022964
BC-10-7562

Sajjad Ahmad Mehsud
Advocate High Court
Peshawar

&
Khalid Khan Mohmand
Advocate High Court
Peshawar.
BC No. 18-1115

الفام اللہ بنام

33

BEFORE THE KHYBER PAKHTUNHWA SERVICE
TRIBUNAL PESHAWAR

Appeal.No.7663/2021
Mr.Inamullah
Sub Divisional Officer (OPS)

Appellant

Versus

1. Govt: of Khyber Pakhtunkhwa through its Chief Secretary Civil Secretariat Peshawar **Respondents .**
2. Secretary to Government of Khyber Pakhtunkhwa. Irrigation Department Civil Secretariat Peshawar
3. Chief Engineer (South) Irrigation Deptt: Warsak Road Khyber Pakhtunkhwa Peshawar.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 TO 3

Respectfully sheweth

Preliminary Objections

1. That the appellant has no cause of action.
2. That the appellant has not come to the Tribunal with clean hand.
3. That the appeal is bad for mis joinder and non joinder of necessary parties.
4. That the appellant have no locus standi.
5. That the appeal is time barred.

Objections on Facts

1. No comments.
2. Correct.
3. The para as quoted is correct but not applicable to the appellant. The appellant was not eligible for the Grant of BS-16 as his service in the same scale (BS-11) by that time was less than ten years.
4. Correct to the extent that appellant has been posted as Sub Divisional Officer (OPS) as stop gap arrangement . .
5. Correct, to the extent that the appellant has passed the Grade B&A Examination and completed the prescribed length of 05 years service for promotion as Assistant Engineer subject to considering of his eligibility by the Departmental Promotion Committee and availability of post as per service rules.
6. Correct, to the extent that "Draft Working Papers" for promotion of Graduate Sub Engineers were processed to the Secretary Irrigation office for consideration but processing of draft working paper cannot establish right for promotion of an official. Furthermore the said agenda item was dropped due to non availability of vacancies under 12% quota for promotion of Graduate Sub Engineers to the rank of Assistant Engineers BS-17 (i.e. 06 Nos Sub Engineers are working on regular basis while 07 Nos Sub Engineers are working on Acting charge basis

34
against 12 Nos posts in the share quota of Graduate Sub Engineer which already exceeds by one number).

7. Incorrect, the agenda item of Promotion of Graduate Sub Engineers to the rank of Assistant Engineers BS-17 was dropped due to non availability of vacancies under 12 % share quota of Graduate..
8. As the agenda item was dropped on cogent reason, therefore the appeal being not based on legal grounds was not considered .
9. The decision of Departmental Promotion Committee is based on legal footing hence appeal of the appellant is not worth consideration on the following grounds:-

OBJECTIONS ON GROUNDS

- A. Incorrect hence denied. The appellant has been deferred by the competent forum i.e. Departmental Promotion Committee due to non availability of post in the share quota.
- B. Incorrect hence denied , The appellant will be granted his due right of promotion as Assistant Engineers BS-17 after availability of scope in the share quota of 12% Graduate Sub Engineers upon recommendation of DPC.
- C. Incorrect hence denied comments as per para B above.
- D. Incorrect hence denied ,The appellant has been treated according to law and rules.
- E. Incorrect hence denied comments as per para-A above.
- F. Incorrect hence denied the Government is bound to treat all employees according to the prescribed rules which have been followed.
- G. Incorrect hence denied .The promotion of appellant was deferred due to the reason that no vacancies were available under 12 % share quota of Graduate Sub Engineers.
- H. The respondents would seek permission for presenting additional grounds during the course of arguments.

It is therefore very humbly prayed to dismiss the appeal with cost.

Govt. of KPK through Chief Secretary
Civil Secretariat Peshawar
(Respondent No.1)

Secretary to Government of KPK
Irrigation Deptt: Civil Sectt: Peshawar
(Respondent No.2)

Chief Engineer (South)
Irrigation Department Peshawar
(Respondent No.3)

35

**BEFORE THE KHYBER PAKHTUNHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal.No.7663/2021
Mr.Inamullah Sub Divsional Officer (OPS)

Appellant.

Versus

1. Govt: of Khyber Pakhtunkhwa through its
Chief Secretary Civil Secretariat Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa.
Irrigation Department Civil Secretariat Peshawar
3. Chief. Engineer (South) Irrigation Deptt: Warsak Road
Khyber Pakhtunkhwa Peshawar.

Respondents .

COUNTER AFFIDAVIT

We do hereby solemnly affirm and declare that contents of the parawise comments in Service Appeal No.7663/2021 filed by Mr.Inamullah Sub Divisional Officer (OPS) are correct to the best of our knowledge and nothing has been concealed from August Service Tribunal.

Govt: of KPK through Chief Secretary
Civil Secretariat Peshawar
(Respondent No.1)

Secretary to Government of KPK
Irrigation Deptt: Civil Sectt: Peshawar
(Respondent No.2)

Chief Engineer (South)
Irrigation Department Peshawar
(Respondent No.3)

POWER OF ATTORNEY

Mr.Faizul Haq Superintendent Office of the Chief Engineer (South) Irrigation Department is hereby authorized to attend the Khyber Pakhtunkhwa Service Tribunal Peshawar on behalf of the Respondents in connection with appeal No.7663/2021 filed by Mr.Inamullah Sub Divisional Officer (OPS) Versus Government of Khyber Pakhtunkhwa Irrigation Department.

Govt: of KPK through Chief Secretary
Civil Secretariat Peshawar
(Respondent No.1)

Secretary to Government of KPK
Irrigation Deptt: Civil Sectt: Peshawar
(Respondent No.2)

Chief Engineer (South)
Irrigation Department Peshawar
(Respondent No.3)

35

BEFORE THE KHYBER PAKHTUNHWA SERVICE
TRIBUNAL PESHAWAR

Appeal.No.7663/2021
Mr.Inamullah Sub Divisional Officer (OPS)

Appellant.

Versus

1. Govt. of Khyber Pakhtunkhwa through its
Chief Secretary Civil Secretariat Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa.
Irrigation Department Civil Secretariat Peshawar
3. Chief Engineer (South) Irrigation Deptt: Warsak Road
Khyber Pakhtunkhwa Peshawar.


Respondents.

COUNTER AFFIDAVIT

We do hereby solemnly affirm and declare that contents of the parawise comments in Service Appeal No.7663/2021 filed by Mr.Inamullah Sub Divisional Officer (OPS) are correct to the best of our knowledge and nothing has been concealed from August Service Tribunal.

Govt. of KPK through Chief Secretary
Civil Secretariat Peshawar
(Respondent No.1)

Secretary to Government of KPK
Irrigation Deptt: Civil Sectt: Peshawar
(Respondent No.2)


Chief Engineer (South)
Irrigation Department Peshawar
(Respondent No.3)

ATTENDED

11/4/22

01/4/22