

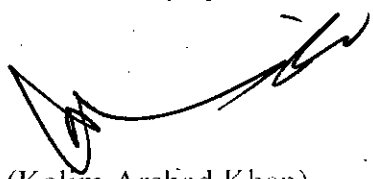
1st July 2022

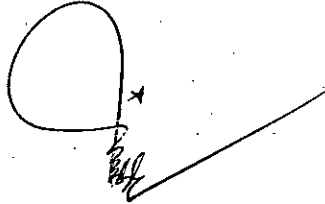
1. Learned counsel for the appellant present. Mr. Muhammad Adeel Butt; Additional Advocate General, Mr. Farhaj Sikandar, District Attorney for official respondents No.1 to 4 and counsel for private respondents No. 5,6 and 7 present.

2. After arguing the appeal at some length, a consensus was developed and learned counsel for the appellant as well as learned Addl; AG for official respondents and counsel for private respondents requested that let the matter be sent back to the department, where the application/representation is still pending and has not been answered, with the direction to provide opportunity to both the parties for hearing and after formulation of the points for resolution of the controversy between the parties through a speaking order should be passed by the authority within sixty days from receipt of this order under intimation to this Tribunal through its Registrar. Order accordingly. Consign.

3. *Pronounced in open court in D.I.Khan and given under our hands and seal of the Tribunal on this 1st day of July, 2022.*



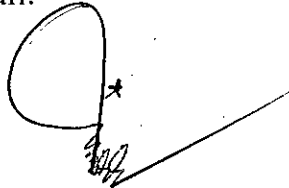

(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan


(Mian Muhammad)
Member
Camp Court D.I.Khan

29th June 2022

Counsel for the appellant present. Mr. Farkhaj Sikandar, District Attorney for official respondents, Mr. Shahab Khattak, Advocate, Legal Advisor alongwith Mr. Shah Riaz, Deputy Director for respondents No. 2 and 4 present.

Written arguments on behalf of respondents No. 2 and 4 submitted which is placed on file. Clerk of learned counsel for private respondents No. 5 and 6 submitted an application for adjournment on the ground that learned counsel has proceeded to Islamabad. Last chance is given for arguments. To come up for arguments on 01.07.2022 before D.B at camp court D.I.Khan.



(Mian Muhammad)
Member(E)

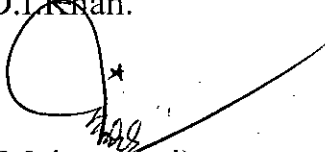



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

27th June, 2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for official respondents, Mr. Shahab Khattak, Advocate, Legal Advisor for respondents No.2 and 4 and counsel for private respondents No. 5 and 6 present.

When the case was open for arguments, the Deputy Director, Khyber Pakhtunkhwa Teveta Mr. Shah Riaz submitted that the appellant was regularized by an Act of Provincial Assembly passed in 2005 and the seniority of the appellant was determine on the basis of rules of 2001 prevalent at that time. He is directed to produce Act as well as the seniority list prepared after the Act by tomorrow positively. To come up for arguments on 28.06.2022 before the D.B at camp court D.I.Khan.

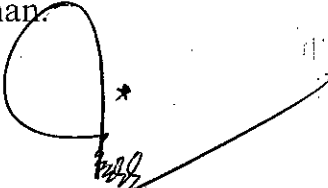

(Mian Muhammad)
Member(E)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

28th June 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Learned AAG sought adjournment for tomorrow. To come up for arguments on 29.06.2022 before D.B at camp court D.I.Khan.


(Mian Muhammad)
Member(E)


(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

27.01.2022


Tour is Cancelled, therefore, case is adjourned to 26.05.2022 for the same as before.

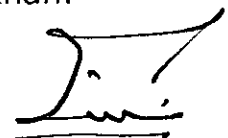

Reader.

26.05.2022

Appellant alongwith his counsel Mr. Waqar Alam, Advocate, present. Mr. Farhaj Sikandar, District Attorney for official respondent No. 1 present. Mr. Arshed Nadeem, Assistant Director (Litigation) as representative of official respondents No. 2 to 4 present. Mr. Naveed Maqsood, Advocate for private respondents No. 5 & 6 present.

Representative of official respondents No. 2 to 4 sought adjournment on the ground that Legal Advisor of respondents No. 2 to 4 is busy in the august Peshawar High Court, Peshawar. Last opportunity given. To come up for arguments on 27.06.2022 before the D.B at Camp Court D.I.Khan.


(Rozina Rehman)
Member (J)
Camp Court D.I.Khan

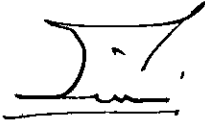

(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan

S.A No. 1099/2018

25.11.2021

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Shahab Khattak, Legal Coordinator for the respondents present.

Former submitted an application for adjournment on the ground that Senior Legal Advisor for respondents is busy at Hon'ble Peshawar High Court, Peshawar. Allowed. Case to come up for old as well as present updated rules and arguments before the D.B on 27.01.2022 at Camp Court D.I.Khan.



(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan



Chairman
Camp Court D.I.Khan

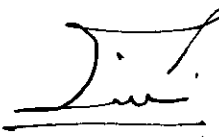
01.10.2021

Appellant alongwith his counsel Mr. Waqar Alam, Advocate, present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 4 present.

Previous date was changed on Reader Note, therefore, notice be issued to private respondents No. 5 & 6 and their respective counsel and to come up for arguments before the D.B on 22.11.2021 at Camp Court D.I.Khan.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN

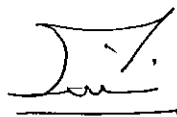


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

22.11.2021

Counsel for the appellant and Mr. Asif Masood, DDA alongwith Arshad Naveed, A.D for the respondents present.

After hearing arguments at certain length when we came across the rules annexed with the appeal and reply of the respondents, the complete set of rules is missing. The respondent department is directed to produce the old as well as present updated rules on next date i.e. 25.11.2021 before the D.B at camp court, D.I.Khan.



(Salah-ud-Din)
Member(J)
Camp Court, D.I.Khan



Chairman
Camp Court, D.I.Khan

25.03.2021

Nemo for the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Khalid Mateen, Lecturer for official respondents No. 1 to 4 present. None present for private respondents No. 5 & 6.

Today's date was posted on Note Reader, therefore, notice for prosecution of the appeal be issued to appellant/counsel for the appellant as well as private respondents No. 5 & 6 and their counsel. To come up for arguments before D.B at Camp Court D.I.Khan on 22.06.2021.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

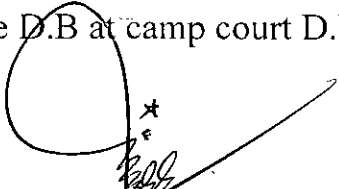
*Due to COVID, 19 therefore to
come up for the same on 01/10/21*

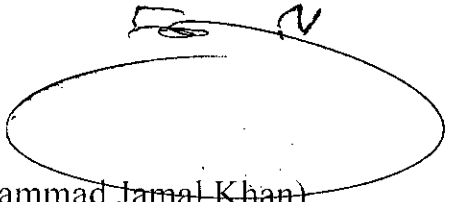
*On
Reader*

27.10.2020

Appellant is present in person. Mr. Muhammad Jan, Deputy District Attorney for respondents is present.

Since the Members of the High Court as well as of the District Bar Association D.I.Khan are observing strike today, therefore, the case is adjourned to 25.11.2020 for arguments before D.B at camp court D.I.Khan.


(Mian Muhammad)
Member(E)

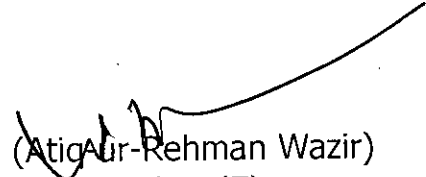

(Muhammad Jamal Khan)
Member(J)
Camp Court D.I Khan


25.11.2020

Counsel for appellant present.

Muhammad Jan learned Deputy Attorney for respondents present.


Former made a request for adjournment. Adjourned. To come up for arguments on 27.01.2021 before D.B at Camp Court, D.I.Khan.


(Atiqur-Rehman Wazir)
Member (E)
Camp Court, D.I Khan


(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

27.1.2021

Due to COVID 19, the case is adjourned to 25.3.2021 for the same.




24/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 30/4/2020 at Camp Court, D.I Khan


Reader

20/4/2020

Due to COVID-19 the case is adjourned. To come up for the same 21/4/2020 at Camp Court, D.I Khan

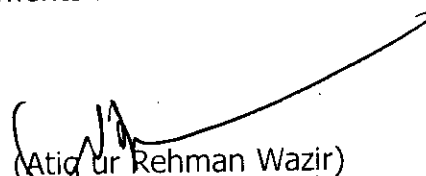

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21.09.2020

Counsel for appellant present.

Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

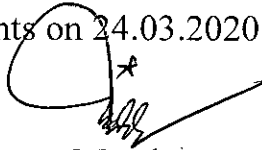
Former requests for adjournment. Adjourned. To come up for arguments 27.10.2020 before D.B at Camp Court, D.I.Khan.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I.Khan


(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

24.02.2020

Counsel for the appellant present. Mr. Usman Ghani, District Attorney for official respondents and counsel for private respondents no. 5 and 6 present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 24.03.2020 before D.B at camp court D.I.Khan.



Member




Member

Camp Court D.I.Khan

24-09-2019


Appellant in person present. Mr. Farhaj Sikandar, learned Deputy District Attorney alongwith Mr. Arshad Nadeem, Supdt for official respondents and counsel for private respondents present. Appellant submitted an application for adjournment. Adjourn. To come up arguments on 25.11.2019 before D.B at Camp Court, D.I.Khan.

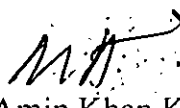

Member


Member
Camp Court, D.I.Khan

25-11-2019


Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Arshed Naveed, Superintendent for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 27.01.2020 for arguments before D.B at Camp Court D.I.Khan.



(Hussain Shah)
Member
Camp Court D.I.Khan


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

27-01-2020

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Arshed Nadeem, Superintendent for official respondents present. Appellant requested for adjournment on the ground that his counsel is not available today due to strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 24.02.2020 for arguments before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

26.06.2019

Counsel for the appellant, Mr. Farhaj Sikandar, District Attorney alongwith Mr. Arshed Nadeem, Superintendent for official respondents No. 1 to 4 and counsel for private respondents No. 5 & 6 present. Representative of official respondents No. 1 to 4 submitted written reply. Written reply on behalf of private respondents No. 5 & 6 has already been submitted. Case to come up for rejoinder and arguments on 24.09.2018 before D.B at Camp Court D.I.Khan.

MA

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.09.2019

~~Appellant in person present Mr. Farhaj Sikandar,
learned Deputy District Attorney alongwith Mr.
Arshad Nadeem. Sdts for respondents present.
Appellant submitted an application for adjournment as
his counsel is not available today. Adjourn to come
up arguments on 25/9/2019 before D.B at Camp
Court, D.I.Khan~~

~~Member~~

~~Member
Camp Court, D.I.Khan~~


25.03.2019

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney for official respondents present. Mr. Muhammad Naveed Mahsood, Advocate for private respondents no. 5 and 6 present and submitted wakalatnama, which is placed on file. Written reply/comments not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 24.04.2019 before S.B at camp court, D.I.Khan.


Member
Camp Court, D.I.Khan

24.04.2019

Learned counsel for the appellant and Mr. Farhaj Sikandar learned District Attorney alongwith Arshid Nadeem Superintendent present. Learned counsel for private respondents also present and submitted written reply. Representative of official respondents seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 26.06.2019 before S.B at Camp Court, D.I.Khan.


Member
Camp Court, D.I.Khan.

لعدالت جا بسروس ٹریبیونل کيساور -

خاله سليم ميم انڈسٹری

سروس اسٹیل

انٹراڈگ میٹری

میں سے سب سے پہلے عرفان سے

پہلے سے سب سے پہلے عرفان سے

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میں سے سب سے پہلے عرفان سے

24.9.18


خاله سليم ميم انڈسٹری

28.12.2018

Counsel for the appellant Muhammad Khalid Saleem present. Preliminary arguments heard. It was contended by the learned counsel for the appellant that the appellant was serving as Shop Assistant in GCT D.I.Khan. It was further contended that Departmental Promotion Committee was constituted and private respondents were promoted from the post of Shop Assistant (BPS-7) to the post of Junior Trade Instructor (BPS-11) despite the fact that the private respondents are junior to the appellant vide order dated 28.09.2017 which was communicated to the appellant on 30.03.2018 therefore, the appellant filed departmental appeal on 02.04.2018 but the same was not responded hence, the present service appeal. It was further contended that since the appellant was senior to the private respondents therefore, the impugned promotion order of private respondents is illegal and liable to be rectified.

The contention raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days thereafter, notice be issued to the respondents for written reply/comments for 25.03.2019 before S.B at Camp Court D.I.Khan.


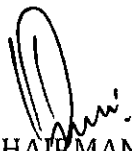
Appellant Deposited
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. _____ 1099/2018 _____

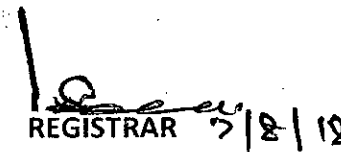
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/09/2018	<p>The appeal of Mr. Khaled Saleem received today by post through Mr. Muhammad Waqar Alam Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 4/9/18</p> <p>This case is entrusted to Touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.12.2018</u></p> <p style="text-align: right;"> CHAIRMAN.</p>
2-		

The appeal of Mr. Khaled Saleem son of Fayaz Ali Lab Assistant GCT Dera Ismail Khan received today i.e. on 07.08.2018 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 flagged.
- 2- Page no. 6, 8 & 10 of the appeal are illegible which may be replaced by legible/better one.
- 3- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1544 /S.T,

Dt. 7-8- /2018.

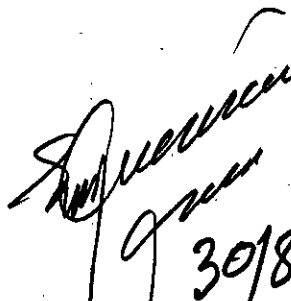

REGISTRAR 7/8/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Waqar Alam Adv.
High Court Dera Ismail Khan.

Respected Sir,

The objections removed accordingly.

Resubmitted.


9/30/18

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR, CAMP COURT D.I.KHAN**

In service Appeal No. 1099 /2018

M. Khalid Saleem
(Appellant)

VERSUS

Govt. Of KPK etc
(Respondents)

**SERVICE APPEAL
INDEX**

S.No. Description of documents Pages

1	Memorandum of Appeal along with affidavit	1- 5
2	Copies of Service Card, Appointment Order, Salary Slip	6- 7
3	Copy of departmental appeal dated 02/04/2018. and Diary No. 14363 dated 09/04/2018	11- 16
4	Copies of impugned order dated 28/09/2017, seniority list	8- 10
5	Vakalatnama	17

Dt:01.08.2018

Appellant's counsel



M. Waqar Alam
AHC, D.I.Khan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR, CAMP COURT D.I.KHAN**

In service Appeal No. 1099/2018

M. Khalid Saleem son of Fayaz Ali, Lab Assistant GCT
Dera Ismail Khan.

Khyber Pakhtunkhwa
Service Tribunal

(Appellant)

Diary No. 1239

Dated 06-8-2018

VERSUS

1. Government of KPK through Secretary to Govt. Of KPK, Industries, Commerce and Technical Education Department, Peshawar.
2. Managing Director KPK, TEVTA, Peshawar.
3. Director HR Admin, KPK, TEVTA, Peshawar.
4. Deputy Director Admin HR, KPK, TEVTA, Peshawar.
5. **Mr. Akif Ullah** Shop Assistant, GCT, Peshawar, promoted as JTI, Electrical BPS-11 at GTVC, Ghazi (B) Haripur. (DOA # 19-01-2004)
6. **Mr. Noor Hayat** Shop Assistant GCT, Bannu, promoted JTI, Electrical BPS-11 at GTVC, Paharpur, D.I.Khan. (DOA # 28-02-2004)

..... **(RESPONDENTS)**

Filed to-day

[Signature]
Registrar
6/8/18

APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED PROMOTION ORDER DATED 28/09/2017 ISSUED BY RESPONDENT NO. 2 WHEREBY APPELLANT WAS IGNORED BEING SENIOR MOST FROM RESPONDENT # 5,6 AND PROMOTED ILLEGALLY BY THE RESPONDENT NO. 2 AND GIVE BENEFIT TO RESPONDENT NO. 5,6 INSTEAD OF APPELLANT. FURTHERMORE FOR INDECISION OF THE DEPARTMENTAL APPEAL WHICH IS AGAINST THE LAW AND IN VIOLATION OF SERVICES LAWS AND

**Re-submitted to -day
and filed.**

[Signature]
Registrar
4/9/18

[Signature]

**RULES AND THE APPELLANT WAS CONDEMNED
UNHEARD WITH MALAFIDES.**

PRAYER

On acceptance of this appeal, impugned order DATED 28/09/2017 issued by respondent No. 2 may please be reversed and set-aside and the appellant may please be promoted according to the seniority list with all back benefits.

Note: Addresses given above shall suffice the object of service. All necessary and proper parties have been arrayed in the panel of respondents.

Respectfully Sheweth;

1. That the Appellant is a law abide citizen of Pakistan and is enjoying well reputation in the society and was appointed in the GCT, D.I.Khan as Shop Assistant on 17/01/2004. Copies of Service Card, Appointment Order, Salary Slip are jointly enclosed herewith.
2. That according to the joint seniority list of the year 2013, the appellant is most senior and eligible for the post of Junior Trade Instructor being Diploma Holder but unfortunately the respondents violated the settled norms of justice and promote the illegal low merit employees against the post.
3. That, on 28/09/2017, the respondent No.2 issued an order regarding promotion of the private respondents by ignoring the combined seniority list of shop assistants and promoted their blue eyed cherish persons, hence, the appellant being dissatisfied from the impugned order dated 28/09/2017, which was communicated to the appellant on 30/03/2018, referred a departmental appeal to the respondent No. 1, by impugning the order dated 28/09/2017 passed by respondent No.2. Copy of departmental appeal dated 02/04/2018 and Diary No. 14363 dated 09/04/2018 is enclosed herewith.

Sh

4. That, respondent No. 1 not decided the departmental appeal of the appellant within statutory period hence, the appellant filed instant appeal, inter alia, on the following grounds;

GROUND S

- a. That the impugned promotion order dated 28/09/2017 and the indecision of appellant's departmental appeal is illegal, against services Law and rules, without jurisdiction, in violation of the precedents of Honourable apex courts of the country and is not justifiable for any reason whatsoever.
- b. That appellant admittedly senior to the private respondents but knowingly not given the benefit of seniority by the respondent is alien to law and justice. Hence, the promotion order dated 28/09/2017 is liable to be set aside by this Honourable Tribunal.
- c. That reasons mentioned in impugned promotion order are baseless and promotion order was issued without adopting any codal formalities and without any giving personal hearing to the appellant. Hence, the appellant was condemned unheard
- d. The act/refusal/omission on the part of respondents is not grounded in reason nor does it smack of sensible or sane approach which is bad in law and circumstances in the present case.
- e. That, the date of appointment of appellant is 17/01/2004, but all the private respondents who were promoted having date of appointment are 19/01/2004, 28/02/2004 which shows malice on the part of respondents especially respondent no.2 and by violating the combined seniority list of shop assistants and promoted their favourite ineligible persons. Copies of impugned order dated 28/09/2017, seniority list are enclosed herewith.

It is thus most respectfully prayed that on acceptance of this appeal, this worthy Tribunal may graciously be pleased to set-aside impugned Promotion order dated 28/09/2017 and declare such order as illegal, void and devoid of merits. Consequently, appellant may please be promoted with all back benefits. This appeal may

please be allowed with costs. Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of appellants as against respondents with costs.

Dated: 01/08/2018

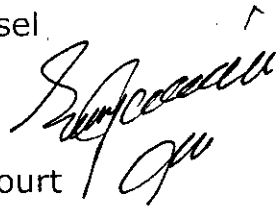
Your humble appellant



M. Khalid Saleem

Through counsel

M. Waqar Alam
Advocate High Court
Dera Ismail Khan



CERTIFICATE

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

Dated: 01.08.2018



Appellant

AFFIDAVIT

I, **M. Khalid Saleem**, appellant herein, do hereby solemnly affirm on oath:-

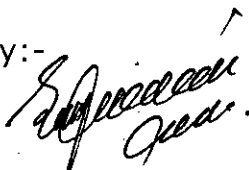
1. That the accompanying appeal has been drafted by counsel following our instructions;
2. That all para-wise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion of facts.

Dated: 01.08.2018



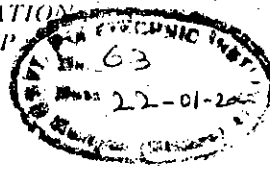
Deponent

Identified By:-



Muhammad Waqar Alam
Advocate High Court,
D.I.Khan

DIRECTORATE OF TECHNICAL EDUCATION
AND MANPOWER TRAINING NWFP
PESHAWAR



6

OFFICE ORDER: Consequent upon the recommendation of the Departmental Selection Committee, the below named candidate is hereby appointed as Shop Assistant (Technical) on Contract Basis in the Basic Pay Scale No. (10-110-5400) plus usual allowances as admissible under the rules and posted in the College/Institute mentioned below from the date of taking over charge and subject to the terms and conditions stated as under:-

<u>S.No.</u>	<u>Name & Father's Name/Full Address</u>	<u>Posted at</u>
1.	Mohammad Khalid Malik s/o Fayez Ali, Konsallah Bazaar, Haripur, Dist. No. 1553 D.I. Khan.	Govt. Polytechnic Institute, Haripur.

TERMS AND CONDITIONS:

1. The appointment is purely on contract basis against the sanctioned post with usual allowances. Annual increment will be admissible after completion of one year of service.
2. The initial period of appointment shall be of three years. The contract shall automatically stand terminated on expiry of the initial period. In case of requirements of the job, fresh contract would be executed.
3. The appointment of the candidate mentioned above is subject to the condition that he is having domicile of NWFP.
4. His service will be liable to termination on two months notice from either side. In case of resignation without prior notice, two months salary shall be forfeited to the Government.
5. He will have to produce a certificate of medical fitness from the concerned medical Superintendent/Agency Surgeon of the respective area within a week time of assumption of charge.
6. The candidate should join the post within 30 days of the issue of this order. The Principal of the respective Government College/Institute would furnish a certificate to the effect that the candidate has joined the post or otherwise failing which his appointment will be treated as cancelled.
7. His appointment will also be subject to the satisfactory report on the verification of his character and antecedents.
8. The principal of the concerned Institute should check his original Certificate/Degree etc and send attested copy of the agreement signed by either side before handing over charge. No TADA will be allowed.
9. The candidates will enter into an agreement with the Government and will be governed by the terms and conditions hereinafter mentioned in such agreement.

Attested
 H. I. Khan
 20/1/04

(MULHAMMAD TARIQ AWAN)
DIRECTOR

Endst. No. DTE & MT/Estt./ 311 (1-3)

Dated 17/1/2004

Copy forwarded for information and necessary action to:-

1. The Accountant General, NWFP, Peshawar.
2. The District/Agency Accounts Officer, Haripur.
3. The Principal GPP/OTPC (Boys/Women), Haripur.
- The official concerned.

H/le P-Prepara the
 H. I. Khan
 20/1/04

ASSISTANT DIRECTOR (ADMIN)

6. "A"

BETTERCOPY

DIRECTORATE TECHNICAL EDUCATION AND MANPOWER
TRAINING NWFP PESHAWAR

OFFICE ORDER: Consequent upon the recommendation of the department selection committee, the below named candidate is hereby appointed as Shop Assistant on contract basis in the Basic Pay Scale No. 6 plus usual allowances as admissible under the rules and posted in the College/Institute mentioned below from the date of taking over charge and subject to the terms and conditions stated as under:-

S. No.	Name & Father's Name/Full address	Posted at
1.	Mohammad Khalid Saleem s/o Fayaz Ali Mohallah Deewan Sahib, H#1533, D.I.Khan	Govt. Polytechnical Institute, Haripur.

TERMS AND CONDITIONS:-

1. The appointment is purely on contract basis against the sanctioned post with usual allowances. Annual increment will be admissible after completion of one year of service.
2. The initial period of appointment shall be of three years. The contract shall automatically stand terminated on expiry of the initial period. In case of requirements of the job, fresh contract would be executed.
3. The appointment of the candidate mentioned above is subject to the condition that he is having domicile of NWFP.
4. His service will be liable to termination on two months notice from either side. In case of resignation without prior notice, two months salary shall be forfeited in the Government.
5. He will have to produce a certificate of medical fitness from the concerned medical Superintendent/Agency Surgeon of the respective area within a week time of assumption of charge.
6. The candidate should join the post within 30 days of the issue of this order. The Principal of the respective Government College/Institute would furnish a certificate to the effect that the candidate has joined the post or otherwise failing which his appointment will be treated as cancelled.
7. His appointment will also be subject to the satisfactory report on the verification of his character and antecedents.
8. The Principal of the concerned Institute should check his original Certificate/Degree etc and sent attested copy of the agreement signed by either side before handing over charge. No TA/DA will be allowed.
9. The candidates will enter into an agreement with the Government and will be governed by the terms and conditions hereinafter mentioned in such agreement.

(MUHAMMAD TARIQ AWAN)
DIRECTOR

Endst. No. DTE&MT/Estt:

17/01/2024

Copy forwarded for information and necessary action to:-

1. The Accountant General, NWFP, Peshawar.
2. The District/Agency Accounts Officer, Haripur.
3. The Principal GP/(Boys/Women).
4. The Official concerned.

ASSISTANT DIRECTOR (ADMN)

Government of Khyber Pakhtunkhwa
District Accounts Office D.I.Khan
Monthly Salary Statement (February-2018)



7

Personal Information of Mr MUHAMAMD KHALID SALEEM d/w/s of FAYYAZ ALI

Personnel Number: 00343723 CNIC: 1210109778383 NTN:
Date of Birth: 25.05.1975 Entry into Govt. Service: 19.10.2004 Length of Service: 13 Years 04 Months 011 Days

Employment Category: Active Temporary

Designation: SHOP ASSISTANT 80001621-GOVERNMENT OF KHYBER PAKH
DDO Code: DI4352-Principal Govt College of Technology D I Khan
Payroll Section: 002 GPF Section: 001 Cash Center:
GPF A/C No: 343723 Interest Applied: Yes GPF Balance: 88,827.00
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil- BPS: 07 Pay Stage: 11

Wage type	Amount	Wage type	Amount
0001 Basic Pay	17,700.00	1090 House Rent Allowance	1,059.00
1210 Convey Allowance 2005	1,932.00	1300 Medical Allowance	1,500.00
2148 15% Adhoc Relief All-2013	396.00	2199 Adhoc Relief Allow @10%	281.00
2211 Adhoc Relief All 2016 10%	1,432.00	2274 Adhoc Relief All 2017 10%	1,770.00

Deductions - General

Wage type	Amount	Wage type	Amount
3007 GPF Subscription - Rs1010	-1,010.00	3591 Benevolent Fund	-600.00
3990 Emp.Edu. Fund KPK	-90.00	4004 R. Benefits & Death Comp:	-690.00

Deductions - Loans and Advances

Loan	Description	Original amount	Deduction	Balance
6505	GPF Loan Principal Instal	3,300.00	-1,500.00	15,000.00

Deductions - Income Tax

Payable: 0.00 Recovered till February-2018: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 26,070.00 Deductions: (Rs.): -3,000.00 Net Pay: (Rs.): 22,180.00

Payee Name: MUHAMAMD KHALID SALEEM
Account Number: CA.15018
Bank Details: ASKARI BANK LIMITED, 100069 CIRCULAR RAOD DIKHAN CIRCULAR RAOD DIKHAN, D.I.KHAN

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: MOHALAH DEWAN Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Housing
Temp. Address: City: Email: khalidsaleem052@gmail.com

ATTESTED
[Signature]

FINAL COMBINED SENIORITY LIST OF SHOP ASSISTANTS (DIPLOMA HOLDERS IN THE ELECTRICAL/TELECOMMUNICATION & RADIO ELECTRONICS TECHNOLOGIES) IN THE TECHNICAL EDUCATION AND MANPOWER TRAINING DEPTT. AS STOOD ON 31.12.2008.

Sr. No.	Name of Incumbents with academic qualification	Date of Birth with Domicile	Date of Ist. entry into Govt. Service	Regular appointment / promotion to the present post			Present appointment.
				Date	BPS	Method of recruitment	
1	2	3	4	5	6	7	8
1	Mohammad Aslam, DAE (Elect.) <i>Clear vide SNo. 1 Item 3</i>	05.04.1973 D.I. Khan	19.07.1997	19.07.1997	06	Initial	Shop Assistant 19-07-1997.
2	Akbar Said, DAE (Electrical). <i>Clear vide SNo. 2 Item No 3</i>	12.06.1970 Malakand	22.09.1993	12.09.1993	06	-do-	S/Assit. 22.09.1993. (Passed Diploma in the year, 2000).
3	Mr. Gul Niaz, DAE	02-01-1969 Karak	14-01-2004	14-01-2004	06	-do-	Shop Assistant 14-01-2004
4	Mr. Muhammad Khalid, DAE <i>Clear vide SNo. 4, Item 3</i>	24-03-1970 Swabi	31-07-2004	31-07-2004	06	-do-	Shop Assistant 31-07-2004
5	Mr. Akifullah, DAE	01-03-1981 Karak	19-01-2004	19-01-2004	06	-do-	Shop Assistant 19-01-2004
6	Mr. Noor Hayat, DAE	15-04-1970 Bannu	28-02-2004	28-02-2004	06	-do-	Shop Assistant 28-02-2004

ATTACHED

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Naseer-ud-Din, i) Matric ii) TIP Cert: 03 years. iii) DAE	03.09.1965 Mardan:	10.11.1990	10.11.1990	06	Initial	Shop Assistant 10.11.1990. ((Passed Diploma in the year, 13-11-2008).
S. Waqar Haider, i) 1 years Cert; ii) FA iii) DAE	20.08.1967 Peshawar:	22.07.1997	22.07.1997	06	-do-	Shop Assistant 22.07.1997. (Passed Diploma in the year 18-11-2008).

DEPUTY DIRECTOR (ADMN).

ATTESTED
[Signature]



(10)

OFFICE ORDER:

On the recommendation of the Departmental Promotion Committee, meeting held on 26-09-2017 under the Chairmanship of Managing Director KP-TEVTA, the Competent Authority is pleased to order the promotion of the following Shop Assistants (Diploma Holders Electrical) BPS-7 to the post of Junior Trade Instructor (Electrical) BPS-11.

S.No	Name of Officials
1-	Mr. Gul Niaz
2-	Mr. Akif Ullah
3-	Mr. Noor Hayat

The officials will remain on probation for a period of one year extendable for further period of one year in terms of Section-6 (2) of Khyber Pakhtunkhwa, Civil Servant Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa, Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

Consequent upon their promotion, the following transfers/postings of officials are hereby ordered:-

S.No	Name & Present Posting	Promoted/Posted As
1✓	Mr. Gul Niaz, Shop Assistant, GCT Kohat	Junior Trade Instructor (Electrical) (BPS-11) against the vacant post at GCT Nowshera.
2✓	Mr. Akif Ullah, Shop Assistant, GCT Peshawar	Junior Trade Instructor (Electrical) (BPS-11) against the vacant post at GTVC Ghazi (B) Haripur.
3✓	Mr. Noor Hayat, Shop Assistant, GCT Bannu	Junior Trade Instructor (Electrical) (BPS-11) against the vacant post at GTVC (B) Paharpur D.I.Khan.

MANAGING DIRECTOR
KP-TEVTA

Ends: No. KP-TEVTA/Estt/HR-I/3905/17-2)

Dated: 28th September, 2017

Copy forwarded for information and n/action to:

- i- The District Account Officers Nowshera, Ghazi (Haripur) & D.I.Khan.
- ii- The Principal GCT Nowshera, GTVC (B) Ghazi Haripur & GTVC (B) Paharpur D.I.Khan.
- iii- PS to Managing Director KP-TEVTA
- iv- Officials concerned.
- v- Personal files of the officials concerned.
- vi- Office Copy

DIRECTOR (HR/ADMIN)
KP-TEVTA

ATTESTED

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BETTERCOPY

KHYBER PAKHTUNKHWA TECHNICAL EDUCATION & VOCATIONAL TRAINING AUTHORITY (KPTEVTA) PHONE: 091-9216808 EMAIL: WWW.KPTEVTA.GOV.PK

8-A CHINAR ROAD, UNIVERSITY TOWN PESHAWAR

OFFICE ORDER:

On the recommendation of the Departmental Promotion Committee, meeting held on 26/09/2017 under the Chairmanship or Managing Director KP-TEVTA, the Competent Authority is pleased to order the promotion of the following shop Assistants (Diploma Holders Electrical) BPS-7 to the post of Junior Trade Instructor (Electrical) BPS-11.

S.No.	Name of Officials
1	Mr. Gul Niaz
2	Mr. Akifullah
3	Mr. Noor Hayat

The Officials will remain on probation for a period of one year extendable for further period of one year in terms of Section-5(2) of Khyber Pakhtunkhwa, Civil Servant Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa, Civil Servant (Appointment, Promotion and Transfer Rules, 1989.

Consequent upon their promotion, the following transfers/postings of Officials are hereby ordered:-

S. No.	Name & Present Posting	Promoted/Posted as
1	Mr. Gul Niaz Shop Assistant, GCT, Kohat.	Junior Trade Instructor (Electrical) BPS-11 against the vacant post of GCT, Nowshera
2	Mr. Akifullah, Shop Assistant, GCT, Peshawar	Junior Trade Instructor (Electrical) BPS-11 against the vacant post of GTVC, Ghazi Haripur
3	Mr. Noor Hayat, Shop Assistant GCT, Bannu.	Junior Trade Instructor (Electrical) BPS-11 against the vacant post of GTVC (B), Paharpur, D.I.Khan

**Managing Director
KP-TEVTA**

Endst: No. KP-TEVTA/Estt/HR-1

Dated: 28th September, 2017

Copy Forwarded for information and action to

- i. The District Account Officers, Nowshera, Ghazi, Haripur, D.I.Khan.
- ii. The Principal GCT, Nowshera, GTVC (B) Ghazi Haripur & GTVC (B) Paharpur, D.I.Khan:
- iii. PS to Managing Director KP-TEVTA.
- iv. Officials Concerned.
- v. Personal files of the officials concerned.
- vi. Office Copy.

**Managing Director
KP-TEVTA**

(11)

The Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education Department
Peshawar.

**DEPARTMENTAL APPEAL AGAINST THE IMPUGNED PROMOTION
ORDER DATED 28/09/2017 VIDE WHICH THE MOST JUNIOR
EMPLOYEES OF THE TECHNICAL EDUCATION DEPARTMENT
WERE PROMOTED BY DEPRIVING THE APPELLANT WITHOUT
ANY LEGAL JUSTIFICATION AND CIVIL SERVICES LAWS.**

Respected Sir,

1. That the appellant was appointed as Shop Assistant (Mechanical) vide order dated 17/01/2004 and since then the appellant is working as Lab Assistant in the department and have never given any chance of complaint to anyone. Copy of appointment order and service card are enclosed herewith.
2. That according to joint seniority list of the year 2013, the appellant is most senior.
3. That on 28/09/2017, the Managing Director KP-TEVTA issued an impugned office order regarding issuance of promotion of the shop assistants, (Diploma Holders Electrical BPS-7) to the post of Junior Trade instructor Electrical BPS-11 by violating the seniority rules & regulations as well as settled seniority list set by themselves.
4. That the appellant is most senior amongst the Mechanical shop assistants and entitled under the law for promotion against the post of Junior Trade Instructor BPS-11 but unfortunately this right is not considered by the competent authority by depriving the appellant from legal right.

(12)

GROUND OF APPEAL:

- i. That the impugned office order dated 28/09/2017 is against law, facts and settled realities of the civil service laws, hence, liable to be set aside.
- ii. That according to the seniority list prepared by the competent authority, the appellant is very much entitled to be promoted against the post mentioned above but unfortunately the competent authority ignored/violated the right of the appellant and promoted most juniors and blue eye employees of the department.
- iii. That the appellant has served the department with whole heartedly and with great zeal and no complaint whatsoever has been made against the appellant which is evident from his service record.

Prayer:

It is, therefore, requested that the impugned office order No. KP-TEVTA/Estt:/HR/13966(1-9) dated 28/09/2017 may kindly be set aside and the appellant may kindly be promoted according to the seniority list.

Dated: 02/04/2018

Your Humble Appellant



Muhammad Khalid Saleem
s/o Fayaz Ali
Lab Assistant
GCT, Dera Ismail Khan
Cell#0312-9972661

The impugned order dated 29/09/2017 is communicated to the appellant on 30/03/2018, hence, the instant appeal is well within time.

Industries, Commerce and Tech. & Education Dept
Diary No. 14363
Date 9/4/18
ENL

No. 263
12-02-13

Secretary (P&D)
Dir. 706
Date: 12-2-2013



GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT

13

Dated Peshawar, the _____

RE STAFF
RS (MALE)

NOTIFICATION

No. SOHH(IND)TE/4-13/2013 In pursuance of the provisions contained in Sub-rule(2) of the rule 3 of the Khyber Pakhtunkhwa, Civil Servants(Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all notifications issued in the behalf, the Industries, Commerce & Technical Education Department, in consultation with the Establishment, Finance, Law Departments and Khyber Pakhtunkhwa, Public Service Commission in the SSRC meeting on 16-11-2012, 19-11-2012 and 20-11-2012 under the Chairmanship of Secretary Establishment Department, hereby lays down the method of recruitment, qualification and other conditions specified in column No. 3 to 5 of the Appendix to this Notification which shall be applicable to the posts belonging to the Teaching Cadre Staff of the Government Advance Technical Training Centers, Government Technical & Vocational Centers and Skill Development Centers (Male & Female) specified in column No.2 of the said Appendix.

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Secretary to Govt. of Khyber Pakhtunkhwa,
Industries, Commerce & Technical Education
Department.

Endat: No. SOHH(IND)TE/4-13/2013

Dated Pesh, the 28th January, 2013

980

Copy is forwarded to:-

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. Secretary to Chief Minister, Khyber Pakhtunkhwa
4. All DCO in Khyber Pakhtunkhwa.
5. All Head of Attached Departments.
6. All Districts and Session Judges, Khyber Pakhtunkhwa.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
9. The Secretary, Khyber Pakhtunkhwa, Public Service Commission.
10. The Registrar, Khyber Pakhtunkhwa, Service Tribunal, Peshawar.
11. The Director General, Technical Education & Manpower Training, Peshawar.
12. PS to Chief Secretary, Khyber Pakhtunkhwa.
13. PS to Minister for Technical Education, Khyber Pakhtunkhwa.
14. PS to Secretary, IC&TE Department.
15. The Manager, Printing & Stationery Department, Khyber Pakhtunkhwa with the request that they ten printed copies(gazette copies) of the notification may be provided to Law Department and Establishment Department, Govt. of Khyber Pakhtunkhwa alongwith details of the gazette in which it is published.

(ANWAR-UB-HAQ)

ATTESTED
[Signature]

APPENDIX

APPOINTMENT, PROMOTION AND TRANSFER RULES FOR THE TEACHING CADRE STAFF OF THE GOVT ADVANCE TECHNICAL TRAINING CENTER, GOVT TECHNICAL & VOCATIONAL CENTRES AND SKILL DEVELOPMENT CENTERS (MALE & FEMALE) OF THE DIRECTORATE GENERAL, TECHNICAL EDUCATION & MANPOWER TRAINING, KHYBER PAKHTUNKHWA / FATA

(TECHNICAL & VOCATIONAL TRAINING STREAM)

Sr.No	Nomenclature of the post -	Minimum required qualification for initial recruitment	Age for initial recruitment	Method of recruitment
(1)	(2)	(3)	(4)	(5)
1	Principal (BPS-19) GTVCS/GATTCs			<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Principals and Vice-Principals (BPS-18), having Management Training Course of not less than cumulative period of three months and Instructor Training Course, from a recognized Institute with seven years service as such.</p>
2	Principal/Vice-Principal (BPS-18)			<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Chief Instructors, Training Managers, Vice-Principals, Senior Instructors, Trainers and Staff Trainers (BPS-17), having Management Training Course of not less than cumulative period of three months and Instructor Training Course of not less than six months, from a recognized Institute with five years service as such.</p>
3	Chief Instructors/ Training Managers / Vice-Principals / Staff Trainers / Trainers/Senior Instructors (BPS-17).	<p>a. 1st Class Diploma of Associate Engineering in the relevant trade, from recognized institutes with three years experience in the relevant field; or</p> <p>b. 1st Class G-I Level Training Course in the relevant trade from a recognized Institute with five years experience in the relevant field.</p>	21 to 30 years	<p>Eighty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Instructors (BPS-14) in the relevant Trades, with seven years service as such, having Instructor Training Course from a recognized Institute; and</p> <p>Twenty per cent by initial recruitment</p>

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	Trade Instructor/ Assistant Manager(BS-11)	<p>a. Secondary School Certificate from a recognized Board with G-1 Level Course or three years apprenticeship Training course in the relevant trade; or</p> <p>b. Secondary School Certificate from a recognized Board with G-II Level Training Course from recognized institute having three years experience in the relevant trade.</p>	20 to 30 years	<p>a) Twenty five percent by promotion on the basis of seniority cum fitness from amongst the Junior Trade Instructor (BPS-10) in the relevant trade, with seven years service as such, having six months instructor training course from a recognized institute;</p> <p>b) Seventy five percent by initial recruitment</p>
6	Junior Trade Instructor (BPS-10)	<p>a. 2nd Class Secondary School Certificate with G-II level course in the relevant trade from a recognized Board; or</p> <p>b. Secondary School Certificate from a recognized Board with G-III level Training course from a recognized institute/ trade proficiency certificate with five years experience.</p>	20 to 30 years	<p><i>Level 10/11/12 point</i></p> <p>a) Thirty percent by promotion on the basis of seniority cum fitness from amongst the Shop Assistants (BPS-06) and Electrician (BPS-05) in the relevant trade having trade proficiency certificate with six months instructor training course from a recognized institutes and five years service as such;</p> <p>b) Seventy percent by initial recruitment</p>
7	Shop Assistant(BPS-06)	<p>a. 2nd Class Secondary School Certificate from a recognized Board with G-1I Level Course in the relevant trade from recognized institutes; or</p> <p>b. 2nd Class Secondary School Certificate from a recognized Board with trade proficiency certificate in the relevant trade from a recognized institute.</p>	20 to 30 Years	<p>a) Twenty percent by promotion from amongst the Shop Attendants having secondary school certificate from a recognized Board with trade proficiency certificate in the relevant trade and five years service as such; and</p> <p>b) Eighty percent by initial recruitment</p>

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Instructors (BPS-14)

- a. 2nd Class Secondary School Certificate from a recognized Board with Diploma of Associate Engineering in the relevant technology, or
- b. 2nd Class Secondary School Certificate from a recognized Board with First Class G-I level certificate in the relevant trade, or
- c. 2nd Class Secondary School Certificate from a recognized Board with three years Apprenticeship Training Certificate from registered Industrial Unit in the relevant trade, or
- d. 2nd Class Secondary School Certificate from a recognized Board, with G-II level Training Course in the relevant trade.

Note: G-III or Trade Proficiency Certificate from a recognized Institute having seven years professional or field experience after obtaining Certificate may be eligible for initial recruitment as Instructor (BPS-14) only in those Trades in which G-II level Training Courses are not available.

21 to 28 years

- a) Ten percent by promotion on the basis of seniority cum fitness from amongst the trade Instructor and Assistant Managers (BPS-11) in the relevant trade with seven years service as such, having six months instructor training course from a recognized institute;
- b) Ninety percent by initial recruitment.

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Electrician (BPS-05)	a. Secondary School Certificate from a recognized Board with G-111 Level Course in the relevant trade from recognized institutes; or b. Secondary School Certificate from a recognized Board with trade proficiency certificate in the relevant trade from a recognized institute.	18 to 30 Years	By initial recruitment
Shop Attendant (BPS-01)	Secondary School Certificate from a recognized board.	18 to 30 years	By initial recruitment.

[Handwritten Signature]
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[Handwritten Signature]
 SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA
 INDUSTRIES, COMMERCE & TECHNICAL EDUCATION
 DEPARTMENT

GCT D I KHAN SHOP ASSISTANT

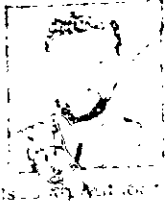
S.No	NAME	F/NAME	D.O.B	Designation	Date Of Join	Diploma 3year	Signature	Mobile No
1	Rizwan Rouif	Abdul rouif	22/03/1982	Shop Asst	26/04/2006	Mechanical		
2	Mureed Abbas	Maik Ghulam farid	20/09/1979	Shop Asst	08/02/2007	Auto & Farm		03459831135
3	Syed Muntazir Abbas	Syed Tabbariq Hussan	04/03/1983	Shop Asst	01/03/2007	Electrical		0339973324
4	Sami ullah	Fazal Dad	14/02/1983	Shop Asst	01/08/2007	Electrical		03438885373
5	Haji Manzoor Hussain	M. Ameen	11/02/1982	Shop Asst	17/06/2006	Civil		
6	M.Khalid Saleem	Fayyaz Ali	25/05/1975	Shop Asst	17/01/2004	Mechanical		03429361127
7	M. Zafer Iqbal	Mumtaz Ali	10/04/1971	Shop Asst	11/01/1993	Mechanical		03339968241
8	M. Ali	M.Tariq	18/03/1984	Shop Asst	19/07/2006	Electrical		0333-9980864
9	M. Nadeem Bhuto	Abdul ur Rehman khan	06/03/1980	Shop Asst	18/01/2007	Auto & Farm		03469754400
10	M: Nadeem	Khushi Muhammad	01/04/1981	Shop Asst	05/01/2004	Auto & Farm		03139528244
11	M. Asim Qureshi	M. Saleem Qureshi	20/03/1979	Shop Asst	06/08/2007	Electrical		03334966840
12	Shabana Malik	Malik Nabi Baksh	25/03/1982	Shop Asst	21/01/2014	Dress Designing		03469754400
13	Gul Muhammad	Abdul Ghaffar	05/04/1981	Shop Asst	03/01/2014 2014	Electrical		03467845530

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وکالت نامہ

MUHAMMAD WAQAR ALAM
 High Court
 2101-2283555-5
 1297



Patron's Name: MUHAMMAD WAQAR ALAM
 Address: DISTRICT SOUTH HANGAR GCT
 74444
 Office Tel: 0300-9510000
 Employment Use: L.C.
 Employment Gr. No.
 Plaintiff's Name: M. Khalid Salim
 B. No. Group:

Att. for: M. Khalid Salim, Advocate, East Peshawar, Ph. 031-5211172
 E-mail: waqar@ptd.net.pk

Khyber Pakhtunkhwa Service Tribunal بعدالت جناب
Peshawar.

appellant جناب

M. Khalid Salim نام Govt. of KPk etc

SERVICE APPEAL دعویٰ یا جرم

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے سروری و جوابدہی برائے پیشی یا تصفیہ مقدمہ مقام

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

کوسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں برپیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور ہر وقت پارٹے جانے مقدمہ وکیل صاحب
 موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظم حاضر نہ ہوں اور مقدمہ سرری غیر ماضی کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف
 اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف مقدمہ تمام بکھری کے ٹاڈہ کی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بعد تحصیل سروری کرنے کے
 ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف مقدمہ تمام بکھری کے ٹاڈہ کی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بعد تحصیل سروری کرنے کے ذمہ دار نہ
 ہوں گے۔ اور مقدمہ سروری بکھری کے ٹاڈہ اور جگہ ساعت ہونے یا بعد تحصیل یا بکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظم کو کوئی قصبان پچھنے اس کے ذمہ
 دار یا اس کے واسطے کسی سواضہ کے ادا کرنے یا ضمانت دہاں کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساعت پروا خط صاحب موصوف مل کر وہ
 ذات خود حضور و قبول ہوگا۔ اور صاحب موصوف کو عرضی روٹی، یا تجاہد روٹی یا درخواست اجراء کے ذریعہ نظر دہانی اپنی گمانی و جرم درخواست پر عدالت خود دہانی کرنے کا
 بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور جرم کا وہ پہا وصول کرنے اور سہا دہیے اور مائل کرنے اور جرم کے بیان دینے اور اس پر پٹائی یا ماضی نامہ فیصلہ پر
 صلح کرنے، یا قبول روٹی کا بھی اختیار ہوگا۔ اور بصورت ضرورت ہونے تاریخ پیشی مقدمہ مذکورہ سروری دن از بکھری سروری مقدمہ مذکورہ نظر دہانی و اپنی گمانی و جرم کی
 مقدمہ یا منسوفی ڈگری بکطرف یا درخواست حکم استغاثی یا ترقی یا کٹاری گل از فیصلہ اجراء کے ذریعہ بھی صاحب موصوف کو شرط لانا سبکی ٹیبلہ عدالت سروری کا اختیار ہوگا
 اور تمام ساعت پروا خط صاحب موصوف مل کر وہ ذات خود حضور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ اسکے کسی جرم
 کی کاہلی یا بصورت درخواست نظر دہانی اپنی یا گمانی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا بعد سزا کو اپنے بجائے یا اپنے جرم مقرر کریں۔ اور اپنے شیرتوں کو
 بھی بر امر میں وہی اور وہیے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور وہ دن مقدمہ میں جو جگہ ہر جائے اتنا وہ پچھا، وہ صاحب
 موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری نہیں تاریخ پیشی سے پہلے امانت کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی سروری نہ کریں اور کسی
 صورت میں میرا کوئی مطالبہ کسی قسم صاحب موصوف کے برخلاف نہیں ہوگا۔

Accepted
 Signature

201

مضمون وکالت نامہ سن لیا ہے۔ اور اسی طرح سمجھ لیا ہے اور منظور ہے۔

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

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محمد وقار عالم ایڈووکیٹ ہائی کورٹ

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. _____/2018

Khalid Saleem..... Petitioner

Versus

Government of KPK & others..... Respondents

SERVICE APPEAL

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Date: 22/04/2019

Your Humble Respondents

Mr. Akif Ullah

Mr. Noor Hayat

Through counsel

Muhammad Naveed Maushud
Advocate High Court

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. _____/2018

M. Khalid Saleem Petitioner

Versus

Government of KPK & others..... Respondents

SERVICE APPEAL

**Subject: WRITTEN REPLY ON BEHALF RESPONDENTS#5 &
6.**

Respected Sir,

Respondents# 5 & 6 humbly submit and reply the para wise contents of the appeal of the appellant as follows.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action and locus standi.
2. That the appeal is time barred. Appeal is silent as when appellant made departmental representation and when the same was decided. Moreover, the appeal is not supported by any application for condonation of delay, hence, the appellant is not competent in form as drafted.
3. That the appeal is bad for mis-joinder and non-joinder of parties.
4. That the appeal is not supported by any affidavit of appellant as well as the appellant has not affixed court fee with the appeal, hence, the appeal is liable to be dismissed.
5. That the appellant has not come to the court with clean hands, appellant has neither challenged any seniority list previously nor the present list was submitted before the Honourable Peshawar High Court and promotion order of replying respondents#5&6 is in accordance with law and departmental policy.

6. That the appellant is estopped to file the instant appeal due to his conduct of deep slumber to urge for his promotion under rules, 2001.
7. That appellant has annexed the old seniority list of opt for his promotion under the rules 2015, under service rules 2015, seniority list is combined but the appellant has annexed the old list.
8. That the answering respondents were appointed in January 2004 as Shop Assistant BPS-6 (Electrical) at that time service structure of the answering respondents was regulated under Govt. of KPK industries, commerce, mineral development, labour and technical education department rules 2001 issued vide notification dated 19/09/2001. Copy annexed.
9. That according to the service Rules 2001, seniority was to be ranked according to the relevant technologies. Shop Assistant of different technologies were arranged group-wise which is as under.
 - i. Group "A" D.A.E Electrical, D.A.E Radio Electronics and D.A.E Telecommunication.
 - ii. Group "B" D.A.E Mechanical, D.A.E Auto & Diesel, D.A.E Auto & Farm and D.A.E refrigeration, Air Conditioners.

The department issued seniority list dated 31/12/2008 which was related to the group "A". as the appellant was related to the group "B" according to the rules, 2001, therefore, he was not included in the seniority list of Group "A".

10. That on 03/08/2009 the department refer the seniority case of group "A" to the DPC where in shop Assistant BPS-06 of group "A" were promoted to Junior Trade Instructor BPS-10. Unfortunately answering respondents #5 & 6 were considered deferred in that DPC due to their case of regularization. The answering respondents duly submitted their departmental appeal. The department sought opinion from the establishment department whereby it was advised that deferred promotion cases can be considered against the reserved available vacancies on the basis of old service rules, 2001 & old seniority list on their cadre line vide industries Department letter No. SO/III(Ind)1-17/2017/8670 dated 06/09/2017. The

opinion/advice was based on the Honourable Service Tribunal decision in W.P No. 1531 of 2004 titled "Muhammad Alamzeb Vs. Govt. of KPK" decided on 24/03/2010 of appeal No. 442/2010. The case of "Zubair Khan Associate Professor (Civil) Vs. Govt. of KPK" decided on 28/04/2010. The law department sent its opinion vide letter No. OP.05(03)/LD/2010.1871 dated 28/01/2011. Copy of the minutes of meeting dated 03/08/2009, copy of letter for opinion dated 06/11/2017, copies of appeals of Zubair Khan & Muhammad Alamzeb and opinion of the Law Department are annexed.

11. That case of the appellant is different in terms of cadre line.
12. That appellant has showed himself senior as per Govt. of KPK KTED cited 28/01/2013. Whereas wrongly annexed seniority list of group "A: that was prepared according to service Rules 2001.
13. That according to service rules 2013 (New Rules) seniority list is prepare as combined and according to latest seniority list that was issued on 31/12/2018. The appellant is ranking in between serial No. 140 and 150 but the appellant has not challenged the new seniority list.
14. That answering respondents#5 & 6 are diploma holders in electrical field and they have been promoted in their own cadre line. The appellant is related with the field of ~~Electrical~~ ^{Mechanical} field and urging for promotion on the basis of Rules 2013 which were notified subsequently and which provide provision for joint seniority list of shop assistant. These service rules cannot be applied retrospectively as per opinion of the law department.
15. That appellant has not come to the court with clean hands and deliberately annexed old seniority list that was prepared under rules 2001.
16. That appellant has not challenged the seniority list issued on 31/12/2018.

REPLY OF FACTS

1. Para#1 of the appeal relates to the record and is not related to answering respondents.
2. Para#2 is incorrect as drafted. The para itself is vague. The appellant has not annexed any seniority list of the year 2013. The appellant is related to the field of ~~Auto~~^{Mechanical}. The appellant opting for his promotion under the new service Rules 2013 but has annexed the old seniority list which was issued under the old Rules 2001. This act amounts to concealment of true and real facts.
3. Para#3 is incorrect, hence not admitted. The answering respondent# 5 & 6 were promoted vide order dated 28/09/2017. Detailed true and real facts has been incorporated in para 4 & 5 of the preliminary objections. Hence, may kindly be retreated. Appeals of appellant are time barred and has not given any plausible justification about the non-communication of promotion order.
4. Para#4 is incorrect. Not admitted. Appeal is time barred.

REPLY OF GROUNDS

- a. Para is incorrect, hence, not admitted. Promotion order of the answering respondents dated 28/09/2017 is legal according to service laws and rules and following all the codel formalities even after getting legal opinion from the Law department and the promotion order of the answering respondents follows the departmental appeals duly submitted by the answering respondents for their promotion case.
- b. Para B is incorrect, hence, not admitted. Appellant has not annexed any documents or seniority list from where he could ranked himself as senior from the answering respondents. Moreover, the appellant has not annexed the new seniority list which was prepared under the new rules and that is combined seniority list. However, the answering respondents were promoted under the old service rules and seniority list prepared under the old seniority list this dated 31/12/2008 which related to group "A", appellant was related with group "B".

(5)

- c. Incorrect, not admitted. The promotion order of the answering respondents was issued after adopting all the codel formalities and following service rules related to the answering respondents.
- d. Incorrect. Not admitted. Hence, denied. Detail reply above may please be retreated.
- e. Para is incorrect. Hence, denied. The appellant has amalgamated the date of appointment but has not categorically mentioned the relevant field and technologies. The appellant has also concealed the rules for the preparation of seniority list and splitting of different technologies group wise. Appellant was in cadre line of Auto & Farm which is related to group "B". the appellant has again mentioned the combines seniority list of shop assistant but has not annexed proper seniority list. Moreover, combines seniority list follows the new service rules of 2013 and has not retrospective effect over the old seniority list of 2008.

In wake of submissions made above, this Honourable Tribunal is humbly requested that the service appeal of the appellant, being devoid of merits, may please be dismissed with costs.

Date: 22/04/2019

Your Humble Respondents

Mr. Akif Ullah

Mr. Noor Hayat

Through counsel

Muhammad Naveed Maushud
Advocate High Court

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No: _____/2018

Khalid Saleem..... Petitioner

Versus

Government of KPK & others..... Respondents

SERVICE APPEAL

VERIFICATION

Verified this 24/4/2019 day of April, 2019 at Dera Ismail Khan that the contents of this written reply are true and correct and that nothing has been concealed from this Honourable Court.

A. Ismail Khan

Respondents

COUNTER AFFIDAVIT

I, Amirullah & Razullah, do hereby solemnly affirm & declare on oath that the contents of this written reply are true & correct to the best of my knowledge and belief, nothing has been concealed from this Honourable Court and contents of the service appeal and the affidavit thereon are false.

Amirullah

Deponent

Amirullah
Razullah

24/04/19



Ann A

7

DIRECTORATE OF TECHNICAL EDUCATION
AND MANPOWER TRAINING, NWFP
PESHAWAR

OFFICE ORDER: *Consequent upon the recommendation of the Departmental Selection Committee, the below named candidate is hereby appointed as* Shop Assistant (Electrical) *on* Contract Basis in the Basic Pay Scale No. 56-100-110-5000 *plus usual allowances as admissible under the rules and posted in the College/Institute mentioned below from the date of taking over charge and subject to the terms and conditions stated as under:-*

<u>No.</u>	<u>Name & Father's Name/Full Address</u>	<u>Posted at</u>
1.	M. A. Iftikhar s/o M. Iftikhar, Village L. Trabber, Tehsil, District, Mardan.	Govt. Polytechnic Institute, Swat.

TERMS AND CONDITIONS:

- The appointment is purely on contract basis against the sanctioned post with usual allowances. Annual increment will be admissible after completion of one year of service.
- The initial period of appointment shall be of three years. The contract shall automatically stand terminated on expiry of the initial period. In case of requirements of the job, fresh contract would be executed.
- The appointment of the candidate mentioned above is subject to the condition that he is having domicile of NWFP.
- His service will be liable to termination on two months notice from either side. In case of resignation without prior notice, two months salary shall be forfeited to the Government.
- He will have to produce a certificate of medical fitness from the concerned, medical Superintendent/Agency Surgeon of the respective area within a week time of assumption of charge.
- The candidate should join the post within 30 days of the issue of this order. The Principal of the respective Government College/Institute would furnish a certificate to the effect that the candidate has joined the post or otherwise failing, which his appointment will be treated as cancelled.
- His appointment will also be subject to the satisfactory report on the verification of his character and antecedents.
- The principal of the concerned Institute should check his original Certificate/Degree etc and send attested copy of the agreement signed by either side before handing over charge. No TADA will be allowed.
- The candidates will enter into an agreement with the Government and will be governed by the terms and conditions hereinafter mentioned in such agreement.

(MUHAMMAD TARIQ AWAN)
DIRECTOR

DTE/SMT/Estt/ 0033(1-3) Dated 03/11/2004

Copy forwarded for information and necessary action to:-

- ~~XXXXXXXXXXXXXXXXXXXX~~
The Accountant General, NWFP, Peshawar.
- The District ~~Estt~~ Accounts Officer, Swat.
- The Principal GPI/GTI (Boys/Women), Swat.
- The official concerned.

ASSISTANT DIRECTOR (ADMIN)

OFFICE OF THE DISTRICT COORDINATION OFFICER SWAT AT GULKAD.

8

No. 2714 /65/DCO/Estt:

Dated the 12/3/2004

To,

The EDO Industries,
Manpower, Labour, Training
and Tech: Education Swat.

Subject:

APPOINTMENT ORDER.

Memorandum:

Reference your Memo: No. EDO/ILMI/GPI,
dated 19/1/2004, and No. EDO/ILMT/GPI/465, dt: 14.1.2004,
regarding the above noted subject.

2) The District Coordination Officer
(competent authority) has been pleased to approve
the appointment orders in respect of the following
officials made by the Director of Tech: Education,
and Manpower, Training NWFP:-

S.No.	Name and Designation.	BPS.
✓ 1-	Mr. Gul Niaz, Shop Assistant.	(BPS-06).
2-	Mr. Jamshid Banori, Shop Assistant.	(BPS-06)½
✓ 3-	Mr. Akifullah, Shop Assistant.	(BPS-06)½

DISTRICT COORDINATION OFFICER SWAT.

No. _____ /65/DCO/Estt:

Copy forwarded to:-

- 1) The Director of Technical Education and
Manpower Training NWFP, Peshawar.
- 2) The District Accounts Officer, Swat.

DISTRICT COORDINATION OFFICER SWAT.

Anu-B
9

DIRECTORATE OF TECHNICAL EDUCATION,
AND MANPOWER TRAINING, N.W.F.P,
PESHAWAR.

OFFICE ORDER:-

NO.DTEMT/ESTT:/ In pursuance of the North West Frontier Province Civil Servants (Amendment) Act, 2005, the undersigned being the Competent Authority is pleased to regularize the services of Mr. Gul Niaz, Shop Assistant, Government College of Technology, Kohat who was earlier appointed on contract basis with effect from the date of appointment. He will be governed by the NWFP, Civil Servants (Amendment) Act 2005 and the rules made there under.

(MUHAMMAD TARIQ AWAN)
DIRECTOR.

Endst. NO.DTEMT/ESTT:/ 4253(G-3) Dated 18/8/2007.

Copy forwarded to:-

1. The District Accounts Officer, Kohat.
2. The Principal, Government College of Technology, Kohat.
3. Official concerned.


(ENGR: NASIRUD-DIN KHATTAK)
DEPUTY DIRECTOR (ADMN)

Ann-491

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MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE DATED 03-08-2009:

SUBJECT: PROMOTION OF JUNIOR TRADE INSTRUCTRESS (BPS-10) AND SHOP ASSISTANTS (BPS-06) IN VARIOUS TRADES:

A meeting of the Departmental Promotion Committee was held at 10:00 on 05-08-2009 under the Chairmanship of Director General Technical Education Manpower Training, NWFP in his office as per agenda given below:

Item No.1.

PROMOTION OF JUNIOR TRADE INSTRUCTRESS (BPS-10) TO THE POST OF TRADE INSTRUCTRESS (BPS-11) OF VARIOUS TRADES IN GOVERNMENT TECHNICAL VOCATIONAL CENTRES.

Item No.2.

PROMOTION OF SHOP ASSISTANTS (BPS-06) TO THE POST OF JUNIOR TRADE INSTRUCTRESS (BPS-10) OF VARIOUS TRADES IN GOVT. TECHNICAL VOCATIONAL CENTRES:

List of participants is at Annexure-A.

The committee thoroughly examined the record of the following cases and recommended remarks as follow:

Item No.1.

Sr.NO	NAME OF INCUMBENT.	REMARKS OF THE COMMITTEE
	Bibi Gulfam	She joined the department on 11-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.01 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular basis.
	Azra Tanveer	She joined the department on 29-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.02 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.
	Tasleem Akhtar	She joined the department on 22-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.03 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade

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Farzana Kausar	She joined the department on 11-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.01 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.
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Item No.2.

Shafaat Hussain	He joined the department on 19-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.01 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
Iftikhar Ali Shah	He joined the department on 17-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.02 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
Sartaj Khan	He joined the department on 19-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.No. 03 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
Suhail Jamil	He joined the department on 23-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.04 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
Shakir Hussain	He joined the department on 21-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.05 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
Samir Jan	As he was appointed on contract basis on 30-01-2004, but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.

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✓ Muhammad Aslam	He joined the department on 19-07-1997 as Shop Assistant (Elect:) (BPS-06). He was standing at Sr.NO.01 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
✓ Umar Said	He joined the department on 22-09-1993 as Shop Assistant (Elect:) (BPS-06). He was standing at Sr.NO.02 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
✓ Gul Niaz	As he was appointed on contract basis on 14-01-2004 but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
✓ Muhammad Khalid	He joined the department on 31-07-2004 as Shop Assistant (Elect:) (BPS-06). He was standing at Sr.NO.04 of the relevant seniority list for the year 2008. His record of service was found correct and his services have been regularized. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
✓ Akifullah	As he was appointed on contract basis on 19-01-2004 but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
✓ Noor Hayat	As he was appointed on contract basis on 28-02-2004 but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
Nascer ud din	He joined the department on 10-11-1990 as Shop Assistant (Elect:) (BPS-06). He was standing at Sr.NO.07 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis

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Muhammad Yasin	Not recommended for promotion due to lack of his qualification
Akbar Khan	Not recommended for promotion due to lack of his qualification
Muhammad Shah	Not recommended for promotion due to lack of his qualification
Bakht Rehman	Not recommended for promotion due to lack of his qualification
Sher Khan	Not recommended for promotion due to lack of his qualification
Islam Gul	Not recommended for promotion due to lack of his qualification
Shah Hussain	Not recommended for promotion due to lack of his qualification
Raza Shah	Not recommended for promotion due to lack of his qualification
Qamar Javed	He joined the department on 21-01-1993 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.09 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor with immediate effect on <i>regular basis</i>

1- Appointing Authority:
 Director General, Technical Education &
 Manpower Training NWFP Peshawar

Chairman *[Signature]*
 6/8

2- An officer to be nominated by the
 Admn. Department

Member *[Signature]*
 3/8

DIRECTORATE GENERAL OF TECHNICAL EDUCATION,
& MANPOWER TRAINING, NWFP,
PESHAWAR.

Ann-D
14

ORDER.

&NT/Estt/ 4-1/-

Dated _____/2009.

Consequent upon the recommendation of the Departmental Promotion the following Shop Assistant (Electrical) (BPS-06) of this Department are promoted to the post of Junior Trade Instructors (Electrical) (BPS-10) and posted at institutions as noted against each name with immediate effect in the public

Name & Designation	Promoted and posted.
Mr. Muhammad Aslam Shop Assistant (Electrical) BPS-06, Govt. College of Technology, DIKhan	Promoted as Junior Trade Instructor (Electrical) (BPS-10) and posted at GTVC(Boys), Tank against the vacant post.
Mr. Akbar Said, Shop Assistant (Electrical) BPS-06, Govt. Technical & Vocational Centre (Boys), Chakdara	Promoted as Junior Trade Instructor (Electrical)(BPS-10) and posted at GTVC (Boys) Chakdara against the vacant post.
Mr. Muhammad Khalid, Shop Assistant (Electrical) BPS-06 Govt. College of Technology, Swabi	Promoted as Junior Trade Instructor (Electrical)(BPS-10) and posted at GCT, Swabi against the vacant post.
Mr. Naseer ud din, Shop Assistant (Electrical) BPS-06, Govt. Polytechnic Institute, Takht Bhai.	Promoted as Junior Trade Instructor (Electrical) (BPS-10) and posted at GCT Nowshera against the vacant post.
Mr. Shah Waqar Haider, Shop Assistant (Electrical) BPS-06, Govt. College of Technology, Peshawar	Promoted as Junior Trade Instructor (Electrical) (BPS-10) and posted at GTI Bara Khyber Agency against the vacant post.

Their promotions are also subject to the following terms and conditions that:-

1. They will be on probation for a period of one year.
2. The seniority position of the promotees shall stand intact as they were in the seniority list of lower cadre.

(PROF: MUHAMMAD IQBAL SHAD).
DIRECTOR GENERAL.

No. DGTE&MT/Estt/ 4-1/4159 (1-10) Dated 12-8-2009

Copy forwarded for information and necessary action to:-

1. The Accountant General, NWFP Peshawar.
2. The Agency Accounts Officers, Khyber at Jamrud.
3. The District Accounts Officers, NowsheraMardan/Temergeal Tank/DIKhan/Charsadda/Swabi.
4. The Principal, Govt. College of Technolog, Peshawar/DIKhan/Swabi.
5. The Principal, Govt. Polytechnic Institute, Takht Bhai.
6. Govt. Technical Institute, Bara. Vocational Centre (Boys).



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL TECHNICAL EDUCATION
AND MANPOWER TRAINING PESHAWAR

OFFICE ORDER.

In pursuance of the recommendation of the Inquiry Officer conducted for sorting out status of appointments vis-a-vis various categories in the Directorate General of Technical Education and Manpower Training during the period from 2003 to 2008 and as provided under the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005 (the Act No. IX of 2005), the competent authority is pleased to regularize the services of the following persons as Shop Assistants (Male) (BPS-06) who were earlier appointed on contract basis from the date of appointment as noted against their names (i.e. after 01-07-2001 and before the commencement of the aforesaid Act on 23-07-2005) on the terms and condition mentioned below:

S.#	Name of Incumbents	Place of present posting	Date of appointment
1	Mr. Hamid Aziz, Shop Assistant (BPS-6)	GCT Kohat	05-01-2004
2	Mr. Muhammad Afzal, Shop Assistant (BPS-6)	GTC Nowshera	05-01-2004
3	Mr. Alam Zeb, Shop Assistant (BPS-6)	GCT Nowshera	05-01-2004
4	S. Sultan Akthar Shah, Shop Assistant (BPS-6)	GPI (B) Bunir	19-01-2004
5	Mr. Alla-ud-Din, Shop Assistant (BPS-6)	GCT Bannu	05-01-2004
6	Mr. Samin Jan Khan, Shop Assistant (BPS-6)	GCT, Tangi	30-01-2004
7	Mr. Noor Hayat, Shop Assistant (BPS-6)	GCT Bannu	08-03-2004
8	Mr. Jamshaid Banori, Shop Assistant (BPS-6)	GPI (B) Warin Dir	13-01-2004
9	Mr. Muhammad Akram, Shop Assistant (BPS-6)	GTVC (B), Kalaya	12-01-2004
10	Mr. Akif Ullah, Shop Assistant (BPS-6)	GCT, Peshawar	19-01-2004
11	Mr. Zia Iqbal, Shop Assistant (BPS-6)	GTTTC, Hayatabad Pesh.	10-01-2004
12	Mr. Maqbool Alam, Shop Assistant (BPS-6)	GTVC (B), Chitral	01-06-2004
13	Mr. Intikhab Alam, Shop Assistant (BPS-6)	GTTTC, Hayatabad Pesh.	01-06-2004
14	Mr. Khalid Khan, Shop Assistant (BPS-6)	GPI (B) Tangi	09-06-2004
15	Mr. Farid Ullah Shah, Shop Assistant (BPS-6)	GCT, Peshawar	16-06-2004
16	Mr. Fazal Rehman, Shop Assistant (BPS-6)	GPI (B) Tangi	09-06-2004
17	Mr. Tajbar Khan, Shop Assistant (BPS-6)	GCT, Swabi	27-03-2004

(16)

TERMS AND CONDITION

- i) They shall be allowed salaries for the periods they actually performed their duties. The period of their absence from duty, if any, shall be treated as Extra Ordinary Leave without Pay.
- ii) They will be governed by the Khyber Pakhtunkhwa Civil Servants (Amendments) Act, 2005 (Act No. IX of 2005,) and the rules made there under.
- iii) They will, for all intents and purposes, be Civil Servants except for the purpose of pension or gratuity. In lieu of pension and gratuity, they will be entitled to receive such amount contributed by him towards Contributory Provident Fund (C.P.F) along with the contributions made by Government to their account in the said fund, in the prescribed manner.
- iv) The regularization of their services shall be subject to verification of their professional qualification from the concerned issuing authority.

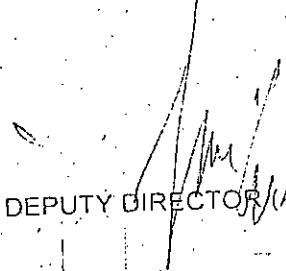
DIRECTOR GENERAL

Endst: No. DGTE&MT/Estt/4146(1-55)

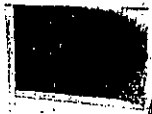
Dated: 03/08/2010.

Copy forwarded for information and necessary action to: -

- 1- P.S to Minister for Technical Education & Manpower Training.
- 2- The Section Officer-III, Industries Department Peshawar.
- 3- The Principal, concerned.
- 4- The District Accounts Officer Concerned.
- 5- Official concerned.
- 6- P.A to DGTE&MT.
- 7- Office copy.


DEPUTY DIRECTOR (ADMN)

Any - F PF



47

GOVERNMENT COLLEGE OF TECHNOLOGY
PESHAWAR.

No. GCT/PESH/PF/ 1211
To,

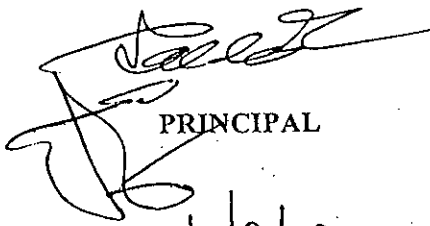
4th September, 2009

The Director General,
Technical Education & Manpower Training,
NWFP, Peshawar.

SUBJECT: - SENIORITY / PROMOTION.

Enclosed please find herewith an application submitted by MR. AKIF
ULLAH, Shop Assistant (MECHANICAL) ~~Technology~~ of this college on the subject
noted above for further necessary action.

Encls: as above.


PRINCIPAL
4/9/09

بخدمت جناب ڈائریکٹر جنرل سٹینڈنگ ایجوکیشن اینڈ ٹریننگ یاورز ٹریننگ بورڈ سرحد ایسٹ

AMU-G

عنوان: سر سندیارٹی ایجوکیشن

27/11/2004

جناب عالی!

موردانہ گزارش ہے کہ سائل گورنمنٹ کالج آف ٹیکنالوجی پشاور میں محنت شباب اسٹینڈنگ ایجوکیشن خدمات سرانجام دے رہا ہے۔

جناب عالی!

سائل ڈپلومہ آف ایجوکیشن اینڈ ایجوکیشنل ٹیکنالوجی کی بنیاد پر جنوری 2004 کو شباب اسٹینڈنگ بھرتی ہوا تھا۔

جناب عالی!

ڈائریکٹوریٹ نے حالیہ شباب اسٹینڈنگ ایجوکیشنل ٹیکنالوجی ترقی میں سائل کو کوالیفیکیشن کے لحاظ سے سندیارٹی میں یا پھر بائیں رکھا تھا۔ جبکہ پروفیشن آرڈر میں سائل کو چھوڑ کر جوئے بندے کو جوئے ٹرینڈنگ ایجوکیشنل یوسٹ پر ترقی دی ہے۔

لہذا آپ صاحبان سے گزارش ہے کہ حالیہ شباب اسٹینڈنگ ایجوکیشنل ٹیکنالوجی ترقی پر نظر ثانی کر کے سائل کو بھی جوئے ٹرینڈنگ ایجوکیشنل یوسٹ پر ترقی دی جائے۔

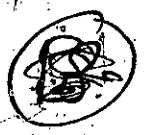
عین توازن ہوگی!

العارضی!

آرکانا بعدار
27/11/2004

Supt
Pwari & DTE
Tasleem

عالم اللہ
ایجوکیشنل (جی سی ٹی پشاور)



جناب عالی!

5029
11-9-11

میں ڈپلومہ کی بنیاد پر بطور شہری
گجراتی ہے کہ ہم جنوری 2004 میں ڈپلومہ کی بنیاد پر بطور شہری
(کنٹریکٹ) بھرتی ہوئے۔ 2005 میں اس وقت کی گورنمنٹ
کلیٹ پاس کیا جس میں تمام کنٹریکٹ ملازمین کو ریگولر کر دیا۔
یٹ کے تحت ہم بھی ریگولر ہو گئے۔

2009 میں ڈیپارٹمنٹ نے ڈپلومہ ہولڈرز کو اسٹینڈنگ کی
لیسٹ جاری کر دی جس میں ہمارا جوڈھا اور یاچوں گھر تھا اور پروموشن
مارے نام بھجوا دیئے۔ لیکن بد قسمتی سے اس وقت کے ڈائریکٹر صاحب
پروموشن سے محروم کر دیا جبکہ ہمارے باقی ساتھیوں کو پروموشن دے
رٹریڈ انٹریکٹ کر دیا۔ جس میں کچھ ایسے ساتھی بھی تھے جو ہمارے ساتھ
میں بھرتی ہوئے تھے۔ پھر نومبر 2013 میں ڈیپارٹمنٹ نے انہیں دوبارہ
کے کر جو نیئر انٹریکٹ بنا دیئے۔ جبکہ ہم ابھی تک اسی پوسٹ پر خالص
دے رہے ہیں۔

لہذا ہماری آپ صاحبان سے گزارش ہے کہ ہمارے اس
بت پر ہمدردانہ غور کر کے ہمیں بھی انہی ساتھیوں کے برابر ترقی دی جائے۔
شکریہ۔

21/9/2014
عاکف امجد

2- شاپ اسٹینڈ
جی سی ٹی پشاور

گل نیاز
شاپ اسٹینڈ
جی سی ٹی کوٹاٹ

Zahid
P.B put up on
file.
11/9/2014

Aug - H (20) (17) 30

DIRECTORATE GENERAL TECHNICAL EDUCATION
& MANPOWER TRAINING KHYBER PAKHTUNKHWA.

(F)

OFFICE ORDER.

In pursuance of honorable 'Khyber Paktunkhwa Service Tribunal Judgement dated.04-04-2008 in Service Appeal No.921/2007 and Judgement dated. 28-4-2010 followed by 1996 SCMR 1185, 2003 SCMR 1130 and 2005 SCMR 499 and consequent upon recommendation of the Departmental Promotion Committee meeting held on 03-01-2014, Mr. Muhammad Khalid, Jr. Trade Instructor. (Elect.) BPS-10, Govt. College of Technology, Swabi is hereby promoted as Junior Instructor (Elect.) BPS-14 and posted at the same College against the vacant post with immediate effect.

His promotion is also subject to the following terms and conditions that:-

1. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa, Civil Servants Act, 1973.
2. The inter-se-seniority position of the promotee shall stands intact as he was in the seniority list of lower cadre.

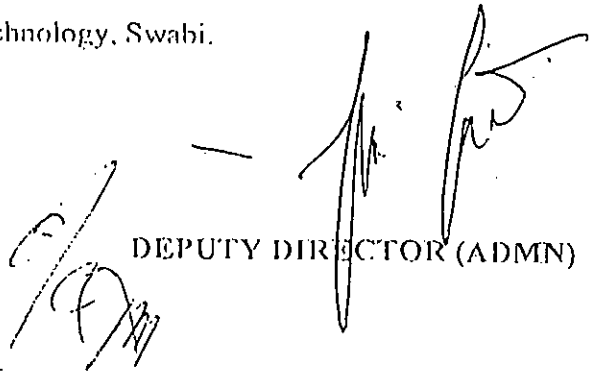
DIRECTOR GENERAL.

Endst: No. DGTE&MT/Estt/4-1/150/ (1-3)

Dated 07/07/2014

Copy forwarded for information and n/action to: -

1. District Account Officer, Swabi.
2. The Principal, Govt. College of Technology, Swabi.
3. Official concerned.


DEPUTY DIRECTOR (ADMN)

Ann-I

20



KHYBER PAKTUNKHWA TECHNICAL EDUCATION AND
VOCATIONAL TRAINING AUTHORITY 3-A CHINAR ROAD
UNIVERSITY TOWN PESHAWAR.

No. TEVTA/HR-I/ 3078

Dated. 21 / 06 / 2016.

To

The Section Officer-II(C&RC),
Chief Minister's Complaint and Redresal Cell,
Chief Minister Secretariat,
Govt. of Khyber Pakhtunkhwa,
Peshawar.

Subject: - PROMOTION CASE PENDING FROM 2009 TILL DATE.

I am directed to refer to your letter No.SO(C&RC)/CMS/1-19/
Akif Ullah:E.m/1147/w.e. dated 17-5-2016 on the subject noted above and to state that
his grievances relate to period of Ex-Directorate of Technical Education & Manpower
Training, which was bi-furcated into two separate entities namely (i) Directorate General of
Commerce Education & Management Sciences and (ii) KP-TEVTA, after promulgation of
KP-TEVTA Act, 2015. However his case for promotion will be processed in accordance with
laid down promotion policy and your good office will be informed.

Ann - J

11 (22)

64

STATEMENT SHOWING NUMBER OF JUNIOR TRADE INSTRUCTOR ELECTRICAL,RADIOELECTRONICS,TELECOMMUNICATION(BPS-10) PRESENTLY HELD BY DIRECT RECRUITS VIS-A-VIS PROMOTEES IN THE GOVERNMENT TECHNICAL & VOCATIONA INSTITUTES.

Total Number of sanctioned posts	=	22
Share of promotion (Diploma Holders) 40%	=	08.80
Share of promotion (Certificate Holders) 40%	=	08.80
Share of initial recruitment 20%	=	04.40

PROMOTEES		INITIAL RECRUITMENT	
Diploma Holders	Certificate Holder		
1- Saleem Iqbal	1- Muhammad Farooq	1- Wisal Muhammad	
2- M.Asiam	2- Ali Bakht	2- Ajmal Khan	
3- Akbar Siad	3- M. Irshad	3- Waqas Malik	
4- M.Khalid	4- Khurshid Khan	4- Aftab Alam	
5- Naseer ud din	5- M.Ghazanfarullah.		
6- Waqar Haider	6- Sajjad Ahmad		
7- ----Vacant----	7- Atlas Khan		
8- ----Vacant----	8- Abdul Ghaffar		
9- ----Vacant----	9- Rai Khau.		

DEPUTY DIRECTOR (ADMIN)

The Secretary,
Industries, Commerce & Technical,
Education Khyber Pakhtunkwa,
Peshawar

Subject: **APPEAL**

Respected Sir,

The following lines are submitted for your kind and sympathetic consideration:

- 1- The applicants were appointed on January 19th, 2004 as shop assistant (Electrical) on contract basis in Technical Education & Manpower Training Department (copy attached as annexure-I).
- 2- In July 23rd, 2005 "The North-West Frontier Province Civil Servants (Amendment) Act-2005" was notified by the Government of NWFP and regularized all those employees who were appointed on contract basis from July 1st, 2001 till the commencement of the said act (2005 Act Amendment copy attached as annexure-II) and consequently we were regularized under the said act.
- 3- In the year 2009, working paper of our promotion under Departmental Promotion Committee (DPC) was prepared, where our seniority position was on 3rd & 5th position and the seniority position of Mr. Muhammad Khalid Shop Assistant was placed on 4th position, where as his appointment order was issued on July 31st, 2004 (Six months later than our appointment order) as his appointment date is reflected in working paper (copy attached as annexure-III). Our promotion was differed till the regularization of our services and Mr. Muhammad Khalid case was entertained for promotion from BPS-06 to BPS-10. The regularization order of Mr. Khalid was issued by the Ex-Directorate of Technical Education & Manpower Training who was appointed on 31st July 2004 and our regularization order was not released without mentioning any reason. Our regularization order was then released on Aug 3rd 2010, after one year of promotion of Mr. Muhammad Khalid (copy attached as annexure-IV).
- 4- The applicant submitted his reservation on Sep 4th 2009, regarding the differing his promotion and requested Director General; Technical Education and Manpower Training NWFP, for reviewing his case (Copy attached as annexure-V) but the case was ignored without mentioning any reason and no response was received.

In the year 2014, another application was submitted to the Chairman Khyber Pakhtunkhwa Technical Education & Vocational Training Authority (KP-TEVTA), (copy attached as annexure-VI) but again the response was nil as earlier.

5- Mean while, the personnels that were promoted to BPS-10 from BPS-06 during 2009, were once again promoted to BPS-14 from BPS-10 in the year 2013 including Mr. Muhammad Khalid (copy attached as annexure-VII). The applicant submitted online complaint to Chief Minister Complaint and Redresal Cell on May 17th, 2016 for probing the reasons for delaying our promotion. The Chief Minister Complaint Cell asked KP-TEVTA for explaining the situation. KP-TEVTA replied to the Chief Minister Complaint Cell that their case is concerned with the period of Ex-Directorate General of Technical Education & Manpower Training. KP-TEVTA further informed that their promotion case will be processed as per promotion rules and your office will be informed accordingly (copy attached as annexure-VIII).

Your good office, is therefore, requested to enquire the irregularity happened in regularizing the services of Mr. Muhammad Khalid, Shop Assistant and ignoring the regularization of our services and under what rules he was promoted to BPS-10 and then BPS-14. It is further requested that our regularization, seniority and promotion along with all back benefit may please be reviewed. We shall be very much thankful to your office for giving our right and also to avoid knocking the door of the court.

Thanking you in anticipation.

Akif Ullah
21/12/16
1- Akif Ullah Shop Assistant
GCT Peshawar

Gul Niaz
21/12/16
2- Gul Niaz Shop Assistant
GCT Kohat

Copy for Information to:

- 1- The Honorable Minister Technical Education Khyber Pakhtunkhwa
- 2- The Managing Director KP-TEVTA

The NWFP Civil Servants (Amendment) Act, 2005

An

NOTIFICATION
Dated 23rd July 2005

No. PA/NWFP/Legis-I/2005/20440: The North-West Frontier Province Civil Servants (Amendment) Bill, 2005, having been passed by the Provincial Assembly of North-West Frontier Province on the 5th July, 2005 and assented to by the Governor of the North-West Frontier Province on 12th July, 2005, is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

**THE NORTH-WEST FRONTIER PROVINCE CIVIL SERVANTS (AMENDMENT) ACT,
2005.**

(N.-W.F.P. ACT NO. IX, OF 2005)

First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of the N.-W.F.P. (Extraordinary), dated the 23rd July, 2005]

AN

ACT

further to amend the North-West Frontier Province Civil Servants Act, 1973.

Preamble:--- WHEREAS it is expedient further to amend the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973), for the purpose hereinafter appearing:

It is hereby enacted, as follows:

1. Short title and commencement.—(1) This Act may be called the North-West Frontier Province Civil Servants (Amendment) Act, 2005.

(2) It shall come into force at once.

2. Amendment of section 19 of N.-W.F.P. Act No. XVIII of 1973:--- In the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973), for section 19, the following shall be substituted, namely:

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

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

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

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

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

Provided that a civil servant referred to in sub-section (2) in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

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

Tele: _____



I Any-M (27) ~~27~~

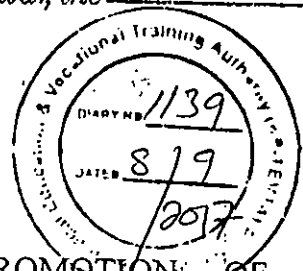
GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT

No.SOIII(IND)1-17/2017 / 8670
6th September, 2017

Dated Peshawar, the _____

To

The Managing Director,
KP-TEVTA, 3-A Chinnar Road,
University Town, Peshawar.



Subject: -

CLEARANCE OF DEFERRED PROMOTION OF SHOP ASSISTANT (DIPLOMA HOLDERS) BPS-07 TO THE POST OF JUNIOR TRADE INSTRUCTOR (ELECTRICAL) BPS-11 UNDER THE OLD SERVICE RULES 2001/SENIORITY 31.12.2008.

I am directed to refer to the KP-TEVTA letters No.KP-TEVTA/HR/2175 dated 19.05.2017 and KP-TEVTA/HR/2371 dated 24.05.2017 on the subject noted above and to say that the case was examined in the light of Peshawar High Court order dated 24.03.2010 in Writ Petition No.1531/2004 with C.M No.52/2007 (M) with C.M No.159/2008 (M) with C.M No.67/2010, Law Department opinion vide letter No.OP.05(03)LD/2010/871 Peshawar dated 28.01.2011 and Establishment Department advice vide letter No.SOR-VI/E&AD/8-25/2017 dated July 31, 2017. This Department is accordingly of the view that such deferred promotion cases can be cleared on the basis of old Service Rules.

*Div HR & A
Plz check, if in order,
Call bpc meeting.*

ha
(HAMEED UR REHMAN)
SECTION OFFICER-III 06/09/17

*ATN
08/09/17*

Aug - N (28)

WORKING PAPER.

Subject:- PROMOTION TO THE POST OF JUNIOR TRADE INSTRUCTOR (ELECTRICAL) BPS-11 (DIPLOMA HOLDERS) IN THE LIGHT OF ESTABLISHMENT DEPARTMENT ADVICE.

03 (Three) leftover posts of Junior Trade Instructor BPS-11 (Electrical) are laying vacant since 23-08-2009 for promotion quota of Junior Trade Instructors, (Diploma holders) (Electrical) BPS-11. The Departmental Promotion Committee did not consider promotion of the following Shop Assistant BPS-07, as per minutes of the Departmental Promotion Committee meeting held on 23-08-2009 under the Chairmanship of Director General Technical Education & Manpower Training (Annexure-I)

1. Mr. Gul Niaz, Shop Assistant (Electrical).
2. Mr. Akif Ullah, Shop Assistant (Electrical).
3. Mr. Noor Hayat, Shop Assistant (Electrical).

2. In the light of Establishment Department advice letter received from the Secretary, Industries, Commerce and Technical Education Department (Annexure-II) that such deferred promotion cases can be cleared on the basis of old rules.

The following method of recruitment/ Promotion has been prescribed for the post of Junior Trade Instructor (Electrical) BPS-11 (Annexure-III) as per old rules.

i) Forty percent by promotion, on the basis of seniority cum-fitness, from amongst the shop Assistant, who possesses three years Diploma of Associate Engineer in the relevant Technologies, provided that the Shop Assistant in various Technologies as group together below shall have group wise combined seniority for the purpose of their promotion to any of the technologies falling within the purview of the technologies so grouped together.

GROUP-A D.A.E. (Electrical, D.A.E. Radio Electronics and D.A.E. Tele-communication.)

GROUP-B DAE Mechanical, DAE AUTO and Diesel.

DAE Auto and Farm & D.A.E Refrigeration and Air Conditioning.

(ii) 40% by promotion on the basis of seniority cum-fitness from amongst the post of Shop Assistant who possesses Matriculation Certificate and at least one year Technical Certificate in the relevant trade with four years experience as such.

(iii) 20% by initial recruitment.

3. There were 22 sanctioned posts of Junior Trade Instructors (Electrical) BPS-11 at Government colleges of Technology/Government Polytechnic Institutes, out of these posts 09 posts fall to the share of promotion quota of Diploma Holders @ 40%, 09 posts fall to the share of promotion Certificates Holders @ 40% and the remaining 04 posts fall to the share of initial recruitment @ 20%.

4. According to the final Seniority list as stood on 31-12-2008 of Shop Assistants (Diploma Holders Electrical) BPS-07 (Annexure-IV), the following Shop Assistant, (Electrical) Diploma holders BPS-07 are due for promotion to the post of Junior Trade Instructor (Electrical) BPS-11.

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(Handwritten initials)

GOVERNMENT OF N. W. F. P.,
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
(LABOUR & TECHNICAL EDUCATION
DEPARTMENT.)

Dated Peshawar, the 19th November, 2001.

NOTIFICATION

No. SOIII(IND)TE/4-22/94 (Service Rules). In exercise of the powers conferred by Article 5 of the Provisional Constitution Order No.1 of 1999, as amended upto date read with Cabinet Division Notification S.R.O No.175(1)/2001, dated 28th June, 2001, the Governor of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province (Technical Education) Recruitment and Appointment Rules, 1991, the following further amendments shall be made namely :-

AMENDMENTS

In the Appendix :-

- (a) for the entry at serial No.3(i) in column 2, the following shall be substituted, namely:
"Principal/Vice Principal (R.P.S.18) Government Vocational Institute (Boys)"; and
- (b) after the existing entries at serial No.3(i), as so amended, the following new entries shall be inserted in the respective columns, namely:

1	2	3	4	5	6
"3(j)	Principal Government Vocational Institute for Boys (RPS-19).	<ul style="list-style-type: none"> (i) Ph.D in Engineering from a recognized University, with five years teaching/professional experience after obtaining the Ph.D Degree; (ii) Master Degree in Engineering from a recognized University, with ten years teaching/professional experience after obtaining Master Degree; or (iii) Bachelor Degree in Engineering in the relevant field from a recognized University, with twelve years experience after obtaining the Bachelor Degree. 	-	30 to 45 years.	(a) Eighty percent by promotion on the basis of seniority-cum-fitness from amongst Assistant Professors/Head of Department/Senior Instructors/Chief Trade Instructors (Technical Subject), Principal, Government Vocational Institute (B-18) who possess Bachelor Degree in Engineering with twelve years service in B-17 and above or seven years in B-18;

ATTACH IX

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(f) for the existing entries against serial No.12 the following shall be substituted, namely:

1	2	3	4	5	6
12.	(a) Junior Instructor and equivalent posts in Polytechnics/ Government College of Technology.	Three years post-matric diploma in the relevant field from a recognized Polytechnic Institute or equivalent qualification in the relevant field from a recognized Institute.	-	18 to 30 years.	(i) Eighty percent by initial recruitment and (ii) Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Junior Trade Instructors Vocational Institute who possess the qualification prescribed for initial recruitment.
	(b) Trade Instructor (Related Subject), Vocational Institutes (Boys).	Master's Degree in relevant subject from a recognized University.	-	20 to 35 years.	By initial recruitment.
	(c) Trade Instructor or (Technical Subject), Vocational Institute (Boys).	Three years post-matric diploma in the relevant field from a recognized Polytechnic or equivalent qualification in the relevant field from a recognized Institute.	-	18 to 30 years.	(i) Fifty percent by initial recruitment. (ii) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Junior Trade Instructors, Government Vocational Institute (Boys), with at least three years experience as such."

(g) for the entries in column 6 against serial No.15 the following shall be substituted, namely:

"(i) Forty percent by promotion, on the basis of seniority-cum-fitness from amongst the Shop Assistants, who possess three years, Diploma of Associate Engineer in the relevant technologies; provided that the Shop Assistants in various technologies as grouped together below shall have group wise combined seniority for the purpose of their promotion to any of the technologies falling within the purview of the technologies so grouped together:

GROUP-A- D.A.E Electrical, DAE Radio Electronics and D.A.E Tele-Communication.

GROUP-B- DAE Mechanical, D.A.E Auto and Diesel, D.A.E Auto and Farm & D.A.E Refrigeration and Air Conditioning.

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(ii) 40% by promotion on the basis of seniority-cum-fitness from amongst the holders of the posts of Shop Assistants who possess Matriculation Certificate and at least on year technical certificate in the relevant trade with four years experience as such.

(iii) 20% by initial recruitment.

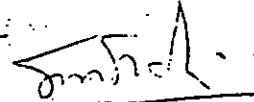
SECRETARY TO GOVERNMENT OF N.W.F.P.
INDUSTRIES, COMMERCE, MINERAL ENVELOPMENT
LABOUR AND TECHNICAL EDUCATION
DEPARTMENT.

ENDST.No.SOIII(IND)TE/4-22/94

Dated Peshawar, the 19th November, 2001.

Copy is forwarded to :-

- 1) All Administrative Secretaries in NWFP.
- 2) All head of Attached Department in NWFP.
- 3) P.S to Governor, N.W.F., Province.
- 4) P.S to Chief Secretary N.W.F.P.
- 5) P.S to Minister for Industries, N.W.F.P.
- 6) Coordinator, P.T:W Civil Secretariat, N.W.F.P.
- 7) Registrar, Peshawar High Court Peshawar/Service Tribunal, NWFP.
- 8) Secretary, NWFP Public Service Commission, Peshawar.
- 9) The Accountant General, N.W.F.P.
- 10) All District Accounts Officers in N.W.F.P.
- 11) Librarian, Government of NWFP, Establishment & Admn: Department
- 12) The Manager, Govt: Printing Press, N.W.F.P for publication.
- 13) P.S to Secretary Industries, N.W.F.P.
- 14) O/O file.


(SYED MOUSAM SHAH)
SECTION OFFICER-III

AMENDMENT IN RULES

FINAL COMBINED SENIORITY LIST OF SHOP ASSISTANTS(DIPLOMA HOLDERS IN THE ELECTRICAL/TELECOMMUNICATION & RADIO ELECTRONICS TECHNOLOGIES) IN THE TECHNICAL EDUCATION AND MANPOWER TRAINING DEPTT: AS STOOD ON 31.12.2008.

Sr. No.	Name of Incumbents with academic qualification	Date of Birth with Domicile	Date of Ist entry into Govt. Service	Regular appointment / promotion to the present post			Present appointment.
				Date	BPS	Method of recruitment	
1	2	3	4	5	6	7	8
1-	Mohammad Aslam, DAE (Elect :). <i>vide SNo. 1 cleared from 3</i>	05.04.1973 D.I. Khan.	19.07.1997.	19.07.1997	06	Initial	Shop Assistant 19-07-1997.
2-	Akbar Said, DAE (Electrical). <i>cleared vide SNo. 2 from No. 3</i>	12.06.1970 Malakand	22.09.1993	12.09.1993	06	-do-	S/Asstt: 22.09.1993. (Passed Diploma in the year, 2000).
3-✓	Mr. Gul Niaz, DAE	02-01-1969 Karak	14-01-2004	14-01-2004	06	-do-	Shop Assistant 14-01-2004
4-	Mr. Muhammad Khalid, DAE <i>cleared vide SNo. 4, from 3</i>	24-03-1970 Swabi	31-07-2004	31-07-2004	06	-do-	Shop Assistant 31-07-2004
5-✓	Mr. Akifullah, DAE	01-03-1981 Karak	19-01-2004	19-01-2004	06	-do-	Shop Assistant 19-01-2004
6-✓	Mr. Noor Hayat, DAE	15-04-1970 Bannu	28-02-2004	28-02-2004	06	-do-	Shop Assistant 28-02-2004

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Naseer-ud-Din, i) Matric ii) TIP Cert: 03 years. iii)DAE	03.09.1965 Mardan.	10.11.1990	10.11.1990	06	Initial	Shop Assistant 10.11.1990. (Passed Diploma in the year, 13-11-2008).
S. Waqar Haider, i) 1 years Cert; ii) FA. iii)DAE	20.08.1967 Peshawar.	22.07.1997	22.07.1997	06	-do-	Shop Assistant 22.07.1997. (Passed Diploma in the year 18-11-2008).

DEPUTY DIRECTOR (ADMN).

The Managing Director
KP-TEVTA Peshawar

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Subject: APPEAL

Respected Sir,

It is to bring in your kind consideration that we were appointed as Workshop Assistant (BPS-06) (Diploma Holders) in January 2004 on contract basis according to Government policy. The Government of NWFP (Now Khyber Pakhtunkhwa) Assembly passed an Act in the year 2005, in which all the contract employees were regularized from 2001 till this Act, including us. In the year 2008-9, another Act was also passed by the KP Assembly, which also regularized all the employees, who were appointed on contract basis.

In the year 2009, the Directorate of Technical Education & Manpower Training (DTE&MT) Khyber Pakhtunkhwa issued the Seniority list of all Diploma Holders Workshop Assistant (BPS-07), in which we were at serial no# 3, 5 & 6 (**ANNEX-I**) and the promotion case of Diploma Holder Workshop Assistant and Certificate Holders Workshop Assistant (BPS-07) was placed on board for promotion to the post of Junior Trade Instructors (BPS-11), the board dropped out us from promotion by giving the reason that we are working on contract basis, after regularization our promotion case will be cleared (**ANNEX-II**). While our Junior Workshop Assistant (BPS-07) who were appointed after us on contract basis in July 2004, were promoted from the same seniority list to the post of Junior Trade Instructor (BPS-11). We submitted several appeals regarding the said matter. But after the passage of two or more than two years our case was not cleared. Due to which we submit another appeal to the then Managing Director KP-TEVTA and Secretary Industries & Technical Education Khyber Pakhtunkhwa for the review of the said case. The Secretary Industries & Technical Education took an action, and directed Managing Director KP-TEVTA to provide the detail case of the affectees, which was discussed with the higher authorities. After brief discussion the Administrative Department advised Managing Director KP-TEVTA vide letter No. SO:III (IND)/1-17/2017/8670 dated: 06-09-2017, that such cases should be cleared on Old Service Rules & Old Seniority List (**ANNEX-III**).

In the light of Administrative Department approval/Clearance, the then Managing Director KP-TEVTA placed our case on board for promotion, and the board cleared our promotion from the post of Workshop Assistant (BPS-07) to the post of Junior Trade Instructor (BPS-11) on 25-09-2017 (**ANNEX-IV**).

Meanwhile, those junior Workshop Assistants (BPS-07) who were earlier promoted to the post of Junior Trade Instructor (BPS-11) in the year 2009, were, once again promoted to the post of Junior Instructor (BPS-15) in the year 2014 by the Directorate General of Technical Education & Manpower Training (DGTE&MT) Khyber Pakhtunkhwa (**ANNEX-V**). Now those junior who were promoted from us in the year 2009 are working as Junior Instructor (BPS-15) while we seniors, are working as Junior Trade Instructor (BPS-11).

pected Sir

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Therefore, it is humbly requested that in the light of above facts and Administrative Department vide Letter No.SOIII (IND)/1-17/2017/8670 dated: 6th September 2017,

- i)- We should be promoted to the post of Junior Instructor (BPS-15),
- ii)- We should be placed senior in the Seniority list of Junior Instructors (BPS-15) before those who were earlier promoted from us in the year 2009 & then again in the year 2014. And
- iii)- All the back benefit may be provided to us from January 2014 till date, without knocking the door of the court.

We shall be very much thankful to you for this kind act.

Yours Sincerely,

Gul Niaz
18/11/2018

Akif Ullah
17/11/2018

Noor Hayat
18/11/2018

i) Gul Niaz
Jr/Trade Instructor
GCT Nowshera

ii)- Akif Ullah
Jr/Trade Instructor
GTVC (B) Ghazi

iii)- Noor Hayat
Jr/Trade Instructor
GTVC (B) Miransha

Copy for information & necessary action to:

- i- The Secretary Industries & Technical Education Khyber Pakhtunkhwa.
- ii- The Secretary Law Khyber Pakhtunkhwa.

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MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION HELD ON
03-01-2014

A meeting of the Departmental promotion Committee was held on 03-01-2014 at 10:00 AM under the Chairmanship of Director General, Technical Education and Manpower Training, KPK in his office on the agenda as follow:

1. Promotion of Junior Trade Instructor(Electrical DAE)BPS-10 to the post of Junior Instructor BPS-14(Electrical)

The committee thoroughly examined the promotion cases of the Junior Trade Instructor (Electrical Diploma Holders)BPS-10, perused and discussed the service record of the following officials included in the panel and submitted its recommendations as follows:

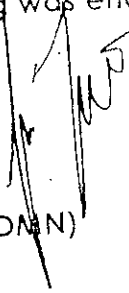
S. N O.	Name of the Official	Recommendation of the DPC
01.	Mr. Saleem Iqbal, Jr. Trade Instructor (Electrical)BPS-10	He has short of ACRs for the period from 2003 to 2012. His case is, therefore, deferred.
02.	Mr. Muhammad Aslam, Jr. Trade Instructor (Electrical)BPS-10	The officials assumed the existing post on 12-8-2008. No enquiry is pending against him and no punishment was awarded to him during the last five years. His service record up to 2013 is generally good. The DPC recommended that the official may be cleared for promotion against the vacant post of Junior Instructor(Electrical) BPS-14 on regular basis with immediate effect. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Paktunkhwa Civil Servants Act 1973 read with Rule-15(j) of KP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989.

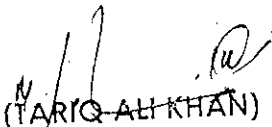
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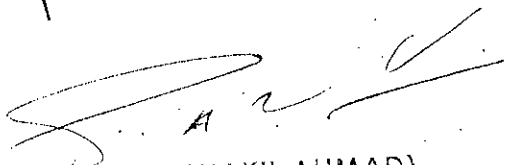
03	Mr. Akbar Said, Jr: Trade Instructor (Electrical)BPS-10	<p>The officials assumed the existing post on 12-8-2008. No enquiry is pending against him and no punishment was awarded to him during the last five years. His service record up to 2013 is generally good.</p> <p>The DPC recommended that the official may be cleared for promotion against the vacant post of Junior Instructor(Electrical) BPS-14 on regular basis with immediate effect. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule-15(i) of KP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989.</p>
04.	Mr. Muhammad Khalid, Jr: Trade Instructor (Electrical)BPS-10	<p>The officials assumed the existing post on 12-8-2008. No enquiry is pending against him and no punishment was awarded to him during the last five years. His service record up to 2013 is generally good.</p> <p>The DPC recommended that the official may be cleared for promotion against the vacant post of Junior Instructor(Electrical) BPS-14 on regular basis with immediate effect. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule-15(i) of KP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989.</p>
05	Mr. Naseeruddin, Jr: Trade Instructor (Electrical)BPS-10	<p>The officials assumed the existing post on 12-8-2008. No enquiry is pending against him and no punishment was awarded to him during the last five years. His service record up to 2013 is generally good.</p> <p>The DPC recommended that the official may be cleared for promotion against the vacant post of Junior Instructor(Electrical) BPS-14 on regular basis with immediate effect. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule-15(i) of KP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989.</p>

06.	Mr. Shah Waqar Haider, Jr. Trade Instructor (Electrical)BPS-10	The officials assumed the existing post on 12-8-2008. No enquiry is pending against him and no punishment was awarded to him during the last five years. His service record up-to 2013 is generally good. The DPC recommended that the official may be cleared for promotion against the vacant post of Junior Instructor(Electrical) BPS-14 on regular basis with immediate effect. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa Civil Servants Act 1973 read with Rule-15(i) of KP Civil Servants(Appointment, Promotion and Transfer) Rules, 1989.
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The meeting was ended with a vote of thanks from the Chair.


(MUNIR GUL)
DEPUTY DIRECTOR(ADMIN)
MEMBER


(TARIQ ALI KHAN)
SECTION OFFICER-III
MEMBER


(PROF. SHAKIL AHMAD)
DIRECTOR GENERAL,
CHAIRMAN.



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**DIRECTORATE GENERAL TECHNICAL EDUCATION
& MANPOWER TRAINING KHYBER PAKHTUNKHWA:**

OFFICE ORDER.

In pursuance of honorable Khyber Pakhtunkhwa Service Tribunal Judgement dated.04-04-2008 in Service Appeal No.921/2007 and Judgement dated. 28-4-2010 followed by 1996 SCMR 1185, 2003 SCMR 1130 and 2005 SCMR 499 and consequent upon recommendation of the Departmental Promotion Committee meeting held on 03-01-2014. Mr. Muhammad Khalid, Jr. Trade Instructor (Elect.) BPS-10, Govt. College of Technology, Swabi is hereby promoted as Junior Instructor (Elect.) BPS-14 and posted at the same College against the vacant post with immediate effect.

His promotion is also subject to the following terms and conditions that:-

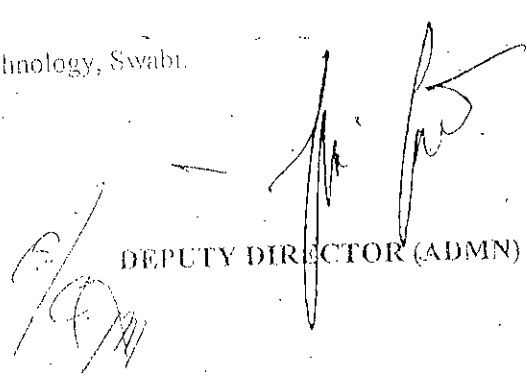
1. He will be on probation for a period of one year in terms of Section-6(2) of the Khyber Pakhtunkhwa, Civil Servants Act, 1973.
2. The inter-se-seniority position of the promotee shall stands intact as he was in the seniority list of lower cadre.

DIRECTOR GENERAL.

Endst.No.DGTE&MT/Est/4-1/1/SC (1-3) Dated 07/01/2014

Copy forwarded for information and n/action to:-

1. District Account Officer, Swabi.
2. The Principal, Govt. College of Technology, Swabi.
3. Official concerned.


DEPUTY DIRECTOR (ADMN)

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**DIRECTORATE GENERAL TECHNICAL EDUCATION
& MANPOWER TRAINING KHYBER PAKHTUNKHWA.**

OFFICE ORDER.

In pursuance of honorable Khyber Pakhtunkhwa Service Tribunal Judgement dated 04-04-2008 in Service Appeal No.921/2007 and Judgement dated 28-4-2010 followed by 1996 SCMR 1185, 2003 SCMR 1130 and 2005 SCMR 499 and consequent upon recommendation of the Departmental Promotion Committee held on 03-01-2014, Mr. Shah Waqar Haider, Jr. Trade Instructor (Elect.) BPS-10, Govt. Technical Institute, Bara (FATA) is hereby promoted as Junior Instructor (Elect.) BPS-14 and posted at the same institute against the vacant post of Junior Instructor BPS-14 with immediate effect.

His promotion is also subject to the following terms and conditions that:-

1. He will be on probation for a period of one year in terms of Section 6(2) of the Khyber Pakhtunkhwa, Civil Servants Act, 1973.
2. The inter-se seniority position of the promotee shall stand intact as he was in the seniority list of lower cadre.

DIRECTOR GENERAL.

Endst No. DGTE&MT/Est/4-1/162 (1-3) Dated 7-1-2016

Copy forwarded for information and n/action to:-

1. Agency Accounts Officer, Bara (Khyber Agency).
2. The Principal, Govt. Technical Institute, Bara.
3. Official concerned.

DEPUTY DIRECTOR (ADMN)

2014

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT D.I.KHAN**

Appeal No.1099/2018

**Khalid Saleem, S/O Faiz Ali,
Lab Assistant, Government College of Technology, D.I.Khan.....APPELLANT.**

VERSUS

**Government of Khyber Pakhtunkhwa through Secretary Industries,
Civil Secretariat, Peshawar, and others.....RESPONDENTS**

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT D.I.KHAN**

Appeal No.1099/2018

**Khalid Saleem, S/O Faiz Ali,
Lab Assistant, Government College of Technology, D.I.Khan.....APPELLANT.**

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Industries,
Civil Secretariat, Peshawar, and others.....RESPONDENTS

Respectfully Sheweth

PRELIMINARY OBJECTIONS:

PRELIMINARY OBJECTIONS:

- A- That the Service Appeal is **badly time barred**.
- B- That the appellant has no cause of action as his case was not presented in the said DPC due to non availability of the post in the relevant trade.
- C- That the appellant has got no locus standi.
- D- That the appeal is incompetent in its present form for non joinder of the necessary parties.
- E- That the appellant has not come to this honorable tribunal with clean hands.
- F- That the appellant has been estopped by his own conduct to file the present appeal.

FACTS:

1. Pertains to record with further clarification that the appellant was appointed as Shop Assistant (Mechanical).
- 2 to 4. It is incorrect, hence not admitted. The appellant and the private respondents were appointed as Shop Assistants in 2004 in different technologies. The appellant is Shop Assistant (Mechanical) while the private respondents are Shop Assistants (Electrical). At the time of appointments Service Rules 2001 were prevailed, as per Service Rules 2001 the Shop Assistants in various Technologies were grouped together on the basis of their respective technologies. Hence their separate group-wise combined seniority were as per Service Rules 2001 at **Annexure-A**. As per this division the private respondents being from Electrical Technology fallen in Group-A. While the appellant in Group-B i.e (Mechanical). In DPC held on 23.8.2009 the promotion cases of Shop Assistant of Civil and Electrical Technologies were presented and considered, as the vacancies at the relevant trade were available. The case of promotion of the appellant's technologies i.e. (Mechanical) was not presented before the said DPC due to the non availability of the posts in the relevant trade, Agenda of meeting at **Annexure-B**. The promotion cases of respondents No.5 and 6 against the available vacancies were considered by DPC in its meeting held on 23.8.2009 and were deferred for the reason that they were appointed on contract basis and till date their services have not yet being regularized, Minutes of DPC Meeting at **Annexure-C**.

The DPC cleared the promotion cases of 05 Shop Assistants (item 3) where as deferred the promotion of 03 Shop Assistants. The existing Service Rules notified on 22.4.2015 cannot be applicable against the private's respondents retrospectively and upon the regularization of their services, their promotion may be cleared on the basis of old service rules of 2001.

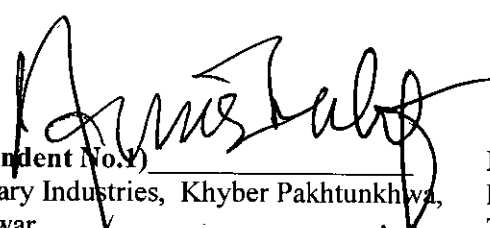
The deferred Shop Assistants duly submitted an application to the competent authority for consideration of their deferred promotion cases as they were eligible for promotion under the old service rules 2001 which provide separate line of promotion for certificate holders and diploma holders and they hold senior position as per seniority list 31.12.2008. In the light of the advice of the Law / Administrative Department vide letter dated 28.1.2011 and 6.9.2017 issued in similar cases, such deferred cases can be cleared on the basis of old service rules. at **Annexure-D**

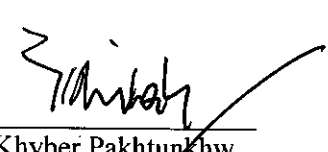
In pursuance of such advice, the deferred promotion cases of private respondents were placed before DPC on the basis of availabilities of the left over vacancies of Junior Trade Instructors (Electrical) which were lying vacant in their promotion quota since 2009 and was duly cleared in DPC held on 26.9.2017.


G R O U N D S

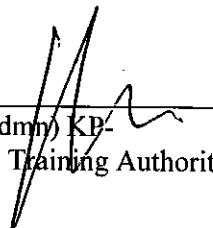
- a) Incorrect hence not admitted, the promotion order dated 28.09.2017 is legal and in accordance with the service laws and rules.
- b) Incorrect hence not admitted, the private respondents were promoted under the old service rules and the seniority list is prepared under the said rules. The seniority list is related to Group-A as described in the preceding paras.
- c) Incorrect hence not admitted. The promotion orders of the private respondents was issued after adopting all the codel formalities, opinion of the Law / Establishment Departments and following service Rules related to the answering respondents.
- d) Incorrect hence denied detail reply has been given.
- e) Incorrect hence denied. The appellant has mentioned the date of appointment but has not mentioned the relevant field and technologies. The appellant has tried to conceal the facts that under service rules 2001 the seniority list was to be prepared on the basis of relevant technology. The promoted respondents fall under Group-A (Electrical) and their case of promotion were presented in DPC held in 2009 under the old service rules 2001 but deferred. While the appellant fall in Group-B (Mechanical) whose case was not presented in DPC due to the non availability of vacancies in the relevant trade. In the meanwhile the old rules were superseded by the new rules under which combined seniority list of all shop assistants have been prepared irrespective of the technologies. Which has not retrospective effect over the old seniority list of 2008.

It is, therefore, prayed that on acceptance of these para-wise comments, the appeal may please be dismiss.


Respondent No.1)
Secretary Industries, Khyber Pakhtunkhwa,
Peshawar.


Respondent No.2)
Managing Director, Khyber Pakhtunkhw
Technical & Vocational Training Authority


Respondent No.2)
Director (HR/Admn), Khyber Pakhtunkhwa
Technical & Vocational Training Authority


Respondent No.2)
Deputy Director (HR/Admn) KP-
Technical & Vocational Training Authority

GOVERNMENT OF N. W. F. P.,
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR & TECHNICAL EDUCATION
DEPARTMENT.

Dated Peshawar, the 19th November, 2001.

NOTIFICATION

No. SOIII(IND)TE/4-22/94 (Service Rules). In exercise of the powers conferred by Article 5 of the Provisional Constitution Order No.1 of 1999, as amended upto date read with Cabinet Division Notification S.R.O No. 175(1)/2001, dated 28th June, 2001, the Governor of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province (Technical Education) Recruitment and Appointment Rules, 1994, the following further amendments shall be made namely :-

AMENDMENTS

In the Appendix :-

- (a) for the entry at serial No. 3(i) in column 2, the following shall be substituted, namely:
"Principal/Vice Principal (B.P.S.18) Government Vocational Institute (Boys)"; and
- (b) after the existing entries at serial No. 3(i), as so amended, the following new entries shall be inserted in the respective columns, namely:

1	2	3	4	5	6
3(j)	Principal Government Vocational Institute for Boys (BPS-19).	<ul style="list-style-type: none"> (i) Ph.D in Engineering from a recognized University, with five years teaching/professional experience after obtaining the Ph.D Degree; (ii) Master Degree in Engineering from a recognized University, with ten years teaching/professional experience after obtaining Master Degree; or (iii) Bachelor Degree in Engineering in the relevant field from a recognized University, with twelve years experience after obtaining the Bachelor Degree. 	-	30 to 45 years.	<ul style="list-style-type: none"> (a) Eighty percent by promotion on the basis of seniority-cum-fitness from amongst Assistant Professors/Head of Department/Senior Instructors/Chief Trade Instructors (Technical Subject), Principal, Government Vocational Institute (B-18) who possess Bachelor Degree in Engineering with twelve years service in B-17 and above or seven years in B-18;

18 NOV 2001

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1	2	3	4	5	6
					<p>Provided that if no candidate having the requisite qualification and experience is available for promotion, then by initial recruitment; and</p> <p>b) twenty per cent by initial recruitment.</p> <p>By transfer from amongst the Instructresses/Lecturers (Technical Subject), Government Polytechnic Institutes for Women/Principal (B-17), Government Vocational Institute for Women or equivalent post:</p> <p>(c) in the entry at (4) in column 3 against serial No.5(C), for the words "Instructor/Lecturer" the words "Lecturer/Junior Instructor" shall be substituted;</p> <p>(d) for the existing entries in columns 3 to 6 against serial No.6(b) the following shall respectively be substituted, namely:</p>
3(k)	Assistant Directress, Technical Education.				

1	2	3	4	5	6
		"Second class Master Degree in the relevant subject from a recognized University;	B.A/B.Sc from a recognized University with	21 to 35 years.	<p>(a) Seventy per cent by initial recruitment; and</p> <p>(b) thirty per cent by promotion from amongst the Trade Instructors (Related Study) on the basis of seniority-cum-fitness, with five years teaching experience as such";</p>
		Provided that in the case of English subject a third divisioner shall also be eligible.	<p>(a) B.Ed. from a recognized University; or</p> <p>(b) Diploma in Technical Teacher Training from a recognized Institute.</p>		
					<p>(e) after the existing entries at serial No.7 the following new entries shall be inserted in the respective columns, namely:</p>

1	2	3	4	5	6
7A	Lecturer Statistics and Business Maths.	<p>(i) Second class Masters Degree in Maths from a recognized University; or</p> <p>(ii) Second Class "BA with Maths/Statistics in B.A/B.Sc. from a recognized University;</p>		21 to 40 years.	<p>(a) Fifty per cent by initial recruitment and</p> <p>(b) fifty per cent by promotion on the basis of seniority-cum-fitness from amongst the Junior Instructors (Arithmetic) who possess the qualification prescribed for initial recruitment."</p>

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89 Rules

2	3	4	5	6
15. Junior Trade Instructors (Technical Subject) Vocational Institutes (Boys).	i) Matriculation or equivalent qualification from a recognized Institute/Board; and ii) two years training Certificate in the relevant Trade from a recognized Vocational Institute or an equivalent qualification with four years experience in Govt. or Semi Govt. Industrial Organization 'OR' Industry of National repute.	-	18 to 28 years.	a) Seventy percent by initial recruitment ; and b) thirty percent by promotion on the basis of seniority-fitness, from amongst the holders of the posts of Sh Assistants who possess Matriculation Certificate with at four years service as such
16. Junior Trade Instructors (Various subjects/trades) in Vocational Institute for Women.	i) a) Matric with Diploma from Vocational Institute(W) or equivalent qualification from a recognized Institute in the relevant subject; and b) Diploma in Technical Teachers Education from a recognized Technical Teachers Training Institute/College; or ii) a) Middle standard Examination from a recognized Board with Diploma from Vocational Institute(Women) or equivalent qualifications in the relevant subject with two years professional and/ or teaching experience; and b) Diploma in Technical Teacher Education from a recognized Institute/College.	-	18 to 30 years.	By initial recruitment.

contd...

Candidate
 Certificate
 Eligible
 Official

7

6 327

(f) for the existing entries against serial No.12 the following shall be substituted, namely:

1	2	3	4	5	6
12.	(a) Junior Instructor and equivalent posts in Polytechnics/ Government College of Technology.	Three years post-matric diploma in the relevant field from a recognized Polytechnic Institute or equivalent qualification in the relevant field from a recognized Institute.		18 to 30 years.	(i) Eighty percent by initial recruitment and (ii) Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Junior Trade Instructors Vocational Institute who possess the qualification prescribed for initial recruitment.
	(b) Trade Instructor (Related Subject), Vocational Institutes (Boys).	Master's Degree in relevant subject from a recognized University.		20 to 35 years.	By initial recruitment.
	(c) Trade Instructor or (Technical Subject), Vocational Institute (Boys).	Three years post-matric diploma in the relevant field from a recognized Polytechnic or equivalent qualification in the relevant field from a recognized Institute.		18 to 30 years.	(i) Fifty percent by initial recruitment. (ii) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Junior Trade Instructors, Government Vocational Institute (Boys), with at least three years experience as such.;

(g) for the entries in column 6 against serial No.15 the following shall be substituted, namely:

(i) Forty percent by promotion, on the basis of seniority-cum-fitness from amongst the Shop Assistants, who possess three years, Diploma of Associate Engineer in the relevant technologies; provided that the Shop Assistants in various technologies as grouped together below shall have group wise combined seniority for the purpose of their promotion to any of the technologies falling within the purview of the technologies so grouped together:

GROUP-A- D.A.E Electrical, DAE Radio Electronics and D.A.E Tele-Communication.

GROUP-B- DAE Mechanical, D.A.E Auto and Diesel D.A.E Auto and Farm & D.A.E Refrigeration and Air Conditioning.

18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

(ii)

40% by promotion on the basis of seniority-cum-fitness from amongst the holders of the posts of Shop Assistants who possess Matriculation Certificate and at least on year technical certificate in the relevant trade with four years experience as such.

(iii)

20% by initial recruitment.

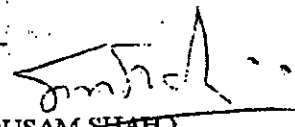
SECRETARY TO GOVERNMENT OF N.W.F.P,
INDUSTRIES, COMMERCE, MINERAL ENVELOPMENT
LABOUR AND TECHNICAL EDUCATION
DEPARTMENT.

ENDST.No.SOIII(IND)TE/4-22/94

Dated Peshawar, the 19th November, 2001.

Copy is forwarded to :-

- 1) All Administrative Secretaries in NWFP.
- 2) All head of Attached Department in NWFP.
- 3) P.S to Governor, N.W.F., Province.
- 4) P.S to Chief Secretary N.W.F.P.
- 5) P.S to Minister for Industries, N.W.F.P.
- 6) Coordinator, P.T.W Civil Secretariat, N.W.F.P.
- 7) Registrar, Peshawar High Court Peshawar/Service Tribunal, NWFP.
- 8) Secretary, NWFP Public Service Commission, Peshawar.
- 9) The Accountant General, N.W.F.P.
- 10) All District Accounts Officers in N.W.F.P.
- 11) Librarian, Government of NWFP, Establishment & Admn: Department
- 12) The Manager, Govt: Printing Press, N.W.F.P for publication.
- 13) P.S to Secretary Industries, N.W.F.P.
- 14) O/O file.


 (SYED MOUSAM-SHAH)
 SECTION OFFICRE-III

AMENDMENT IN RULES

Annex-B

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403

DIRECTORATE GENERAL OF TECHNICAL EDUCATION,
& MANPOWER TRAINING, NWFP,
PESHAWAR.

No. DGTE&MT/Estt/ 3896
To

Dated 27/07/2009

The Section Officer-(III),
Government of NWFP,
Industries Department,
Peshawar

Subject: MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE.

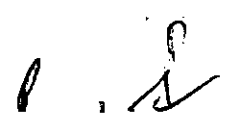
I am directed to refer to the subject noted above and to inform you that a meeting of the Departmental Promotion Committee is scheduled to be held on 28-07-2009 at 12:00 P.M. in the Directorate General of Technical Education & Manpower Training NWFP Peshawar.

- 1- Junior Trade Instructress (BPS-10) to the post of Trade Instructress (BPS-11).
- 2- Shop Assistant (BPS-06) (Civil) Diploma Holder to the post of Trade Instructor (BPS-10).
- 3- Shop Assistant (BPS-06) (Electrical) Diploma Holder to the post of Trade Instructor (BPS-10).
- 4- Shop Assistant (BPS-06) (Civil) Certificate Holders to the post of Trade Instructor (BPS-10).

As a member of the said committee, you are requested to attend this office on the date, time and venue specified above.

Relevant papers in the promotion cases are attached for perusal


DEPUTY DIRECTOR (ADMN).



491 - 76

**RESULTS OF THE MEETING OF DEPARTMENTAL PROMOTION
COMMITTEE DATED 03-08-2009:**

**PROMOTION OF JUNIOR TRADE INSTRUCTRESS (BPS-10) AND
SHOP ASSISTANTS (BPS-06) IN VARIOUS TRADES:**

A meeting of the Departmental Promotion Committee was held at 10:00 a.m. on 03-08-2009 under the Chairmanship of Director General Technical Education and Manpower Training, NWFP in his office as per agenda given below:

Item No.1.

PROMOTION OF JUNIOR TRADE INSTRUCTRESS (BPS-10) TO THE POST OF TRADE INSTRUCTRESS (BPS-11) OF VARIOUS TRADES IN GOVERNMENT TECHNICAL VOCATIONAL CENTRES.

Item No.2.

PROMOTION OF SHOP ASSISTANTS (BPS-06) TO THE POST OF JUNIOR TRADE INSTRUCTRESS (BPS-10) OF VARIOUS TRADES IN GOVT. TECHNICAL VOCATIONAL CENTRES:

List of participants is at Annexure-A.

The committee thoroughly examined the record of the following cases and recommended its remarks as follow:

Item No.1.

SR.NO	NAME OF INCUMBENT.	REMARKS OF THE COMMITTEE
01.	Bibi Gulfam	She joined the department on 11-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.01 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular basis.
02	Azra Tanveer	She joined the department on 29-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.02 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.
03-	Tasleem Akhtar	She joined the department on 22-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.03 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.
04-	Ghazala Jabeen	She joined the department on 01-12-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.01 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.

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(11)

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(77)

05-	Farzana Kausar	She joined the department on 11-11-90 as Junior Trade Instructress (BPS-10). She was standing at Sr.NO.01 of the relevant seniority list for the year 2008. Her record of service was found correct. The committee recommended her promotion to the post of Trade Instructress (BPS-11) with immediate effect on Regular Basis.
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Item No.2.

01-	Shafaat Hussain	He joined the department on 19-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.01 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
02-	Ifikhar Ali Shah	He joined the department on 17-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.02 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
03-	Sartaj Khan	He joined the department on 19-07-1997 as Shop Assistant (Civil) BPS-06). He was standing at Sr.No. 03 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
04-	Suhail Jamil	He joined the department on 23-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.04 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
05-	Shakir Hussain	He joined the department on 21-07-1997 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.05 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
06-	Samin Jan	As he was appointed on contract basis on 30-01-2004, but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.

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Item No.3.

01-	Muhammad Aslam	He joined the department on 19-07-1997 as Shop Assistant (Elect.) (BPS-06). He was standing at Sr.NO.01 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
02-	Akbar Said	He joined the department on 22-09-1993 as Shop Assistant (Elect.) (BPS-06). He was standing at Sr.NO.02 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
03-	Gul Niaz	As he was appointed on contract basis on 14-01-2004 but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
04-	Muhammad Khalid	He joined the department on 31-07-2004 as Shop Assistant (Elect.) (BPS-06). He was standing at Sr.NO.04 of the relevant seniority list for the year 2008. His record of service was found correct and his services have been regularized. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis
05-	Akifullah	As he was appointed on contract basis on 19-01-2004, but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
06-	Noor Hayat	As he was appointed on contract basis on 28-02-2004 but till date his services have not yet been regularized. The committee, therefore, deferred his promotion till the regularization of his services.
07-	Naseer ud din.	He joined the department on 10-11-1990 as Shop Assistant (Elect.) (BPS-06). He was standing at Sr.NO.07 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.
08-	Shah Waqar Haider	He joined the department on 22-07-1997 as Shop Assistant (Elect. :) (BPS-06). He was standing at Sr.NO.08 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor B-10 with immediate effect on Regular Basis.

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Form No.4

01-	Muhammad Yasin	Not recommended for promotion due to lack of his qualification
02-	Nizakat Khan	Not recommended for promotion due to lack of his qualification
03-	Mad Shah	Not recommended for promotion due to lack of his qualification
04-	Bakht Rehman	Not recommended for promotion due to lack of his qualification
05-	Sher Khan	Not recommended for promotion due to lack of his qualification
06-	Islam Gul	Not recommended for promotion due to lack of his qualification
07-	Shah Hussain	Not recommended for promotion due to lack of his qualification
08-	Raza Shah	Not recommended for promotion due to lack of his qualification
09-	Qamar Javed	He joined the department on 21-01-1993 as Shop Assistant (Civil) (BPS-06). He was standing at Sr.NO.09 of the relevant seniority list for the year 2008. His record of service was found correct. The committee recommended his promotion to the post of Junior Trade Instructor with immediate effect on regular basis.

1- Appointing Authority.
Director General, Technical Education &
Manpower Training NWFP Peshawar

Chairman Muhammad
6/8

2- An officer to be nominated by the
Admn: Department

Member Salada
3/8

3- An officer to be nominated by the
Appointing Authority.

Member Tasht

Annex - D

14

Tele:



GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE AND TECHNICAL
EDUCATION DEPARTMENT

No.SOIII(IND)1-17/2017

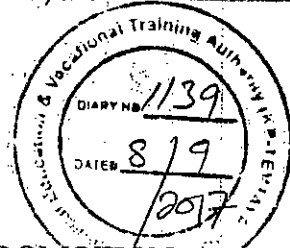
4th September, 2017

8670

Dated Peshawar, the

To

The Managing Director,
KP-TEVTA, 3-A Chinnar Road,
University Town, Peshawar.



Subject: -

CLEARANCE OF DEFERRED PROMOTION OF SHOP ASSISTANT (DIPLOMA HOLDERS) BPS-07 TO THE POST OF JUNIOR TRADE INSTRUCTOR (ELECTRICAL) BPS-11 UNDER THE OLD SERVICE RULES 2001/SENIORITY 31.12.2008.

I am directed to refer to the KP-TEVTA letters No.KP-TEVTA/HR/2175 dated 19.05.2017 and KP-TEVTA/HR/2371 dated 24.05.2017 on the subject noted above and to say that the case was examined in the light of Peshawar High Court order dated 24.03.2010 in Writ Petition No.1531/2004 with C.M No.52/2007 (M) with C.M No.159/2008 (M) with C.M No.67/2010, Law Department opinion vide letter No.OP.05(03)LD/2010/871 Peshawar dated 28.01.2011 and Establishment Department advice vide letter No.SOR-VI/E&AD/8-25/2017 dated July 31, 2017. This Department is accordingly of the view that such deferred promotion cases can be cleared on the basis of old Service Rules.

*Dir HR & A
Plz check, if in order,
Call bpc meeting.*

ha
(HAMEED UR REHMAN)
SECTION OFFICER-III
06/09/17

*JN.
08/9/17*

وکالت نامہ



MUHAMMAD NAVEED

Advocate
No: 09.0392
Date of issue: December 2017
Valid upto: December 2020

Joint Secretary
K.P. Bar Council

کورٹ
فیس

Before The Khyber Pakhtunkhwa Service Tribunal
Respondent No, 5/6 بجاعت
M. Khalid Salem مقام Govt of K.P.K etc پہلے

service Appeal

باعث تحریر آنکہ

D. I. Khan

Muhammad Naveed Mahmood Adnan H.E

مقدمہ درج بالا عنوان میں اپنی طرف واسطہ بیرونی وجوہات کی بنا پر اسے ڈپٹی یا ایگزیکٹو مقدمہ مقام
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت ہمارے مقدمہ وکیل صاحب
موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ بیرونی غیر حاضری کی بنا سے کسی طور ہمارے خلاف ہو گیا تو صاحب
موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام بکھری کے علاوہ یا بکھری کے اوقات سے پہلے یا بیچے یا بروز تہلیل
بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر بکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تہلیل یا بکھری کے اوقات کے آگے یا بیچے پیش ہونے
پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ
کو کل سامان پر وادانہ صاحب موصوف مثل کردہ ذات خود استخوار قبول ہو گا اور صاحب موصوف کو مرض ڈپٹی یا جواب ڈپٹی یا درخواست اجراء اسمائے ذکری
نظر ثانی اپنی گزائی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر طاقی یا راضی نامہ فیصلہ برصاف کرنے اقبال ڈپٹی کا بھی اختیار ہو گا اور بصورت مقرر ہونے
تاریخ پیشی مقدمہ مقرر بیرون از بکھری صدر بیرونی مقدمہ مقرر نظر ثانی اپیل و گزائی و برآمدگی مقدمہ یا مندرجہ ذکری یک طرفہ یا درخواست عم امتحانی یا ترقی
یا گرفتاری قبل از فیصلہ اجراء ذکری بھی صاحب موصوف کو بشرط ادا جنگی علیحدہ ملا بھروی کا اختیار ہو گا اور تمام سامانہ پروانہ صاحب موصوف مثل کردہ
از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو گا کہ مقدمہ مقررہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی
اپیل گزائی یا دیگر معاوضہ و قدمہ مذکورہ کسی دوسرے وکیل یا ہیر منر کو اپنے بجائے یا اپنے ہیر منر مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں حق اور ایسے
اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو جگہ ہر جانہ التواہ پر اسے گا وہ صاحب موصوف کا حق ہو گا کہ اگر
صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کریں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت
میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 25 مارچ 2019

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Aushtech
M
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عالم اسرار
عالم اسرار

نور حیات

Group-1- Electrical, D.E. Radi. Electronics and D.E. /
 D.E. Communication.

Group-2- D.E. Mechanical, D.E. Auto and Diesel
 D.E. Auto & Term. & D.E. Refrigeration
 and Air Conditioning.

Group-3- D.E. Civil and D.E. Architecture.

Group-4- D.E. Chemical & D.E. Sugar. /

- (ii) 40% by promotion on the basis of seniority-cur-fitness from /
 amongst the holders of the posts of Shop Assistants who possess
 Matriculation Certificate and at least one year technical certi-
 ficata in the relevant trade with four years experience as such.
- (iii) 20% by initial recruitment.

SECRETARY TO GOVERNMENT OF WAZIR,
 INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT
 LABOUR AND TECHNICAL EDUCATION
 ISLAMABAD.

INDUSTRIES, SOIII(IND)TV/4-22/94, Dated Peshawar, the 19th /November, 2001

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- 1) All Administrative Secretaries in WAZP.
- 2) All Heads of Attached Departments in WAZP.
- 3) P.S to Governor, M. P. Province.
- 4) P.S to Chief Secretary, M. P. Province.
- 5) P.S to Minister for Industries, WAZP.
- 6) Coordinator, P. M. Civil Secretariat, WAZP.
- 7) Registrar, Dist: High Court Peshawar/Service Tribunal, WAZP.
- 8) Secretary, WAZP Public Service Commission, Peshawar.
- 9) The Accountant General, M. P. Province.
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- 13) B.S to Secretary Industries, WAZP.
- 14) J/O file.

(Signature)
 (SYD MOUS...)
 SECRETARY OFFICER-III

SECRETARY

GOVERNMENT OF N. W. F. P.
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR & TECHNICAL EDUCATION
DEPARTMENT.

Dated Peshawar, the 19th November, 2001.

NOTIFICATION

No. 50III(IND)TE/4-22/94 (Service Rules). In exercise of the powers conferred by Article 5 of the Provisional Constitution Order No. of 1999, as amended upto date read with Cabinet Division Notification S.R.O No. 75(1)/2001, dated 28th June, 2001, the Governor of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province (Technical Education) Recruitment and Appointment Rules, 1991, the following further amendments shall be made namely :-

AMENDMENTS

In the Appendix :-

- (a) for the entry at serial No.3(i) in column 2, the following shall be substituted, namely:
"Principal/Vice Principal (R.P.S.18) Government Vocational Institute (Boys)*; and
- (b) after the existing entries at serial No.3(i), as so amended, the following new entries shall be inserted in the respective columns, namely:

1	2	3	4	5	6
30	Principal Government Vocational Institute for Boys (RPS-19).	<ul style="list-style-type: none"> (i) Ph.D in Engineering from a recognized University, with five years teaching/professional experience after obtaining the Ph.D Degree; (ii) Master Degree in Engineering from a recognized University, with ten years teaching/professional experience after obtaining Master Degree; or (iii) Bachelor Degree in Engineering in the relevant field from a recognized University, with twelve years experience after obtaining the Bachelor Degree. 	-	30 to 45 years.	<ul style="list-style-type: none"> (a) Eighty percent by promotion on the basis of seniority-cum-fitness from amongst Assistant Professors/Head of Department/Senior Instructors/Chief Trade Instructors (Technical Subject), Principal, Government Vocational Institute (B-18) who possess Bachelor Degree in Engineering with twelve years service in B-17 and above or seven years in B-18;

2	3	4	5	6
(k) Assistant Directress, Technical Education.	-	-	-	<p>Provided that if no candidate having the requisite qualification and experience is available for promotion, then by initial recruitment; and</p> <p>b) twenty per cent by initial recruitment.</p> <p>By transfer from amongst the Inspectresses/Lecturers (Technical Subject), Government Polytechnic Institutes for Women/Principal (B-17), Government Vocational Institute for Women or equivalent post;</p>
	(c) in the entry at (k) in column 3 against serial No.5(C), for the words "Instructor/Lecturer" the words "Lecturer/Junior Instructor" shall be substituted;			
	(d) for the existing entries in columns 3 to 6 against serial No.6(b) the following shall respectively be substituted, namely:			

3	4	5	6
"Second class Master Degree in the relevant subject from a recognized University;	B. V/A.Sc from 21 to a recognized 35 years University with	(a) Seventy per cent by initial recruitment; and	
Provided that in the case of English subject a third divisioner shall also be eligible.	(a) B. Ed. from a recognized University; or	(b) thirty per cent by promotion from amongst the Trade Inspectresses (Related Study) on the basis of seniority-cum-fitness, with five years teaching experience as such";	
	(b) Diploma in Technical Teacher Training from a recognized Institute.		
	(e) after the existing entries at serial No.7 the following new entries shall be inserted in the respective columns, namely:		

1	2	3	4	5	6
7A	Lecturer Statistics and Business Maths.	(i) Second class Masters' Degree in Maths from a recognized University; or	21 to 40 years	(a) Fifty per cent by initial recruitment; and	
		(ii) Second Class "BA with Maths/Statistics in B.A/B.Sc. from a recognized University;		(b) fifty per cent by promotion on the basis of seniority-cum-fitness from amongst the Junior Instructor (Arithmetic) who possess the qualification prescribed for initial recruitment."	

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GOVERNMENT OF N. W. F. P.
INDUSTRIES, COMMERCE, MINERAL DEVELOPMENT,
LABOUR & TECHNICAL EDUCATION
DEPARTMENT.

Dated Peshawar, the 19th November, 2001.

NOTIFICATION

No. SOIII(IND)TE/4-22/94 (Service Rules). In exercise of the powers conferred by Article 5 of the Provisional Constitution Order No. of 1999, as amended upto date read with Cabinet Division Notification S.R.O No. 495(1)/2001, dated 28th June, 2001, the Governor of the North-West Frontier Province is pleased to direct that in the North-West Frontier Province (Technical Education) Recruitment and Appointment Rules, 1994, the following further amendments shall be made namely :-

AMENDMENTS

In the Appendix :-

- (a) for the entry at serial No.3(i) in column 2, the following shall be substituted, namely:
"Principal/Vice Principal (R.P.S. 18) Government Vocational Institute (Boys)"; and
- (b) after the existing entries at serial No.3(i), as so amended, the following new entries shall be inserted in the respective columns, namely:

1	2	3	4	5	6
"3(i)	Principal Government Vocational Institute for Boys (RPS-19).	<ul style="list-style-type: none"> (i) Ph.D in Engineering from a recognized University, with five years teaching/professional experience after obtaining the Ph.D Degree; (ii) Master Degree in Engineering from a recognized University, with ten years teaching/professional experience after obtaining Master Degree; or (iii) Bachelor Degree in Engineering in the relevant field from a recognized University, with twelve years experience after obtaining the Bachelor Degree. 	-	30 to 45 years.	(a) Eighty percent by promotion on the basis of seniority-cum-fitness from amongst Assistant Professors/Head of Department/Senior Instructors/Chief Trade Instructors (Technical Subject), Principal, Government Vocational Institute(B-18) who possess Bachelor Degree in Engineering with twelve years service in B-17 and above or seven years in B-18.

کدالت جناب حسین حسنوخواہ سرور میں شریعت کیسے کورٹ ڈیرہ انعامی ظن

خالہ سلیم بی بی کے پائے عزیز

اہل

درخواست گزار ایزاد آبادی

جناب عالی! دیباچہ نہایت بڑی، صاحب ذیل لکھنا گوارا ہے
کہ یہ کہ اہل مسوان بالا ڈیرہ چوہدری عزیز کدالت چو حسین امروہ آبادی
مقرر ہے

یہ کہ میں دیباچہ نہایت بڑی، صاحب ذیل لکھنا گوارا ہے
والدہ کے علاج کیلئے اسلام آباد چلے گئے ہیں میں وہج امروہ آبادی
ایزاد فرمائی جاوے

سہ بہ گورنمنٹ عزیز کدالت کو سب سے اہمیت حاصل ہے

کدالت کا حصلہ درخواست دیباچہ نہایت بڑی، صاحب
منظور فرمائی جاوے

عالیف اللہ عزیز دیباچہ نہایت بڑی، صاحب
بزار پور کدالت کو سب سے اہمیت حاصل ہے

حسین