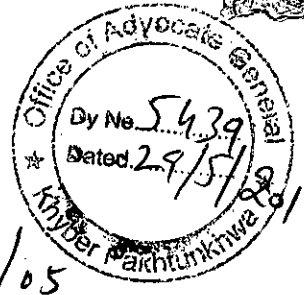


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29/05

To

The Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject: OPTION TO FOREGO / GET PROMOTION AS COMPUTER PROGRAMMER (BPS-17)

Dear Sir,

This is with reference to your letter bearing No. 13089/AG dated 27/05/2019 on the subject noted above.

It is respectfully stated that I have been asked to provide degree of MIT. In this regards, it is submitted that if the required qualification for promotion is Master, I opt to forego promotion. However, if otherwise, I hereby give option to be promoted to the post of Computer Programmer (BPS-17) or Web Administrator (BPS-17) in office of the Advocate General, Khyber Pakhtunkhwa, Peshawar.

Yours Obediently,

(Muhammad Bilal Khan)
Computer Operator

Dated 29/05/2019

Assisted

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

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

NOTIFICATION

Peshawar dated the, 29.05.2017.

No. E&A/LD/2-12/2017:-

In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Law, Parliamentary Affairs and Human Rights Department, in consultation with the Establishment Department and the Finance Department hereby directs that in the Khyber Pakhtunkhwa office of Advocate General (Recruitment and Appointment) Rules, 1981, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix, against serial No. 3(a), in column No. 5, for the existing entries, the following shall be substituted, namely:

5	<p>(a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such; and</p> <p>(b) fifty percent (50%) by initial recruitment.</p> <p>Note: A joint seniority list of both the Assistant Programmers and Computer Operators shall be maintained for the purpose of promotion."</p>
---	---

ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Secretary to, Government of the Khyber Pakhtunkhwa,
Law, Parliamentary Affairs and Human Rights
Department.

Endst: No E&A/LD/2-12/2017/17165-75

Copy is forwarded to the:-

1. All the Administrative Secretaries Govt: of Khyber Pakhtunkhwa.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director of Archives and Libraries, Khyber Pakhtunkhwa Peshawar.
4. Registrar, Peshawar High Court, Peshawar.
5. Advocate General, Khyber Pakhtunkhwa, Peshawar.
6. PSO to Chief Minister, Khyber Pakhtunkhwa.
7. Secretary Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. Manager, Printing Press, Khyber Pakhtunkhwa for publication in Government Gazette. He is requested to send ten (10) copies of the same to this Department.
9. Librarian, Establishment/Administration Department Khyber Pakhtunkhwa.
10. Reference & Research Officer Law Department with the request to kindly upload the same in the official website.
11. Section Officer (R-IV), Establishment Department.
12. PS to Chief Secretary Khyber Pakhtunkhwa.
13. PS to Secretary Law Department.

A.O.
Jaan
Aul
31/05/2017

(Rizwan Ullah Khan)
Section Officer (General)

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

NOTIFICATION

Peshawar dated the 05.06.2018.

No.E&A/LD/2-12/2018.-

In exercise of powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment and Transfer) Rules, 1989, the Law, Parliamentary Affairs and Human Rights Department, in consultation with the Establishment Department and the Finance Department, hereby directs that in the Khyber Pakhtunkhwa Office of Advocate General (Recruitment and Appointment) Rules, 1981, the following further amendments shall be made, namely:

AMENDMENT

In the Appendix, the existing serial No. 3(b) shall be re-numbered as "3(c)" and before serial No. 3(c), as so renumbered, the following new entries shall be inserted in the respective columns, namely:

"3(b)	Web Administrator (BPS-17).	At least Second Class Master's Degree or equivalent qualification in Computer Science from a recognized University.	21 to 32 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such: Provided that if no suitable person is available for promotion then by initial recruitment."
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ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Service Rules file
g/g

Secretary to,
Government of the Khyber Pakhtunkhwa,
Law, Parliamentary Affairs and
Human Rights Department.

Endst: No & Date Even

Copy is forwarded to:

1. Advocate General, Khyber Pakhtunkhwa, Peshawar.
2. The Director of Archives and Libraries, Khyber Pakhtunkhwa Peshawar.
3. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
4. The Manager, Government Printing Press, Khyber Pakhtunkhwa for publication in Government Gazette. He is requested to send ten (10) copies of the same to this Department.
5. The Librarian, Establishment/Administration Department, Khyber Pakhtunkhwa.
6. The Senior Librarian, Law Department with the request to kindly upload the same in the official website.
7. The P.S. to Chief Secretary, Khyber Pakhtunkhwa.
8. The P.S. to Minister for Law, Khyber Pakhtunkhwa.
9. PS to Secretary Establishment Department.
10. PS to Secretary Finance Department.
11. PS to Secretary, Law Department.

5761-2-18
(MITHAMMAD VASANI)

"1" (13) 112



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 12209-10 /AG

Dated Peshawar, the 13-May-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

1. Mr. Muhammad Bilal Khan,
Computer Operator of this office.
2. Mr. Ahmad Khan,
Computer Operator of this office.

Received
14/5/19

Subject: **PROVISION OF MASTER DEGREES**

I am directed to refer to the subject noted above and to state that working papers for promotion to the posts of Computer Programmer (BPS-17) and Web Administrator (BPS-17) are under process and expected to be sent to the Law Department, Khyber Pakhtunkhwa shortly. Therefore, you, being senior most of the Computer Operators, are directed to provide original degrees of Master alongwith Detailed Marks Certificate (DMC) within a week positively for further necessary action.

Ali Saad
Amhad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Amhad
(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

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REMINDER



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 13089 /AG

Dated Peshawar, the 27-May-2019

Address: High Court Building, Peshawar.
Tel. No.091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

Mr. Muhammad Bilal Khan,
Computer Operator.

Subject: **PROVISION OF MASTER DEGREE**

Reference this office letter bearing No. 12209-10/AG, dated 13/05/2019 on the subject noted above.

It is to inform you that you had been asked to provide degree of master in Information Technology, as it was required in the case for promotion as Computer Programmer (BPS-17) / Web Administrator (BPS-17). However, no response has been received from your side in this regard.

You are, therefore, once again informed to provide your degree of Master in Information Technology (MIT) by 15/06/2019 positively so as to process the promotion case without any further delay. In case you again failed in doing the needful, the matter shall be brought to the notice of the Competent Authority and the case would be processed in your default.

o/c
(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

advised.
shahid
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

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27/05/2019

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OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 9925-26 /AG

Dated Peshawar, the 15-Apr-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9210119

Exchange No 9213833
Fax No. 091-9210270

6 sets
15/4/19
1:50 PM

The Secretary to Govt: of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department,
Peshawar.

Subject: **PROMOTION OF COMPUTER OPERATOR (B-16) AS COMPUTER PROGRAMMER (B-17) AND WEB ADMINISTRATOR (B-17)**

Dear Sir,

I am directed to refer to the subject noted above and to state that two (02) posts, one (01) each of Computer Programmer (B-17) and Web Administrator (B-17) are lying vacant in this office. These posts are required to be filled in through promotion on basis of seniority-cum-fitness out of the Computer Operators (BPS-16) borne on the establishment of this office.

Working papers alongwith relevant documents complete in all respect in favour of the following senior most Computer Operators (BPS-16) are enclosed herewith for information and clearance by the Departmental Promotion Committee (DPC).

1. Mr. Muhammad Bilal Khan.
2. Mr. Ahmad Khan.
3. Mr. Shafiq Ahmad.
4. Mr. Yasir Muhammad.

Arshad
Arshad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

It is, therefore, requested that a meeting of the Departmental Promotion Committee (DPC) may please be convened to determine suitability of two (02) Computer Operators from the above officials for promotion as **Computer Programmer (B-17) and Web Administrator (B-17)** in this office.

Encl: Six (06) sets

Yours faithfully,

Arshad
Arshad
15/04/19
(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

Endst. No. & date even

Copy to the PS to the Ld. Advocate General, Khyber Pakhtunkhwa, Peshawar.

Arshad
Arshad
ADMINISTRATIVE OFFICER

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Subject: MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE (DPC) REGARDING PROMOTION OF COMPUTER OPERATOR (BPS-16) AS COMPUTER PROGRAMMER (BS-17) AND WEB ADMINISTRATOR (BS-17).

Meeting of the Departmental Promotion Committee under the Chairmanship of Additional Secretary (General), Law, Parliamentary Affairs and Human Rights Department was held on 04-07-2019. The following members of the Committee attended the meeting:

- i. Mr. Tanwir Khan Deputy Secretary (Admin). Law Department.
- ii. Mr. Nazma Shaheen Section Officer (R-IV) Establishment Department.
- iii. Mr. Tariq Khattak Section Officer (FR) Finance Department.
- iv. Mr. Arshad Khan Administrative Office Advocate General Khyber Pakhtunkhwa.
- v. Ijaz Khan Section Officer (General) Law Department.

2. Additional Secretary (General) welcomed all the participants. Opening the discussion the Chair briefly explain to Committee that there are two sanctioned posts, one is Computer Programmer (BPS-17) and Web Administrator (BPS-17) in the office of Advocate General and both posts at the moment are lying vacant. These posts are required to be filled by way of regular promotion under the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and accordance with the service rules meant for the post mentioned below.

COMPUTER PROGRAMMER (BPS-17):-

- a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such; and
- b) Fifty percent (50%) by initial recruitment.

WEB ADMINISTRATOR (BPS-17):-

By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such:

Provided that if no suitable person is available for promotion, then by initial recruitment.

3. A penal of four Computer Operators (BPS-16), in order of seniority was presented before the forum. The representative of Establishment Department while participating in the discussion showed her reservation that Computer Operators are promoted to the post of Computer Programmer (BPS-17) as well as Web Administrator (BPS-17) i.e. same cadre official promoted to different cadre post. Responding to the reservation of Establishment Department, the Additional Secretary (General) clarified that Web Administrator is responsible to manage the official website, process of website content and development of web pages and the Computer Operator who possess the requisite qualification i.e. BCS or MCS is eligible for the post of Web Administrator.

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ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

4. The forum thoroughly examined the service rules for the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) and observed that those Computer Operators (BPS-16) are eligible for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) who possess the prescribed qualification for initial recruitment.

5. After threadbare discussion considering nitty-gritty and meticulous analysis the Committee unanimously agreed that revised working paper may be placed before the next meeting of the Departmental Promotion Committee of all the seven Computer Operators (BPS-16) as a panel for promotion who possess the prescribed qualification as envisaged in Khyber Pakhtunkhwa Advocate General Recruitment and Appointment Rules 1981.

6. Meeting ended with a vote of thanks to and from the chair.

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ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

To

The Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject: PROMOTION TO THE POST OF PROGRAMMER / WEB ADMINISTRATOR

Respected Sir,

With profound respect, I am to state that:-

1. I am serving in the Office of Advocate-General, Khyber Pakhtunkhwa, Peshawar, as a Computer Operator (BPS-16).
2. I was the senior most Computer Operator since my appointment.
3. Two posts (**Computer programmer and web Administrator**) were created in the Office of Advocate General, Khyber Pakhtunkhwa, Peshawar.
4. I came to know through reliable sources that a meeting for the filling of said posts was held in the Office of Secretary Law and Parliamentary Affairs Department. But I was ignored / not considered because of lack of educational qualification. The rules for the said post showed that the for the promotion quota there is no need for higher qualification.
5. As I was senior most in the Computer Operator, so I had a right to be promoted against one of said post.
6. No educational qualifications were required for the promotion of said posts.
7. But I was ignore due to lack of Higher qualification in the field of computer.
8. It is, very important to mention here that higher qualification is necessary for the **initial recruitment and not for promotion**.
9. All the proceeding held in the meeting was disregard of the said rules.

It is, therefore, most respectfully prayed that on acceptance of this application, the proceeding held in meeting for the filling of Computer programmer and web Administrator may kindly be set aside and any recommendations tendered by said meeting be not considered and the applicant be promoted against one of the said post.

Attested
[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Yours obedient servant

[Signature]
Muhammad Bilal Khan,
Computer operator,
Office of Advocate General,
Khyber Pakhtunkhwa,
Peshawar.

Office of Advocate General
7914
Dated 16/8/19

Put up = 9/16/18



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OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKH WA, PESHAWAR

No. ~~174~~ 17435 /AG

Dated Peshawar, the 29-Aug-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department,
Peshawar.

Subject: **REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER / WEB ADMINISTRATOR**

Dear Sir,

I am directed to refer to the subject noted above and to state that Mr. Muhammad Bilal Khan, senior most of the Computer Operators has submitted a representation, dated 26/08/2019 alongwith photocopy of a Notification dated 06.04.2018 regarding amendments in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, issued by the Govt: of Khyber Pakhtunkhwa, Establishment Department. This Notification is neither addressed to this office nor received in this office.

The Competent Authority has further desired to seek views of Establishment Department via Law Department on the applicability of amendment so made in rules to this office and re-consideration of the case of Mr. Muhammad Bilal Khan, Computer Operator in light thereof.

I am therefore, directed to forward herewith the representation as well as the above Notification for perusal and further necessary action.

Yours faithfully,

29/08
(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

29/08
Endst. No. & date even

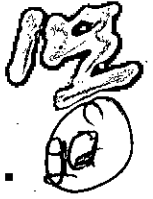
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Copy to PS to the Ld. Advocate General, Khyber Pakhtunkhwa, Peshawar.

ADMINISTRATIVE OFFICER



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



No. E&A/LD/2-12/2019
Dated, Peshawar, the 11.09.2019

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

**Subject: REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER / WEB ADMINISTRATOR**

Dear Sir,

I am directed to refer to the subject noted above and to state that according to Service Rules of Advocate General Office Notified by the Law Department vide Notification dated 05-06-2018 (copy enclosed), the following method of recruitment/ promotion has been prescribed for promotion to the post of Computer Programmer (BPS-17) and Web administrator (BPS-17):-

Computer Programmer (BPS-17)

- Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, **having qualification prescribed for initial recruitment** with five years service as such; and
- Fifty percent (50%) by initial recruitment

Web Administrator (BPS-17)

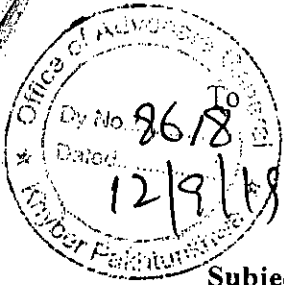
By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, **having qualification prescribed for initial recruitment** with five years service as such:

Provided that if no suitable person is available for promotion, then by initial recruitment.

- Meeting of the Departmental Promotion Committee was held on 09-08-2019. The Committee after thorough examination and analysis i.e. the requisite qualification, seniority position, length of service and synopsis of ACR, recommended those Computer Operators (BPS-16) for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) who possess the prescribed qualification for **initial recruitment** with five year service.

Now Mr. Bilal Ahmad Computer Operator of Advocate General Office Peshawar furnished a copy of Notification issued by Establishment Department in respect of (Provincial Information Technology Group) Service, Rules 2006 which provide that:

"Fifty percent by promotion, on the basis of Seniority-cum-fitness, from amongst the Assistant Programmers and Compute Operators, having qualification prescribed for initial recruitment for the post Computer Operator with five year service as much"



9/12/09

Recd up

P/ filed of
Bilal Khan,
Comp. Operator

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ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



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



4. In view of the above, this Department may be advised as to whether Provincial Information Technology Group Service Rules 2006 are applicable to the Computer Operator of Advocate General Office for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) OR the Service Rules of Advocate General Office notified by Law Department vide Notification dated 05-06-2018 are applicable.

Yours faithfully

Section Officer (General)

Endst: Even No. & Date.

Copy is forwarded to the: -

1. Administrative Officer, O/O Advocate General Khyber Pakhtunkhwa w/r to his letter No. 17435/AG dated 29-08-2019.
2. PS to Secretary Law, Parliamentary Affairs and Human Rights Department.

Accepted

[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

[Signature]
Section Officer (General)
11/9/19

R/Su

For perusal & further orders, pl.

Del. AG: KP

[Signature]
13/09

A.O
[Signature]
14/9

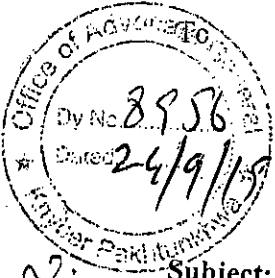


GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS AND
HUMAN RIGHTS DEPARTMENT.

Handwritten initials

No. E&A/LD/2-12/2019
Dated, Peshawar, the 24/09/2019

Handwritten number 929



✓ The Administrative Officer,
O/O Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject:

REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER/ WEB ADMINISTRATOR.

I am directed to refer your letter No. 17435/AG dated 29-08-2019 on the subject noted above and to forward herewith a copy of letter No. SOR-IV (ED)/7-1/2019 dated 18/09/2019 received from Establishment Department, Khyber Pakhtunkhwa containing views/comments for information and necessary action, please.

Handwritten note: Put up

Handwritten note: 24/9/19

Section Officer (General)

Endst: Even No. & Date.

Handwritten: 17978-81

Copy is forwarded to the: -

1. Section Officer (R-IV), Establishment Department w/r to his letter referred to above.
2. PS to Minister for Law, Parliamentary Affairs and Human Rights
3. PS to Secretary Law, Parliamentary Affairs and Human Rights Department.

Section Officer (General)

Handwritten: Bilal Khan, Comp: Operation file

Handwritten: 27/11/19

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ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



11203
18/9/2019

Government of Khyber Pakhtunkhwa
ESTABLISHMENT DEPARTMENT
(Regulation Wing)

No.SOR.IV(ED)/7-1/2019
Dated, Peshawar, the 18th Sept, 2019

23

To

The Secretary to Government Khyber Pakhtunkhwa
Law Department.

**SUBJECT: REPRESENTATION REGARDING PROMOTION TO THE POST
OF PROGRAMMER/WEB ADMINISTRATOR.**

Dear Sir,

I am directed to refer to your letter No. E&A/LD/2-12/2019/17451-53 dated 11.09.2019 on the subject noted above and to advise that Provincial Information Technology Group Service Rules, 2006 is framed for IT Staff working under Administrative control of Establishment Department while the Advocate General Office have their own Service Rules.

Therefore, Provincial Information Technology Group Service Rules, 2006 are not applicable to the office of Advocate General Khyber Pakhtunkhwa.

Yours faithfully

[Signature]
Section Officer (R-IV)

Endst: No. & Date as above

Copy to PS to Secretary, Establishment Department.

DS/Admn

Section Officer (R-IV)

Section Officer (R-IV)

*For planning and
some on file for minor*

19th Sep 2019

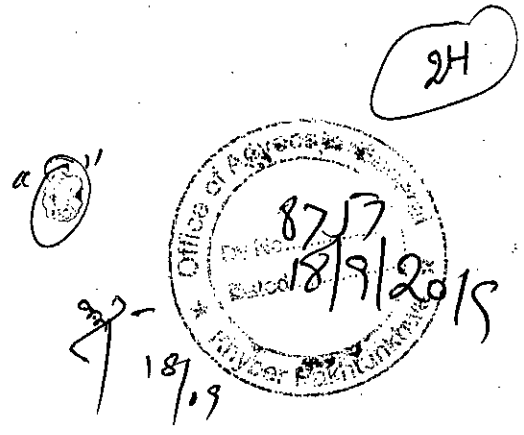
18-9-2019

all good

[Signature]
ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

To

The Advocate General,
Khyber Pakhtunkhwa,
Peshawar.



Subject:

AMENDMENT IN THE SERVICE RULES FOR THE POST OF
COMPUTER PROGRAMMER AND WEB ADMINISTRATOR.

Dear Sir,

It is brought to your kind notice that interpretation of the service rules framed for this office for the post of computer programmer and web administrator has been done during meeting of the Departmental Promotion Committee held of 09/08/2019 in the Law Department. In fact I am also eligible to be promoted against the post in question.

It is therefore requested that the law department may please be approached to withhold proceeding of the Departmental Promotion Committee and a meeting of the Standing Service Rules Committee (SSRC) may be convened for amendment.

Yours faithfully,

Muhammad Bilal Khan 18/09/2019
Computer Operator

ansaid

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKH WA, PESHAWAR

No. 22759-3AG

Dated Peshawar, the 09-Nov-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department,
Peshawar.

Subject: REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER / WEB ADMINISTRATOR

Dear Sir,

I am directed to refer to the subject noted above and to enclose
herewith a self-explanatory representation (03-pages) alongwith enclosures,
submitted by Mr. Muhammad Bilal Khan, Computer Operator (BPS-16) of this office on
16/10/2019 for perusal and further necessary action.

Yours faithfully,

09/11/19
[Signature]
(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

Endst. No. & date even

Copy to PS to the Ld. Advocate General, Khyber Pakhtunkhwa, Peshawar.

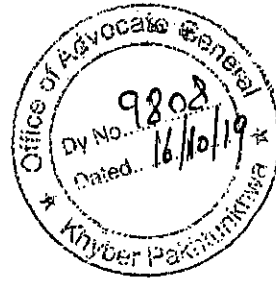
[Signature]
ADMINISTRATIVE OFFICER

Arshad
[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

26

The Advocate General,
Khyber Pakhtunkhwa, Peshawar.

9/16/19



Muhammad Bilal Khan, Computer Operator office of Advocate General,
Khyber Pakhtunkhwa, Peshawar.

VS

1. Ahmad Khan Promoted to Computer Programmer
2. Zia Ullah promoted to Web Administrator.

A.O.

Pl submit a
background report.

[Signature]
13/10

DEPARTMENTAL APPEAL / REPRESENTATION
AGAINST THE NOTIFICATION NO. E&A/LD/2-
12/2019/18688-93 DATED 08/10/2019 and
NOTIFICATION NO. E&A/LD/2-12/2019/18682-87
DATED 08/10/2019 WHEREBY THE MOST
JUNIOR OF THE PETITIONER WERE
PROMOTED AND THE PETITIONER HAS BEEN
DEPRIVED FROM PROMOTION.

PRAYER:-

ON ACCEPTANCE OF THE REPRESENTATION
ON BEHALF OF PETITIONER THE IMPUGNED
NOTIFICATION OF PROMOTION OF
RESPONDENTS BE SET ASIDE AND THE
PETITIONER BE PROMOTED BEING SENIOR
AND QUALIFIED TO THE POST OF COMPUTER
PROGRAMMER / WEB ADMINISTRATOR.

Alseer

[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Respected Sir

The petitioner submitted as under:-

1. That the petitioner was initially inducted in the office of Advocate General on 24/03/2007 with qualification of B.Com/DIT as Computer Operator and since then working as such.

[Signature]
16/10/2019

97

2. That according to the seniority the petitioner is on the top at serial No. 1 of the seniority list.
3. That recently two posts of Computer Programmer and Web Administrator BPS-17 were created in the office of the Advocate General which were each to be filled up 50% by promotion and 50% by initial recruitment and the qualification prescribed for the same as mentioned in the recruitment rules as

"Computer programmer BPS-17 50% by promotion on the basis of Seniority Cum Fitness from among the Assistant Programmer & Computer Operators, having qualification prescribed form initial recruitment with five years' service as such and 50% by initial recruitment."

Advised
[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

4. That according to the rule, seniority and qualification the petitioner is entitled to be promoted to the above mentioned posts but unfortunately the petitioner has been deprived from his due and guaranteed right of promotion illegally and with malafide intention.
5. That it is also pertinent to mentioned here that while processing the case for promotion by the officer the date of appointment of petitioner and respondent No. 1 was shown the same as 01/07/2009 despite the fact that petitioner was inducted in service on 24/03/2007 which also shows the malafide of office with petitioner.
6. That the recruitment & Promotion Rules was misinterpreted and mis-applied in the matter of petitioner promotion by depriving the petitioner from his due and guaranteed right of promotion.
7. That the petitioner had served in the department for more than 12 years and having unblemished service record and no adverse entry has ever been recorded against the petitioner in the entire service.

[Signature]
18/01/2013

98

It is therefore, requested that on acceptance of this departmental representation on behalf of the petitioner against Notification No. E&A/LD/2-12/2019/18688-93 dated 08/10/2019 and Notification No. E&A/LD/2-12/2019/18682-87 dated 08/10/2019 the petitioner be consider sympathetically and the petitioner be awarded his due & guaranteed right of promotion to the post of Computer Programmer BPS-17 being most senior & fit official of the department.

Thanks

PETITIONER

Muhammad Bitai Khan
16/10/2019

Muhammad Bitai Khan,
Computer Operator,
Advocate General,
Khyber Pakhtunkhwa,
Peshawar

Dated: 16/10/2019

Accepted
[Signature]
ADMINISTRATIVE OFF
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Index

S.No	Description of Documents	Annex	Pages
1	Parawise Comments		01-04
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3	Advocate General's office letter bearing No. 9925-26/AG dated 15/04/2019 for convening DPC	"A"	06
4	Minutes of the meeting held on 04/07/2019	"B & C"	07-08
5	Application of the appellant, dated 16/08/2019	"D"	09
6	Advocate General office letter, dated 29/08/2019 to Law Department, KP for views/comments of Establishment Department	"E"	10
7	Law Department letter, dated 29/08/2019 to Establishment Department, KP	"F & G"	11-12
8	Letter of the Law Department, dated 24/09/2019 to the Advocate General Office communicated Letter of Establishment Department, dated 18/09/2019 to the Law Department	"H & I"	13-14
9	Establishment Department Notification No. SOE-V(E&AD)/5-16/2016, dated 21/12/2016	"J & K"	15-16

Deponent

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No. 820/2020

Muhammad Bilal Khan.....VS.....Govt. of KP & others

REPLY ON BEHALF OF THE PRIVATE
RESPONDENT NO. 6 (ZIA ULLAH) IN RESPONSE
TO THE ABOVE MENTIONED APPEAL
SUBMITTED BY THE APPELLANT

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action or locus standi to file the instant appeal.
2. That the appeal in hand is not maintainable in its present form and liable to be dismissed.
3. That the appellant has misinterpreted the rules and law, and drawn up the meaning according to his own sweet will, besides concealing the important facts and not came to this Honourable Court with clean hands.
4. That the appeal is based on malafide intention and concealed material facts from this august Tribunal.
5. That this Hon'ble Tribunal has no jurisdiction to entertain the appeal in its present form.
6. That the appellant is stopped by his own conduct to file the instant appeal.

ON FACTS PARAWISE COMMENTS / REPLY ON BEHALF OF THE
PRIVATE RESPONDENT NO. 6

- Para-1. No comments as pertains to the personal information of the appellant.
- Para-2. Pertains to the service record of the appellant, hence, needs no comments.
- Para-3. Related to the official record, hence, needs no comments.
- Para-4. That the subject Appeal is also liable to be dismissed as the Appellant has concealed the material facts from this Hon'ble Tribunal and thus have not

approached the same with clean hands. However, it is important to know that the rules mentioned therein by the Appellant in Para-4 is totally irrelevant, baseless and just to mislead this Hon'ble Tribunal as the same are neither the Rules for the Posts of Computer Programmer (BPS-17) and Web Administrator (BPS-17) nor any other post of Office of the Advocate-General, Khyber Pakhtunkhwa. Advocate General office has its own rules which is still in vogue and still hold the field through which the Respondent was promoted after fulfilling proper codal and legal formalities.

Para-5.

It is incorrect. In pursuance to this office letter bearing No. 9925-26/AG dated 15/04/2019, (annexed as "A") first meeting of the Departmental Promotion Committee (DPC) was convened on 04/07/2019 in the Law Department, Khyber Pakhtunkhwa. The Departmental Promotion Committee (DPC) examined and considered particulars of all the four (04) Senior most Computer Operators, including the appellant and observed that those Computer Operator were eligible for promotion who possessed the prescribed qualification for initial recruitment of Computer Programmer BPS-17 and Web Administrator BPS-17.

In view of the above, the Departmental Promotion Committee (DPC) directed the representative of the office of Advocate General to present revised working papers of all Seven (07) Computer Operators before the next meeting of the Departmental Promotion Committee (DPC) for the promotion of those who possess the prescribed qualification as envisaged in Khyber Pakhtunkhwa Advocate general Recruitment and Appointment Rules 1981. Minutes of the meeting held on 04/07/2019 is annexed as "B & C"

Para-6.

It is incorrect. As per Rules, the Appellant is not entitled to the subject post whereas Respondent was rightly promoted in accordance with Service Rules of Advocate General's Office. Furthermore, the appellant annexed with his Appeal Rules of other department/office, instead of Office of the Advocate-General, Khyber Pakhtunkhwa. Therefore, the Appellant has tried to mislead this Hon'ble Tribunal.

Para-7.

Incorrect, the appellant was not fulfilling the criteria laid down for promotion to the posts in question, hence not recommended and not promoted.

Para-8.

That the appeal of the appellant was found devoid of force and was filed however, the appellant filed the appeal in hand with considerable delay and without any plausible explanation.

(i) It is further submitted that conduct of the appellant is exposed from the fact that he concealed certain material aspects of the case/appeal from this Hon'ble Tribunal. After meeting of the Departmental Promotion Committee (DPC) held on 09/08/2019 and considering the case of promotion of the appellant and the Respondent No.5 & 6; and before issuing of promotion Notification impugned herein, the appellant moved an application on 16/08/2019 (Annexed as annexure "D") wherein, he raised the plea of considering him for promotion with an argument that higher education is necessary for the initial recruitment and not for promotion.

The matter was sent to the Law Department vide letter dated 29/08/2019 (Annexed as annexure "E") by respondent No.4, seeking views/comments from the Establishment Department which was further sent by Law Department to the Establishment Department on 11/09/2019 (Annexed as annexure "F & G") and finally it was examined by the Establishment Department and advise/views of the Establishment Department dated 18/09/2019 was communicated to the Advocate General Office, dated 24/09/2019. (Annexure "H" & "I")

Reply/views of Establishment Department is reproduced as below:

"to advise that Provincial Information Technology Group Service Rules, 2006 is framed for IT Staff working under Administration control of Establishment Department while Advocate General Office have their own Service Rules.

Therefore Provincial Information Technology Group Service Rules, 2006 are not applicable to the Office of Advocate General Khyber Pakhtunkhwa."

That after getting expert advices and fulfilling of codal formalities the impugned notification of promotion was issued by the competent Authority.

Para-9. No comments.

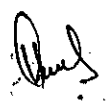
Grounds:

All the grounds of main appeal are incorrect, baseless and not in accordance with law and rules.

A) Incorrect. That the Departmental Promotion Committee (DPC) correctly treated the appellant in accordance with law and rules and as such authorities have not been violated any rule or law.


- B) Incorrect and misconceived. That the appellant has been deprived from promotion to the post of Computer Programmer (BPS-17) on the ground that the appellant has not been acquired the required qualification for the said promotion.
- C) Incorrect and misconceived. That the appellant has not been challenged the amended Service Rules, in any forum, therefore, the service appeal filed by the appellant is not maintainable.
- D) Correct to the extent of seniority of the appellant while the appellant was not entitled for promotion due to not having the requisite qualification for promotion.
- E) That para "E" of the ground is incorrect. No violation was made in the recruitment and promotion. Everything has been done in accordance with the rules and regulations of the Advocate General Office. It is very important to mention here that Office of Advocate-General has its own rules for the subject posts. The matter was thoroughly scrutinized after taking expert view/advices from Establishment Department and opting all codal legal formalities to the impugned notification was issued.

It is further mentioned here that the rules framed by the Advocate General Office are the same rules which have been notified by the Establishment Department Notification No. SOE-V(E&AD)/5-16/2016, dated 21/12/2016 for the same set of post which is appended as **Annexure "J" & "K"**. Which were subsequently adopted by this office through Standing Service Rules Committee (SSRC), regarding amendments for the post of Computer Programmer (BPS-17) held on 28/03/2017 and Standing Service Rules Committee (SSRC), regarding the post of Web Administrator (BPS-17) held on 05/10/2017.
- F) Incorrect. That there is no malafide on the part of official respondents and the appellant has been treated in accordance with law and rules.

Respondent 

Through

Counsel


Noor Mohammad Khattak
Advocate

Dated: 28.01.2021



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 9925-26 AG

Dated Peshawar, the 15-Apr-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9210119

Exchange No 9213833
Fax No. 091-9210270

Subject: **PROMOTION OF COMPUTER OPERATOR (B-16) AS COMPUTER PROGRAMMER (B-17) AND WEB ADMINISTRATOR (B-17)**

Dear Sir,

I am directed to refer to the subject noted above and to state that two (02) posts, one (01) each of Computer Programmer (B-17) and Web Administrator (B-17) are lying vacant in this office. These posts are required to be filled in through promotion on basis of seniority-cum-fitness out of the Computer Operators (BPS-16) borne on the establishment of this office.

Working papers alongwith relevant documents complete in all respect in favour of the following senior most Computer Operators (BPS-16) are enclosed herewith for information and clearance by the Departmental Promotion Committee (DPC).

1. Mr. Muhammad Bilal Khan.
2. Mr. Ahmad Khan.
3. Mr. Shafiq Ahmad.
4. Mr. Yasir Muhammad.

It is, therefore, requested that a meeting of the Departmental Promotion Committee (DPC) may please be convened to determine suitability of two (02) Computer Operators from the above officials for promotion as Computer Programmer (B-17) and Web Administrator (B-17) in this office.

Encl: Six (06) sets

Yours faithfully,

(MUHAMMAD ARSHAD KHAN)
ADMINISTRATIVE OFFICER

Endst. No. & date even

Copy to the PS to the Ld. Advocate General, Khyber Pakhtunkhwa, Peshawar.

ADMINISTRATIVE OFFICER

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

"B" (7)

Subject: MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE (DPC) REGARDING PROMOTION OF COMPUTER OPERATOR (BPS-16) AS COMPUTER PROGRAMMER (BS-17) AND WEB ADMINISTRATOR (BS-17).

Meeting of the Departmental Promotion Committee under the Chairmanship of Additional Secretary (General), Law, Parliamentary Affairs and Human Rights Department was held on 04-07-2019. The following members of the Committee attended the meeting:

- i. Mr. Tanwir Khan Deputy Secretary (Admin). Law Department.
- ii. Mr. Nazma Shaheen Section Officer (R-IV) Establishment Department.
- iii. Mr. Tariq Khattak Section Officer (FR) Finance Department.
- iv. Mr. Arshad Khan Administrative Office Advocate General Khyber Pakhtunkhwa.
- v. Ijaz Khan Section Officer (General) Law Department.

2. Additional Secretary (General) welcomed all the participants. Opening the discussion the Chair briefly explain to Committee that there are two sanctioned posts, one is Computer Programmer (BPS-17) and Web Administrator (BPS-17) in the office of Advocate General and both posts at the moment are lying vacant. These posts are required to be filled by way of regular promotion under the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and accordance with the service rules meant for the post mentioned below.

COMPUTER PROGRAMMER (BPS-17):-

- a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such; and
- b) Fifty percent (50%) by initial recruitment.

WEB ADMINISTRATOR (BPS-17):-

By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such:

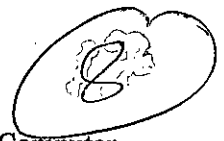
Provided that if no suitable person is available for promotion, then by initial recruitment.

3. A penal of four Computer Operators (BPS-16), in order of seniority was presented before the forum. The representative of Establishment Department while participating in the discussion showed her reservation that Computer Operators are promoted to the post of Computer Programmer (BPS-17) as well as Web Administrator (BPS-17) i.e. same cadre official promoted to different cadre post. Responding to the reservation of Establishment Department, Additional Secretary (General) clarified that Web Administrator is responsible to manage the official website, process of website content and development of web pages and the Computer Operator who possess the requisite qualification i.e. BCS or MCS is eligible for the post of Web Administrator.

Alizad
Alizad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Alizad
Alizad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

11



4. The forum thoroughly examined the service rules for the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) and observed that those Computer Operators (BPS-16) are eligible for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) who possess the prescribed qualification for initial recruitment.

5. After threadbare discussion considering nitty-gritty and meticulous analysis the Committee unanimously agreed that revised working paper may be placed before the next meeting of the Departmental Promotion Committee of all the seven Computer Operators (BPS-16) as a panel for promotion who possess the prescribed qualification as envisaged in Khyber Pakhtunkhwa Advocate General Recruitment and Appointment Rules 1981.

6. Meeting ended with a vote of thanks to and from the chair.

Ahmad
Ahmad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Ahmad
Ahmad
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

To

The Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject: PROMOTION TO THE POST OF PROGRAMMER / WEB ADMINISTRATOR

Respected Sir,

With profound respect, I am to state that:-

1. I am serving in the Office of Advocate-General, Khyber Pakhtunkhwa, Peshawar, as a Computer Operator (BPS-16).
2. I was the senior most Computer Operator since my appointment.
3. Two posts (**Computer programmer and web Administrator**) were created in the Office of Advocate General, Khyber Pakhtunkhwa, Peshawar.
4. I came to know through reliable sources that a meeting for the filling of said posts was held in the Office of Secretary Law and Parliamentary Affairs Department. But I was ignored / not considered because of lack of educational qualification. The rules for the said post showed that the for the promotion quota there is no need for higher qualification.
5. As I was senior most in the Computer Operator, so I had a right to be promoted against one of said post.
6. No educational qualifications were required for the promotion of said posts.
7. But I was ignore due to lack of Higher qualification in the field of computer.
8. It is, very important to mention here that higher qualification is necessary for the **initial recruitment and not for promotion**.
9. All the proceeding held in the meeting was disregard of the said rules.

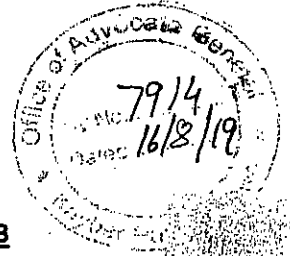
It is, therefore, most respectfully prayed that on acceptance of this application, the proceeding held in meeting for the filling of Computer programmer and web Administrator may kindly be set aside and any recommendations tendered by said meeting be not considered and the applicant be promoted against one of the said post.

Abdullah
Abdullah
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Yours obedient servant

M/B
Muhammad Bilal Khan,
Computer operator,
Office of Advocate General,
Khyber Pakhtunkhwa,
Peshawar.

Abdullah
Abdullah
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar





OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKH WA, PESHAWAR

No. ~~1744~~ 17435 /AG

Dated Peshawar, the 29-Aug-2019

Address: High Court Building, Peshawar.
Tel. No. 091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department,
Peshawar.

Subject: **REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER / WEB ADMINISTRATOR**

Dear Sir,

I am directed to refer to the subject noted above and to state that Mr. Muhammad Bilal Khan, senior most of the Computer Operators has submitted a representation, dated 26/08/2019 alongwith photocopy of a Notification dated 06.04.2018 regarding amendments in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, issued by the Govt: of Khyber Pakhtunkhwa, Establishment Department. This Notification is neither addressed to this office nor received in this office.

The Competent Authority has further desired to seek views of Establishment Department via Law Department on the applicability of amendment so made in rules to this office and re-consideration of the case of Mr. Muhammad Bilal Khan, Computer Operator in light thereof.

I am therefore, directed to forward herewith the representation as well as the above Notification for perusal and further necessary action.

Yours faithfully,

Arshad
Arshad
29/08
(MUHAMMAD ARSHAD KHAN) ADMINISTRATIVE OFFICER
ADMINISTRATIVE OFFICER Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Arshad
Arshad
Endst. No. & date even

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Copy to PS to the Ld. Advocate General, Khyber Pakhtunkhwa, Peshawar.

Arshad
ADMINISTRATIVE OFFICER



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

713

No. E&A/LD/2-12/2019
Dated, Peshawar, the 11.09.2019

OFFICE OF ADVOCATE GENERAL
KHYBER PAKHTUNKHWA
By No 86/18
Date 12/9/19

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

**Subject: REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER / WEB ADMINISTRATOR**

Dear Sir,

I am directed to refer to the subject noted above and to state that according to Service Rules of Advocate General Office Notified by the Law Department vide Notification dated 05-06-2018 (copy enclosed), the following method of recruitment/ promotion has been prescribed for promotion to the post of Computer Programmer (BPS-17) and Web administrator (BPS-17):-

Computer Programmer (BPS-17)

- a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, **having qualification prescribed for initial recruitment** with five years service as such; and
- b) Fifty percent (50%) by initial recruitment

Web Administrator (BPS-17)

By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, **having qualification prescribed for initial recruitment** with five years service as such:

Provided that if no suitable person is available for promotion, then by initial recruitment.

2. Meeting of the Departmental Promotion Committee was held on 09-08-2019. Peshawar. The Committee after thorough examination and analysis i.e. the requisite qualification, seniority position, length of service and synopsis of ACR, recommended those Computer Operators (BPS-16) for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) who possess the prescribed qualification for **initial recruitment** with five year service.

Now Mr. Bilal Ahmad Computer Operator of Advocate General Office furnished a copy of Notification issued by Establishment Department in respect of (Provincial Information Technology Group) Service, Rules 2006 which provide that:

"Fifty percent by promotion, on the basis of Seniority-cum-fitness, from amongst the Assistant Programmers and Compute Operators, having qualification prescribed for initial recruitment for the post Computer Operator with five year service as much"

9/12/09

Put up

P/Held of Bilal Khan, Comp. Operator

acknowled

acknowled

RECEIVED
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

acknowled
ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



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

(12)

4. In view of the above, this Department may be advised as to whether Provincial Information Technology Group Service Rules 2006 are applicable to the Computer Operator of Advocate General Office for promotion to the post of Computer Programmer (BPS-17) and Web Administrator (BPS-17) OR the Service Rules of Advocate General Office notified by Law Department vide Notification dated 05-06-2018 are applicable.

Yours faithfully

Section Officer (General)

Endst: Even No. & Date.

Copy is forwarded to the: -

1. Administrative Officer, O/O Advocate General Khyber Pakhtunkhwa w/r to his letter No. 17435/AG dated 29-08-2019.
2. PS to Secretary Law, Parliamentary Affairs and Human Rights Department.

Accessed

Mumtaz
Section Officer (General)
11/9/19

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

R/Sw

For perusal & further orders, pl.

Ed. AG: KP

13/09

A.O
Secy
14/9

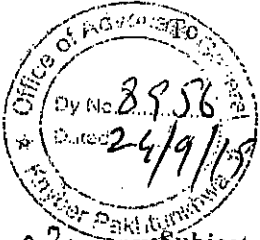
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



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

No. E&A/LD/2-12/2019
Dated, Peshawar, the 24/09/2019

13



✓ The Administrative Officer,
O/O Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject:

REPRESENTATION REGARDING PROMOTION TO THE POST OF
COMPUTER PROGRAMMER/ WEB ADMINISTRATOR.

I am directed to refer your letter No. 17435/AG dated 29-08-2019 on the subject noted above and to forward herewith a copy of letter No. SOR-IV (ED)/7-1/2019 dated 18/09/2019 received from Establishment Department, Khyber Pakhtunkhwa containing views/comments for information and necessary action, please.

Put of

24/09

wR

Munir
Section Officer (General)

Endst: Even No. & Date.

17978-81

Copy is forwarded to the: -

1. Section Officer (R-IV), Establishment Department w/r to his letter referred to above.
2. PS to Minister for Law, Parliamentary Affairs and Human Rights
3. PS to Secretary Law, Parliamentary Affairs and Human Rights Department.

Bilal Khan, Comp: Operation file

Section Officer (General)

Alfred

ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Alfred
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar



112-03
12/3/2019

Government of Khyber Pakhtunkhwa
ESTABLISHMENT DEPARTMENT
(Regulation Wing)

No.SOR.IV(ED)/7-1/2019
Dated, Peshawar, the 18th Sept., 2019

14

To

The Secretary to Government Khyber Pakhtunkhwa
Law Department.

SUBJECT: REPRESENTATION REGARDING PROMOTION TO THE POST OF PROGRAMMER/WEB ADMINISTRATOR.

Dear Sir,

I am directed to refer to your letter No. E&A/LD/2-12/2019/17451-53 dated 11.09.2019 on the subject noted above and to advise that Provincial Information Technology Group Service Rules, 2006 is framed for IT Staff working under Administrative control of Establishment Department while the Advocate General Office have their own Service Rules.

Therefore, Provincial Information Technology Group Service Rules, 2006 are not applicable to the office of Advocate General Khyber Pakhtunkhwa.

Yours faithfully

Section Officer (R-IV)

Endst: No. & Date as above

Copy to PS to Secretary, Establishment Department.

(S/Admn.)

Sent to Office (Law)

Section Officer (R-IV)

For printing the same on file for minor

19th Sept 2019

ackd.

ackd.

Imdad
ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

ADMINISTRATIVE OFFICE
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

9-2019



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

NOTIFICATION

Dated Peshawar, the 21st December, 2016

NO.SOE-V(E&AD)/5-16/2016.- In exercise of powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.XVIII of 1973), the Chief Minister of the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa (Provincial Information Technology Group) Service Rules, 2006, the following further amendments shall be made, namely:

AMENDMENTS

1. In rule 5, in sub-rule (1), for clause (a), the following shall be substituted, namely:

"(a) In case of post of Director, Deputy Director, System Analyst and Database Administrator by promotion."

2. In the Appendix,-

(i) against serial No. 3, in column 5, for clause (b), the following shall be substituted, namely:

"(b) fifty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five year service as such,";

(ii) Serial No. 5 shall be deleted; and

(iii) Against serial No. 6, in column 2, the abbreviation, hyphen, figures and brackets "(BPS-12)" shall be deleted.

Amended
[Signature]
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

Secretary to Govt: of Khyber Pakhtunkhwa
Establishment Department.

NO.SOE-V(E&AD)/5-16/2016.-

Dated Peshawar, the 21st December, 2016

Copy forwarded for information and necessary action to:-

1. The Additional Chief Secretary, Planning & Development Department.
2. The Additional Chief Secretary, FATA, Khyber Pakhtunkhwa.
3. The Additional Chief Secretary, Finance Department.
4. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
5. The Senior Member of Board of Revenue, Khyber Pakhtunkhwa.

(P.T.O)

cc K

Handwritten initials in a circle, possibly "J.B."

6. All Administrative Secretaries in Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. The Prindpal Secretary to Governor, Khyber Pakhtunkhwa.
9. The Prindpal Secretary to Chief Minister, Khyber Pakhtunkhwa.
10. All Heads of Attached Departments, Khyber Pakhtunkhwa.
11. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
12. The PS to Chief Secretary, Khyber Pakhtunkhwa.
13. The PS to Secretary, Law, Parliamentary Affairs & Human Rights Department.
14. The Deputy Director (IT), Establishment & Administration Department with the request to upload the same on the official website.
15. The Registrar, Khyber Pakhtunkhwa Services Tribunal.
16. PS to Special Secretary (Estt), Establishment Department.
17. PS to Special Secretary (Reg), Establishment Department.
18. PA to Additional Secretary (Estt), Establishment Department.
19. PA to Deputy Secretary (Estt), Establishment Department.
20. The Manager, Govt. Printing Press for publication in the Extra Ordinary Gazette.


 (S.O. E-V)
 Section Officer (E-V)

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Handwritten signature

ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2020

Mohammad Bilal Khan (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt. of KP & Others (RESPONDENT)
(DEFENDANT)

I/We Ahmad Khan & Zia Ullah (R.No. 586)

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

Dated. ____/____/2020

Mullah

CLIENT

A
ACCEPTED

NOOR MOHAMMAD KHATTAK

Kamran Khan
KAMRAN KHAN

Mir Zaman Safi
MIR ZAMAN SAFI

&

AFRASIAB KHAN WAZIR
ADVOCATES

OFFICE:
Flat No.4, 2nd Floor, Juma Khan
Plaza, near FATA Secretariat,
Warsak Road, Peshawar.
Mobile No.0345-9383141

Afrasiab Khan
Wazir