

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.**

Service Appeal No. 9624/2020  
(Next date: 31/01/2023)

Syed Shahin Shah

Deputy Director (Finance & Accounts) C/O Directorate  
General LG & RDD, Plot No. 20, Phase-V, Hayatabad,  
Peshawar.....(Appellant)

**V E R S U S**

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Khyber Road, Peshawar.
2. The Government of Khyber Pakhtunkhwa through Secretary Establishment Department, Civil Secretariat, Khyber Road, Peshawar.
3. The Government of Khyber Pakhtunkhwa through Secretary Local Government & Rural Development Department, Civil Secretariat, Khyber Road, Peshawar.
4. Director General Local Government & Rural Development Department, Khyber Pakhtunkhwa, Phase-V, Hayatabad, Peshawar.
5. Director (Administration) LG&RDD, Khyber Pakhtunkhwa, Phase-V, Hayatabad, Peshawar.
6. SO (PSB) Establishment Department, Government of Khyber Pakhtunkhwa, Peshawar.....(Respondents)

**REJOINDER IN SERVICE APPEAL**

**NO. 9624/2020.**

**Respectfully Sheweth:**

**Preliminary objections:**

All the preliminary objections are wrong and illegal objections are misconceived and deceptive to mislead the Hon'ble Tribunal.

**ON FACTS:**

1. The prayer in appeal is correct. The respondents deliberately did not verify the service record in order to avoid confession.
2. The prayer in appeal is correct. The reply of respondents are misconceived, wrong and illegally vetted it. Moreover the under-mentioned officers are junior to the appellant in BPS-17 and BPS-18. These officers were promoted in 7<sup>th</sup> January 2018. The appellant already assailed the seniority and Service Rules of the Department/Directorate through Service Appeal No. 153/2017 and Service Appeal No. 1443/2018 respectively. The Notification is attached.

S. No.	Name	Promotion from	To with date
1.	Faiz M	AD (BPS-17)	Deputy Director (BPS-18) January 1 2019
2.	Israr U	AD (BPS-17)	Deputy Director (BPS-18) January 1 2019

Further, there is no job description of the appellant since 2013.

3. The prayer in appeal is correct. The reply of respondents are misconceived to deceive the Hon'ble Tribunal. The reply is wrong and illegal, the Director General is the countersigning officer of Deputy Director in BPS-18 and is the reporting officer of due and leally qualified Directors in BPS-19.
4. The prayer in appeal is correct. The reply is wrong, the required explication is giving in Para-3 above.
5. The prayer in appeal is correct. The reply of the respondents vetted by the Advocate General Office is misconceiving and defrauding the Hon'ble Tribunal.
6. The prayer in appeal is correct. The reply is wrong and illegal. PERs of the compulsory retired officers

are not required. PERs should be written for any period more than 3 months by the due and legally qualified reporting officers.

7. That appellant seeks permission to present further grounds at the time of arguments.

It is, therefore, very humbly prayed that prayer in appeal may graciously be approved with cost and damages by afflicting damages to the judiciary, government and state by the respondents.

Appellant  
(in person)

Dated: 13/01/2023

  
**SYED SHAHIN SHAH**  
Deputy Director  
(Finance & Accounts)  
CNIC: 17301-9406669-3  
Cell No. 0334-9006361

**CERTIFICATE**

It is, certified that contents of the rejoinder in Service Appeal No. 9624/2022 are correct to be best of my knowledge and belief and nothing relevant has been concealed.

  
**Appellant in person**



Government of Khyber Pakhtunkhwa  
Local Government, Elections and Rural Development Department

**NOTIFICATION**

Dated Peshawar, 7<sup>th</sup> January, 2019

No. SO(LG-I)2-128/2018.- The Competent Authority on the recommendations of Provincial Selection Board has been pleased to promote the following Assistant Directors (BPS-17), I.G.&RDD to the post of Deputy Director / Assistant Director (Senior) BPS-18 in Local Government and Rural Development Department Khyber Pakhtunkhwa on regular basis with immediate effect.

- i. Mr. Muhammad Fahim
- ii. Mr. Faiz Muhammad Khan
- iii. Mr. Israrullah Khan

2. On their promotion, the officers will remain on probation, in terms of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon their promotion, they are posted against the vacant posts of Deputy Director (BPS-18) in Directorate General, Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar with immediate effect.

SECRETARY TO GOVT. OF KHYBER  
PAKHTUNKHWA, I.G., E&RDD

Dated Peshawar the 7<sup>th</sup> January, 2019

Endst No. SO(LG-I)2-128/2018

Copy is forwarded to:-

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Director General, I.G.&RDD, Khyber Pakhtunkhwa, Peshawar.
4. The Director merged FATA Secretariat, I.G.&RDD, Warsak Road, Peshawar.
5. All Assistant Directors, I.G.&RDD in Khyber Pakhtunkhwa.
6. All District Accounts Officers in Khyber Pakhtunkhwa.
7. The officers concerned.
8. The Manager, Government Printing Press, Peshawar.
9. Personal file of the officer concerned.
10. The PS to Secretary, I.G., E&RDD.
11. Office order file.

(HAJI MUHAMMAD)  
SECTION OFFICER (STAB)  
Ph: // 091-9213

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Belbawesh  
(26)



**Government of Khyber Pakhtunkhwa  
Local Government, Elections and Rural Development Department**

**NOTIFICATION**

**Dated Peshawar, 12<sup>th</sup> October, 2018**

**No.SO(LG-I)2-128/2018.-** The Competent Authority on the recommendations of Provincial Selection Board has been pleased to promote Syed Shahinshah, Accounts Officer (BPS-17) to the post of Deputy Director (Finance and Accounts) BPS-18 in Directorate General, Local Government and Rural Development Department, Khyber Pakhtunkhwa Peshawar with immediate effect.

2. On his promotion, the officer will remain on probation, in terms of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon his promotion, Syed Shahinshah is posted against the vacant post of Deputy Director (Finance & Accounts) BPS-18 in Directorate General, Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar with immediate effect.

**SECRETARY TO GOVT.OF KHYBER  
PAKHTUNKHWA, LG,E&RDD**

**Indst No. SO(LG-I)2-128/2018**

**Dated Pesh: 12<sup>th</sup> October, 2018**

**Copy is forwarded to:-**

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Director General, LG&RDD, Khyber Pakhtunkhwa, Peshawar.
4. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
5. Syed Shahinshah, Accounts Officer, Directorate General, LG&RDD, KP, Hayatabad, Peshawar
6. The Manager, Government Printing Press, Peshawar.
7. Personal file of the officer concerned.
8. The PS to Secretary, LG,E&RDD.
9. Office order file.

*[Handwritten signatures and initials]*

*[Handwritten signature]*  
**(HAJI MUHAMMAD)**  
**SECTION OFFICER (ESTAB)**  
Ph: # 091-9213224

### GUIDELINES FOR FILLING UP THE PER

- After initiating their PER, the officers under report should immediately fill up the detachable 'Certificate' giving names of the RO/CO and send the same to the Officer incharge of their respective confidential records. This exercise will ensure proper follow-up of the pending performance evaluation reports by the concerned Ministry/Division/Provincial Government etc.
- Forms should be filled in duplicate, Parts I and II are to be filled by the officer under report and should be typed. Part III and IV will be filled by the Reporting Officer while the Countersigning/Second Countersigning Officers will fill Parts V and VI respectively. The ratings in Part III should be recorded by initialing the appropriate box.
- Each Division, Department, autonomous body and office etc. Is required to prepare specific job descriptions giving main duties of each job to be mentioned in Part-II (1). The job descriptions may be finalized with the approval of the Head of the Organization or any person authorized by him.
- The officer under report should fill Part II (2) of the form as objectively as possible and short term and long term targets should be determined/assigned with utmost care. The targets for each job may be formulated at the beginning of the year wherever possible. In other cases, the work performed during the year needs to be specifically mentioned.
- Assessment by the Reporting Officers should be job-specific and confined to the work done by the officer during the period under report. They should avoid giving a biased or evasive assessment of the officer under report, as the Countersigning Officers would be required to comment on the quality of the assessment made by them.
- The Reporting Officers should support their assessment in Part IV through comments against each characteristic. Their opinions should represent the result of careful consideration and objective assessment so that, if called upon, they could justify the remarks/comments. They may maintain a record of the work done by the subordinates in this regard.
- The Countersigning Officers should weigh the remarks of the RO against their personal knowledge of the Officer under-report and then give their assessment in Part V. In case of disagreement, the Countersigning Officers should give specific reasons in Part V. Similarly, if the Countersigning Officers differ with the grading or remarks given by the Reporting Officer in Part III they should score it out and give their own grading by initialing the appropriate box.
- The Countersigning Officers should make an unbiased evaluation of the quality of performance evaluation made by the RO by categorizing the reports as exaggerated, fair or biased. This would evoke a greater sense or responsibility from the reporting officers.
- The Countersigning Officers should underline, in red ink, remarks which in their opinion are adverse and should be communicated to the officer reported upon. All adverse remarks whether remediable or irreparable should be communicated to the officer under report, with a copy of communication placed in his/her CR dossier. Reporting Officers should ensure that proper counseling is given to the officer under report before adverse remarks are recorded.
- The Reporting and Countersigning Officers should be clear, direct, objective and unambiguous in their remarks. Vague impressions based on inadequate knowledge or isolated incidents should be avoided.
- Reports should be consistent with the pen picture, overall grading and comparative grading.

### IMPORANT

- Part I and II of the PER should be duly filled and dispatched to the Reporting Officer not later than the 15th of January. The ROs should forward the report to the Countersigning Officer within two weeks of receipt after giving their views in Parts III and IV. The COs should then finalize their comments in Part V within two weeks of receipt of PER. The Second Countersigning Officers, if any, should also complete their assessment within a period of two weeks.
- Name and designation of Reporting/Countersigning Officers should be clearly written. Comments should be legible and in the prescribed format and which can be easily scanned.
- Personnel Number is to be filled in by the officer under report, if allotted.
- Proforma has been devised in English/Urdu to provide flexibility to RO/CO in the choice of language.

ADDALAH  
S.S. R.W.