


ORDER
02.01.2023


Nemo for the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 & 2 present.

The appeal in hand was called on for hearing after various intervals, however none appeared on behalf of the appellant till the closing time, therefore, the appeal in hand stands dismissed in default.

Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
02.01.2023


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

SCANNED
KPST
Peshawar

14.11.2022

Clerk of counsel for the appellant present.

Kabir Ullah Khattak, learned Additional Advocate General
for respondents present.

Learned Member (Judicial) is on leave, therefore;
arguments could not be heard. Adjourned. To come up for
arguments on 02.01.2023 before D.B


(Fareeha Paul)
Member (E)

SCANNED
KPS
Peshawar

22.06.2022

Nemo for parties.

Naseer Ud Din Shah learned Assistant Advocate General present.

Despite directions, parties were not put on notice for the reasons best known to concerned Moharrir. The matter be brought into the knowledge of learned Chairman for necessary action against the concerned. Notices be issued to both the parties for the date fixed. To come up for arguments on 31.08.2022 before D.B.

Appellant &
Counsel have
Informed
telephonically
for 31/08/22



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

31.08.2022

Clerk of learned counsel for the appellant present.
Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 & 2 present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 14.11.2022 before the D.B.



(Salah-ud-Din)
Member (Judicial)

26.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 20.08.2021 for the same as before.


Reader

20.08.2021

Due to summer vacations, case is adjourned to 13.12.2021 for the same as before.


READER

13.12.21

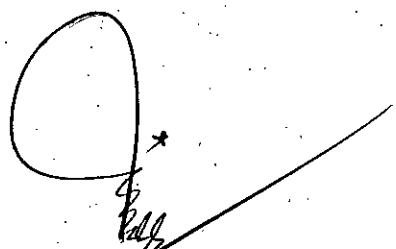
DB is on Tour case to come up
Res the same on dated. 11-4-22

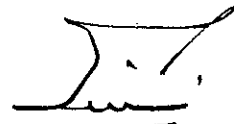

Reader

11.04.2022

Nemo for the appellant present. Syed Naseer Ud Din Shah, Asst: AG for respondents present.

Previous date was changed on Reader note, therefore, notice of prosecution of appeal be issued to the appellant as well as his counsel and to come up for arguments before the D.B on 22.06.2022.

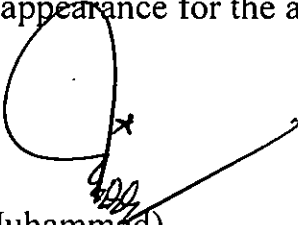

(Mian Muhammad)
Member(E)


(Salah Ud Din)
Member(J)

22.01.2021

Nemo for appellant. Assistant: AG alongwith Mr. Ahmad Yar Khan, AD(Litigation) for official respondents and private respondent No.3 in person present.

On the last date of hearing the proceedings were adjourned due to general strike of the Bar members, however, order for notice to the appellant was not made despite his non-representation. The proceedings are therefore, adjourned to 26.04.2021 for arguments before D.B. The appellant shall be issued notice of appearance for the adjourned date.


(Mian Muhammad)
Member(E)


Chairman

07.09.2020

Appellant in person and Addl. AG alongwith Ahmad Yar, AD for respondents No. 1 & 2 and private respondent No. 3 in person present.

Private respondent No. 3 has furnished reply which is placed on record. The appeal is assigned to D.B for arguments on 13.11.2020. The appellant may furnish rejoinder, within a fortnight, if so advised.

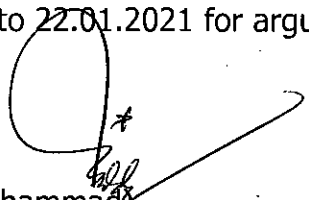

Chairman

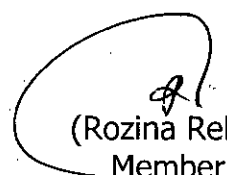
13.11.2020

Nemo for appellant.

Zara Tajwar learned Deputy District Attorney alongwith Mashoor Ahmad J.C for respondents No.1 & 2 present. Respondent No.3 in person present.

Lawyers are on general strike, therefore, case is adjourned to 22.01.2021 for arguments, before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

17.03.2020 Clerk to counsel for the appellant present. Mr. Kabirullah Khattak learned Addl. AG alongwith Masroor Ahmed Junior Clerk on behalf of official respondents No. 1 & 2 and private respondent No.3 in person present. Written reply not submitted. Representative of the official respondent No.1 & 2 and private respondent No.3 seeks time to furnish reply/comments. To come up for written reply/comments on 23.04.2020 before S.B.


Member

23.04.2020 Due to COVID19, the case is adjourned to 20.07.2020 for the same as before.


Reader

20.07.2020 Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Ahmad Yar, Assistant Director on behalf of official respondents No. 1 & 2 and private respondent No. 3 himself are also present.

Representative of respondents No. 1 & 2 submitted para-wise reply/comments on behalf of respondents No. 1 & 2 which are placed on file. While private respondent No. 3 request for further time to submit written reply/comments. Time granted. To come up for written reply/comments on behalf of private respondent No. 3 on 07.09.2020 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER

18.11.2019

Appellant alongwith counsel present.

On the strength of judgment dated 12.03.2019 handed down in Appeal No. 56/2018 instant appeal is admitted for regular hearing subject to all just exceptions.

The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 13.01.2020 before S.B.

Appellant Deposited
Security & Process Fee

18-11-19


Chairman

13.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Masroor Ahmad, Litigation Officer for official respondents and respondent No. 3 in person present.

Respondents need further time to furnish reply/comments. Adjourned to 20.02.2020 on which date the requisite reply/comments shall positively be furnished.


Chairman

20.02.2020

Appellant in person present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Masroor Ahmad, Junior Clerk on behalf of official respondents No. 1 & 2 and private respondent No. 3 in person present. Written reply on behalf of respondents not submitted. Representative of official respondents as well as private respondent seeks further time to furnish reply/comments. To come up for written reply/comments on 17.03.2020 before S.B.

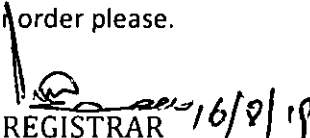


SCANNED
KPST
Peshawar


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1053/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/08/2019	<p>The appeal of Mr. Muhammad Aqeel Babar presented today by Mr. Muhammad Farooq 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 16/8/19</p>
2-	28/08/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/09/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	30.09.2019	<p>Appellant in person present and requests for adjournment due to non-availability of his learned counsel as the bar is on general strike today.</p> <p>Adjourned to 18.11.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

SCANNED
KFST
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No _____ 1053 /2019

Muhammad Aqeel Babar

.....(Appellant)

VERSUS

The Secretary, Govt of Khyber Pakhtunkhwa
Population Welfare Department Peshawar etc

.....(Respondents)

APPEAL

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APPELANT

Through

Counsel Muhammad Farooq
Advocate Civic Law Chamber
District Courts Mardan



①
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1053 /2019

Muhammad Aqeel Babar S/o Pir Muhammad Khan,
Resident of 60-G-Ali Manzal Gunj Gate near
Apna Bank Peshawar.

1170
Dated 16/8/2019 (Appellant)

VERSUS

1. The Secretary, Govt. of Khyber Pakhtunkhwa,
Population Welfare Department, Peshawar.
2. The Director General, Population Welfare Department,
Khyber Pakhtunkhwa, Peshawar.
3. Arif Abbas S/o Tehmas Khan,
Serving as Superintendent in the office of
Directorate of Population Welfare Department. **PESHAWAR** (Respondents)

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA,
SERVICE TRIBUNAL ACT OF 1974 AGAINST THE ORDER OF
RESPONDENT NO.1 DATED 31.10.2018 BEARING NO.SOE(PWD) 4-
42/2018/DPC WHEREBY THE RESPONDENT NO.3 WAS PROMOTED TO
THE POST OF SUPERINTENDENT AND THE APPELLANT WHO WAS
THE ELIGIBLE AND DESERVING CANDIDATE WAS DEPRIVED FROM
THE SAID SEAT/POST OF SUPERINTENDENT AND THUS AN ILLEGAL
AND UNLAWFUL ORDER WAS ENFORCED AND EXECUTED WHICH IS
NEVER A LAWFUL AND VALID ORDER AND CAN NEVER BE
MAINTAINED IN ANY SITUATION WHATSOEVER, IS NOT BINDING ON
THE INTEREST OF THE APPELLANT AND IS LIABLE TO BE SET ASIDE.**

Prayer,

Keeping in view the above mentioned factual situation, it is humbly prayed that the impugned order dated 31.10.2018 bearing No.SOE(PWD) 4-42/2018/DPC may kindly be set aside and the Respondent No.1 & 2 may very kindly be ordered to accommodate the poor petitioner on the said post of Superintendent in the Population Welfare Department because as per law, rules and regulations he is the most deserving and eligible candidate whereas the Respondent No.3 has no right whatsoever to capture and hold the said position of the Superintendent. Any other consequential relief which is deemed fit by this August Tribunal may also be granted in favour of the petitioner against the Respondent above mentioned.

FACTS:

The counsel on behalf of the petitioner most humbly submits as under:

1. That the petitioner is a bonafide resident of the above mentioned address and is a peaceful and law abiding citizen of the locality.
2. That the petitioner on 27.04.2009 through order No.4(35)97-2006/Admn/Vol-VIII was appointed as Office Assistant in BPS-14 on adhoc basis in Population Welfare Department, KPK and was placed in Column No.3 of the said order. Copy of the same is attached as **Annexure-A**.

Filed to-day
Registrar
7/8/19

2

3. That the petitioner, consequent upon his appointment in the Population Welfare Department, KPK submitted his arrival report positively on 06.5.2009. Copy of the same is attached as **Annexure-B**.
4. That after submitting his arrival report the petitioner joined his regular duty in the office of Directorate General Population Welfare Department.
5. That on 24.10.2009, the Provincial Government of the Khyber Pakhtunkhwa vide Notification No.PA/NWFP/Bills/2009/38472 regularized the jobs of all the Provincial employees and hence the appellant was also considered as a regular employees though the said notification. Copy of the said notification is attached as **Annexure-C**.
6. That at the time of the regularization of his services the appellant was serving in District Abbottabad.
7. That on 20.05.2014 the Government of Khyber Pakhtunkhwa accorded the sanction of upgrading of certain posts in all the Departments of Khyber Pakhtunkhwa with immediate effect, the appellant was also given the said upgradation from BS-14 to BS-16. Copy of the said notification is attached as **Annexure-D**.
8. That during all this serving period of the appellant, the high ups or the concerned Department has never been aggrieved from the performance of the appellant nor any grievance has been recorded from their side, the appellant meanwhile has performed his duties with full zeal and enthusiasm.
9. That on 31.10.2018 order bearing No.SOE(PWD) 4-42/2018/DPC was issued, the said impugned order was issued by the Respondent No.1 through which the deserving and eligible candidate in shape of the appellant was deprived from being promoted to the position of Superintendent of the said Department and by violating and destroying the order of the merit as per law and regulation, the Respondent No.3 was promoted to the said position which is totally illegal; unlawful and is not binding on the interest of the appellant and liable to be set aside.
10. That being aggrieved from the said order the appellant preferred the department appeal to the Respondent No.1 on 25.04.2019 which was in the light of the judgement of the Khyber Pakhtunkhwa Service Tribunal in the case titled Mr. Zawar Hussain versus Secretary Population Welfare Khyber Pakhtunkhwa and others, in which judgement it was categorically and in plain terms held that the determination of the seniority and promotion of the employees in their respective departments the determining factor shall be considered on the basis of their officiation and not on the basis of their date of birth. The said appeal was being regrettred on baseless and fictitious grounds which are not binding on the interests of the appellant.

GROUND:

- i. That as per the provision of Section-4 of the Service Tribunal Act 1974, the said appeal is well within time and has complied with all the conditions of a valid and proper service appeal.

- ii. That as per the provision of the Khyber Pakhtunkhwa employees Regularization of Services Act of 2009 the relevant law is very much clear and has been envisaged in Section-4 Sub clause-2 of the said act which clearly describes that "*the seniority interse of the employees, whose services are regularized under this act within the same service or cadre shall be determined on the basis of their continues officiation in such service or cadre*". It is crucial to mention here that the appellatant joined his services on 06.05.2009 whereas the Respondent No.3 had joined the said service on 07.05.2009, in the light of the said fact now the above mentioned section of law clearly favours the appellatant because he had joined the said job one day prior to the Respondent No.3.
- iii. ~~That as the august services tribunal has been constituted under the provision of the constitution of the Islamic Republic of Pakistan 1973, the decisions and verdicts of this learned forum are binding on all the departments and cadres where an issue of the same nature arises.~~
- iv. That as the said judgement mentioned above has been pronounced on the same nature of issue between the appellatant and respondents which issue is now pending between the current appellatant and the respondents hence the benefit of the said judgement could also be extended in favour of the current appellatant. Copy of the already decided case is **Annexure-E**.
- v. That since the impugned order regarding Respondent No.3 had taken place, the attitude of Respondent No.1 & 2 has become totally negligent, filled with clear malice, malafide and tainted with clear grudge and ill will against the appellatant and they are showing partiality in favour of the Respondent No.3 and are not accepting this fact that instead of Respondent No.3 the appellatant has got preference and legal right to be appointed on the post of Superintendent (BPS-17).
- vi. That the appellatant has got a valid cause of action and an arguable case lies in his favour, the said service appeal is within time and all the requirements of a valid appeal have been fulfilled.
- vii. That this Honourable Court has got full jurisdiction to entertain the instant service appeal, the relevant laws and case laws are also present in this regard about the instant service appeal.
- viii. That appellatant has got a firm locus standi and has got right under the law to file the instant appeal as the appellatant is having a valid cause of action.
- ix. That any other grounds deemed necessary shall be raised at the time of arguments and the appellatant duly requests that the said permission may kindly be granted at time of arguments. The appellatant also requests the permission of this august court to present any other document deemed necessary at the time of arguments. Copy of the Departmental Appeal and its reply are **Annexures-F&G**. Similarly copy of the impugned order is **Annexure-H**.

PRAYER FOR RELIEF:

Keeping in view the above mentioned facts, it is most humbly prayed that by accepting the instant service appeal, the order/notification dated 31.10.2018 bearing No.SOE(PWD) 4-42/2018/DPC may kindly be declared null and void, void ab initio and not binding upon the interests of the appellant, the Respondent No.1 & 2 may kindly be ordered to accommodate the appellant on the post of Superintendent in their respective office and any other adequate and consequential relief deemed fit and proper may also be ordered and granted in favour of the appellant against the respondents. The costs of the instant service appeal may also be granted in favour of the appellant against the respondents.

Appellant

(MUHAMMAD AQEEL BABAR)
Through Counsel

(M. FAROOQ) KAMRAN
(TARIQ) ADV
(AKBAR, Hoti, ADV.)
AFFIDAVIT

Civic Law Chamber
District Courts, Mardan

It is affirmed and declared that all the contents of this service appeal are true and correct to the best of knowledge and belief and nothing has been concealed from this Honourable Court.

Deponent

(MUHAMMAD AQEEL BABAR)

Dated _____/2019

ATTESTED
Distt: Court
OATH COMMISSION
Peshawar

16/9/2019

Dated Peshawar, the 27/4/2009

ORDER

No.4(35)97-2006/Admn/Vol-VIII: Consequent upon the recommendation of the Departmental Selection Committee (DSC), the Competent Authority is pleased to appoint the following *Office Assistant (BPS-14)* on purely adhoc basis in Population Welfare Department, NWFP with immediate effect. The order regarding their posting /transfer will follow.

S.No.	Name of Candidate with Father's name	Mailing Address
1	Mir Baiz Khan S/O Nadir Khan	House No.C-20, Prince Amin Coiony. Haji Camp G.T Road Peshawar. Ph# 0345-8859251
2	Arif Abbas S/O Tehmas Khan	House NO. 590, Chaman Street, Bazar Bahadar Shah, Asiya Peshawar. 0333-9107778
3	Muhammad Aqeel Babar S/o Pir Muhammad Khan	60/G Ali Manzil Gunj Gate Peshawar City Ph 03005934518
4	Farooq Ahmad Afridi S/O M. Younas Afridi	House No. 4884, Mohallah Kakshal, P/O Namak Mandi, Peshawar:
5	Muhammad Hussain S/O Haji Adam Khan	House No.463, Street No.20, Sector No.02, APECHS Rawalpindi.Ph# 0345-9094119 -

Their appointment is subject to the following terms and conditions

1. The appointment of the above named candidates against Office Assistant posts are purely on adhoc basis for a period of one year or till the arrival of selectees of NWFP Public Service Commission whichever is earlier.
2. Their services will be liable to termination without assigning any reason during the currency of the agreement. In case of resignation 15 days prior notice will be required, otherwise their 15 days pay plus usual allowances will be forfeited.
3. They shall provide Medical Fitness Certificate from the Medical Superintendent, Police Services Hospital, Peshawar before joining service.
4. Being adhoc employees, in no way they will be treated as Civil Servants and in the case their performance is found un-satisfactory or found committed any misconduct, their service will be terminated with the approval of competent authority without adopting the procedure provide in North West Frontier Province (E&D) Rules, 1973 or North West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 which will not be challengeable in NWFP Service Tribunal / any court of Law.
5. They shall be held responsible for the losses accruing to the department due to their carelessness or in-efficiency and shall be recovered from them.

-Contd:-

Attested by
Ahs

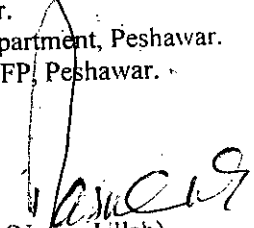
6. They will get pay in BPS-14 plus usual allowances as admissible under the rules.
7. They will neither be entitled to any pension or gratuity for the service rendered by them nor they will contribute towards GP Fund or CP Fund.
8. This order / offer of appointment shall not confer any right on them for regularization of their service against the posts occupied by them or any other regular posts in the Department.
9. No TA / DA will be allowed to them for joining the post.
10. If the above terms & conditions are acceptable to them, they may report to the **Director General, Population Welfare Department, FC Trust Building Sunehri Masjid Road, Peshawar Cantt.** within 15 days of the issuance of this order / offer of appointment otherwise the appointment order will stand cancelled.

(Director General)
Population Welfare Department

Dated Peshawar the 27/4/2009

No.4(35)97-2006/Admn/Vol-VIII:
Copy forwarded to the:-

1. PS to Minister for Population Welfare, NWFP, Peshawar.
2. PS to Secretary, Govt. of NWFP Population Welfare Department, Peshawar.
3. PS to Director General, Population Welfare Deptt., NWFP, Peshawar.
4. Official concerned.
5. Master File.


(Nasim Ullah)
Assistant Director (Admn)

6

To.

**The Director General,
Directorate General Population Welfare,
NWFP, Peshawar.**

Subject: - **ARRIVAL REPORT**

Dear Sir,

In compliance with your good-self office order No. 4(35)97-2006/Admn/Vol-VIII dated 06/05/2009 I hereby submit my Arrival Report for duty today on 06th May, 2009 (F/N).

Yours faithfully,



(MUHAMMAD AQEEL BABAR)
S/O PIR MUHAMMAD KHAN
OFFICE ASSISTANT

DATED: 06/05/2009

Attested by
M. Farooq Advocate



Government of NWFP
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt. Ph: # 091-9211536-38

Dated Peshawar the 18/02/2010.

OFFICE ORDER

F.No.4(35)/97-2006/Admn-Vol-XIV (Part-II):- In pursuance of Provincial Assembly Secretariat, NWFP Act No. XVI of 2009 vide Notification No. PA/NWFP/Bills/2009/38472 dated 24/10/2009 duly circulated by the Govt. of NWFP Establishment and Administration Department (Regulation Wing) vide No. SOR-VI/E&AD/1-13/2009 dated 4/11/2009, the services of the following adhoc employees of this Department appointed on 27/04/2009 are hereby regularized w.e.f. 24.10.2009.

LIST OF OFFICE ASSISTANT (BPS-14)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Mir Baiz Khan	Nadir Khan	Office Assistant, BPS-14, DPW Office, Peshawar
2	Arif Abbas	Tehmas Khan	Office Assistant, BPS-14, DPW Office, Bannu
3	Muhammad Aqeel Babar	Peer Muhammad Khan	Office Assistant, BPS-14, DPW Office, Abbottabad
4	Muhammad Hussain	Haji Adam Khan	Office Assistant, BPS-14, Directorate General, PWD
5	Mr. Farooq Ahmad Afridi	Muhammad Younas Afridi	Office Assistant, BPS-14, DPW Office, Kohat.

LIST OF PROJECTIONIST (BPS-12)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Kilayat Ullah	Ibraheem Khan	Projectionist, BPS-12, DPW Office, Hanqu
2	Sajjad Ahmad	Hussain Ahmad	Projectionist, BPS-12, DPW Office, Dir Upper
3	Kashif Ali	Azim Khan	Projectionist, BPS-12, DPW Office, Haripur
4	Naveed Gul	Ali Asghar	Projectionist, BPS-12, DPW Office, Kohistan
5	Hazrat Jamal	Khushhal Khan	Projectionist, BPS-12, DPW Office, Chitral

LIST OF STENOTYPIST (BPS-12)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Farman Ullah	Adam Khel	Stenotypist, BPS-12, DPW Office, Nowshera
2	Syed Muhammad Shah	Syed Samin Jan	Stenotypist, BPS-12, DPW Office, DI Khan
3	Wajid Ali	Mullan Khan	Stenotypist, BPS-12, DPW Office, Buner
4	Hayat Muhammad Khan	Musharraf Khan	Stenotypist, BPS-12, DPW Office, Dir Upper
5	Abdul Latif	Ghulam Sadique	Stenotypist, BPS-12, DPW Office, Lakki Marwat

LIST OF STATISTICAL ASSISTANT (BPS-11)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	Fazali Wadood	Fazali Rahim	Statistical Assistant, BPS-11 DPW Office, Kohistan
2	Zawar Hussain Khan	Khan Bahador	Statistical Assistant, BPS-11 DPW Office, Lakki Marwat
3	Zakir Hussain	Nazir Ahmed	Statistical Assistant, BPS-11 DPW Office, Nowshera
4	Muhammad Najeem Khan	Ghulam Raziq	Statistical Assistant, BPS-11 DPW Office, Dir (Upper)
5	Shafeeq Alam	Akbar Khan	Statistical Assistant, BPS-11 DPW Office, Malakand
6	Hafiz Nasir Khan	Haji Musafar Khan	Statistical Assistant, BPS-11 DPW Office, Buner

D/Office work 4(35)

Attested by
M. Farooq Advocate
[Signature]



(8)

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar, the 20-05-2014

NOTIFICATION

NO.FD/SO(FR)10-22/2014 The competent authority has been pleased to accord sanction to upgradation of pay scales of the following posts in the Civil Secretariat of Khyber Pakhtunkhwa, with immediate effect.

S. No.	Nomenclature of the post	Existing Scale	Upgraded Scale
1	Superintendent	BS-16	BS-17
2	Assistant	BS-14	BS-16
3	Senior Clerk	BS-09	BS-14
4	Junior Clerk	BS-07	BS-11

- The pay of the existing incumbents of the posts shall be fixed in higher pay scales at a stage next above the pay in the lower pay scale.
- The Establishment Department, will amend the service rules to the same effect in the prescribed manner.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst No. & Date even.

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

1. PS to Additional Chief Secretary, FATA.
2. All Administrative Secretaries Government of Khyber Pakhtunkhwa.
3. Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar.
4. Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. Registrar, Peshawar High Court, Peshawar.
10. All Deputy Commissioners, Political Agents, District & Sessions Judges / Executive District Officers in Khyber Pakhtunkhwa.
11. Chairman, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
12. Registrar, Service Tribunal Khyber Pakhtunkhwa.
13. All the Autonomous and Semi-Autonomous Bodies in Khyber Pakhtunkhwa.
14. Secretary to Govt. of Punjab, Sindh and Baluchistan, Finance Department, Lahore, Karachi and Quetta.
15. The District Comptroller of Accounts, Peshawar, Mardan, Kohat, Bannu, Abbottabad, Swat and D.I. Khan.
16. The Senior District Accounts Officer Nowshera, Swabi, Charsadda, Haripur, Mansehra and Dir Lower.
17. The Treasury Officer, Peshawar.
18. All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
19. PSO to Senior Minister for Finance, Khyber Pakhtunkhwa.
20. PSC to Chief Secretary, Khyber Pakhtunkhwa.
21. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar.
22. PS to Finance Secretary.
23. PAs to All Additional Secretaries/ Deputy Secretaries in Finance Department.
24. All Section Officers/Budget Officers in Finance Department.
25. Abbas Khan President of Khyber Pakhtunkhwa Civil Secretariat Superintendent, Assistant, Clerks Association with reference to his application No. PR/KPS/SACA/2-1/2013 dated 8-01-2014

(SHAUKAT ULLAH)
SECTION OFFICER (FR)

Attested by
M. Farooq / advocate

[Signature]

(19)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 56 /2018

Khyber Pakhtunkhwa
Service Tribunal

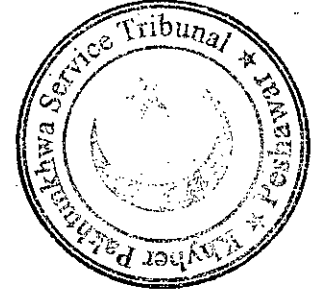
Diary No. 34

Dated 12-1-2018

Zawar Hussain Khan,
Statistical Assistant,
Office of the District Population Welfare,
Mardan.....

Appellant

Versus



1. The Secretary,
Govt. of Khyber Pakhtunkhwa,
Population Welfare Department, Peshawar:
2. The Director General,
Population Welfare Department,
Khyber Pakhtunkhwa, Peshawar.
3. Khair Muhammad Afridi,
Statistical Assistant,
Office of the District Population Welfare,
District Hangu.
4. Zakir Hussain,
Statistical Assistant,
Office of the District Population Welfare,
District Chitral.
5. Nazar Ali,
Statistical Assistant,
Office of the District Population Welfare,
District Chitral.
6. Shafeeq Alam,
Statistical Assistant,
Office of the District Population Welfare,
District Malakand.
7. Hafiz Nasir Khan,
Office of the Director General,
Population Welfare Department Peshawar.
8. Muhammad Najeem Khan,
Office of the District Population Welfare,
Dir Lower.
9. Fazal Wadood,
Office of the District Population Welfare,
District Bunner.....


Respondents

Expt
11-4-18

Filed by
Smt. A. A. Khan
Registrar
12/1/18

Registered to-day
and filed
Registrar
15/1/18

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED SENIORITY LIST CIRCULATED ON DATED 15-11-2017 VIDE COVERING LETTER NO.F.NO.4 (15)/2016 ADMIN THEREIN RELEGATED APPELLANT IN JUNIOR POSITION AT SR.NO.10 AGAINST WHICH HE FILED DEPARTMENTAL APPEAL ON 21-11-2017 WHICH WAS FORWARDED TO RESPONDENT NO.2 BY THE DPW MARDAN THROUGH COVERING LETTER DATED 21-11-2017 FOR NECESSARY ACTION BUT SAME WAS TURNED DOWN WITHOUT LEGAL JUSTIFICATION BY THE APPELLANT AUTHORITY VIDE LETTER DATED 28-12-2017.

Respectfully Sheweth,

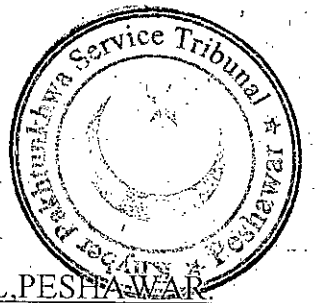
Facts giving rise to the present appeal are as under:

1. That appellant was initially appointed on ad hoc basis as Statistical Assistant B-11 on 27-04-2009 vide order No. 4(35)/97-2006/Admn-Vol-VIII and joined the department on 06-05-2009.
2. That meanwhile the Provincial Govt. of Khyber Pakhtunkhwa enacted a law namely the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 and under its Section 3, the appointment of all employees of provincial Government were regularized and similarly the service of appellant was also regularized along with other similar employees while Section 4 of the Act laid down the mechanism of determination of seniority of such employees, the relevant provisions of law is reproduced as under for immediate perusal of this Hon'ble Court.

ATTESTED

[Signature]
 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

11



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No: 56/2018

Date of Institution ... 12.01.2018

Date of Decision ... 12.03.2019

Zawar Hussain Khan, Statistical Assistant, office of the District Population Welfare, Mardan. ... (Appellant)

VERSUS

The Secretary, Govt: of Khyber Pakhtunkhwa Population Welfare Department, Peshawar and eight others. ... (Respondents)

MR. KHUSH DIL KHAN,
Advocate

--- For appellant.

MR. ZIAULLAH
Deputy District Attorney

--- For official respondents no. 1 & 2

MR. JAVED IQBAL GULBELA,
Advocate

--- For private respondents no. 3 & 4

MR. AHMAD HASSAN,
MR. HAMID FAROOQ DURRANI

--- MEMBER(Executive)
--- CHAIRMAN

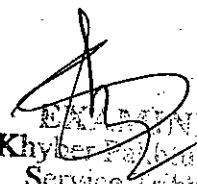
JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the parties heard and record perused.

ATTESTED

ARGUMENTS

2. Learned counsel for the appellant argued that he was initially appointed as Statistical Assistant (BPS-11) on adhoc basis vide order dated 27.04.2009. After promulgation of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 his services were regularized alongwith other similarly placed employees. The method for determination of seniority was laid down in Section-4 of the above Act. That final seniority list was circulated by the respondent no.2 on 23.05.2010 showed that name of the appellant was reflected at sr. 8, while private


MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

respondents no. 3 to 9 were shown as junior to him as per law/rules. This position was maintained in the seniority list issued on 29.11.2013 and 26.02.2016. Thereafter, another final seniority list was circulated vide office order dated 04.04.2017 in which due place was given to the appellant. Against the laid down procedure another tentative seniority list was notified in 2017 in which his name was brought to sr. no.10, while private respondents 3 to 9 were shown senior to the appellant. Feeling aggrieved, he preferred departmental appeal on 21.11.2017 which was rejected vide order dated 28.12.2017. Respondents have misinterpreted sub-Section-2 of Section-4 of the Act of 2009, while preparing the impugned seniority list. The appellant joined service/assumed charge on 06.05.2009, whereas the private respondents joined duty later on and were rightly placed junior to him. As such by applying the method of continues officiation he was senior to private respondents.

3. On the other hand learned Deputy District Attorney argued that initially the appellant was appointed on adhoc basis and thereafter his services were regularized under the Khyber Pakhtunkhwa (Regularization of Services) Act, 2009. For proper interpretation of the said Act regarding determination of seniority the matter was referred to the Establishment department for advice. In the light of advice of the said department, seniority list was firmed up/notified. Action taken by the respondents was duly backed by law and rules.

4. Learned counsel for private respondents no. 3 and 4 relied on arguments advanced by learned Deputy District Attorney.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


CONCLUSION

5. It is not disputed that the appellant was appointed as Statistical Assistant on adhoc basis vide order dated 27.04.2009. After promulgation of Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 his services were regularized. Attention is invited to Sub-Section-2 of Section-4 of the above Act, wherein it is laid down that the seniority inter-se of the employees whose services were regularized under this Act within the same service or cadre shall be determined on the basis of their continuous officiation in such service or cadre. On the strength of this principle due place was given to the appellant in the seniority lists notified on 23.08.2010, 29.11.2013, 24.2.2016 and 04.04.2017.

6. The dispute arose after circulation of tentative seniority list dated 15.11.2017 in which his name was not placed at the appropriate place. Sub-Section (1) (5) of Section-8 of Khyber Pakhtunkhwa Civil Servant Act, 1973 provides that seniority list shall be revised atleast once in a calendar year, preferably in the month of January. It is not understandable, why two seniority lists were circulated/notified by the respondents in one calendar year? The grounds given in the rejection order of his departmental appeal are against the spirit of the said Act.

7. Attention is also invited to a letter dated 06.08.2017 addressed to the Director General Population Welfare, Khyber Pakhtunkhwa, wherein some guidelines were given for determination of seniority of BPS-11 adhoc employees. It was also directed to fix their seniority on the analogy of BPS-17 employees (non-technical). Through another letter dated 26.10.2017 from respondent no.1

ATTESTED



EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

addressed to respondent no:2 directions were conveyed that seniority of adhoc employees be determined from the date of promulgation of ordinance.

8. Learned counsel for the appellant also produced minutes of the DSC held on 03.04.2009 in which the appellant was selected and placed at sr. no.3 of merit assigned to him. Order dated 27.04.2009 through which his appointment was notified showed him at the same place.

9. Respondents in order to properly interpret the relevant section of Act for determination of seniority took up the case with the Establishment Department for advice. The said department vide letter no. SOR-V (E&AD)/4-31/2017 dated 17.08.2017 advised to settle the issue in the light of Section 4(2) of the said Act. However, this advice was not followed by the respondents. Case of the appellant seems genuine and respondents are required to recast the impugned seniority list in the light of the relevant section of the aforementioned act.

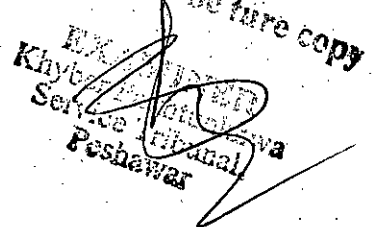
10. As a sequel to above, the appeal is accepted and the impugned orders dated 15.11.2017 and 28.12.2017 are set aside. Parties are left to bear their own costs. File be consigned to the record room.


(AHMAD HASSAN)
MEMBER


(HAMID FAROOQ DURRANI)
CHAIRMAN

ANNOUNCED
12.03.2019

Date of Presentation of Application 16-08-19
Number of Words 2400
Copying Fee 2800
Urgent 400
Total 3200
Name of Applicant [Signature]
Date of Completion of Copy 16-08-19
Date of Delivery of Copy 16-08-19

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

15

To

The Hon'ble Director General,
Population Welfare Department
Khyber Pakhtunkhwa.

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE
CASE TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY
POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

R/Sir,

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/5/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.


That on the account of seniority based on age Mr. Arif Abbas was promoted to the post Supdt (BPS-17).


That now Khyber Pakhtunkhwa Service Tribunal issued a judgment in service appeal No.56/2018 Mr. Zawar Hussain V/S the Secretary Govt. of Khyber Pakhtunkhwa PWD Peshawar and others that seniority may be determined on the basis of officiation (Copy of judgment is attached).

In view of the above it is requested that my seniority position in seniority list of Assistant BPS-16 may be revisited and be given promotion to Supdt as per service rule of the department; it is further stated that wrong promotion, if any made may also be rectified during probation period.

It is therefore, requested that I may be given due place/right/posting as per my seniority in the light of judgment of Khyber Pakhtunkhwa Service Tribunal please.

Yours faithfully,

*Attested by
Mr. Farooq Advocate*



Muhammad Aqeel Bata
ADPWO/ Working as (S I) (K&E)
Section PWD
25/3/2019

16

12

To

Hon'able Secretary to Govt of Khyber Pakhtunkhwa,
Population Welfare Department
Peshawar.

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHUTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

Dear Sir;

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/05/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.


That on the account of seniority based on age Mr. Arif Abbas was promoted to the post of Superintendent (BPS-17).

That Khyber Pakhtunkhwa Service Tribunal in its judgment in the case titled " MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS" dated 12.03.2019 observed that criteria of setting up seniority on the bases of age is illegal and orders dated 15.11.2017 & 28.12.2017 may be set aside.

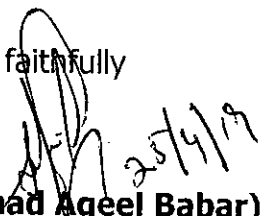
That I had submitted an appeal to Director General Population Welfare Department dated 25.03.2019 wherein undersigned highlighted the above mentioned points but the same is filed by the competent authority.

In view of the above being appointment authority you are requested that due place be given to undersigned in seniority list and I may be promoted to Superintendent and if any wrong promotion is made, may be rectified please.

This appeal is based in light of judgment of Khyber Pakhtunkhwa Service Tribunal dated 12.03.2019 (copy attached)

Attested by
Mr. Farooq advocate


Your faithfully


(Muhammad Aqeel Babar)
ADPWO/Working as (S.I) (M&E)
Section PWD



(17) 13

**GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT**
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

SOE(PWD) 4-103/2019/Appeal/2342-44
Dated Peshawar the 18th July, 2019


To

Mr. Muhammad Aqeel Babar,
ADPWO / Statistical Investigator (M&E)
Directorate General Population Welfare,
Peshawar.

Subject: - **APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"**

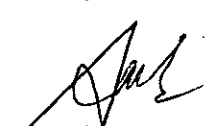
I am directed to refer to the subject noted above and to state that your application dated 25-04-2019 has thoroughly been examined in this Department and regretted due to the following reasons:-

- i. On 15-11-2017, tentative seniority list of Assistant (BS-16) as stood on 09-11-2017 was circulated amongst the Assistants including you with the direction that if any objections / omissions found may be communicated to the DG, PW, KP within thirty days of the issuance of the letter No. 4(15)/2016/Admn dated 15-11-2017 and you gave a certificate on 17/11/2018 to the effect that he had gone through particulars mentioned at S. No. 3 of the tentative seniority list of BS-16 and found them correct and had no objection on the said seniority. Furthermore final seniority list of Assistant (BS-16), PW, KP as stood on 27-11-2017 was notified on 04-01-2018;
- ii. Khyber Pakhtunkhwa Service Tribunal, Peshawar judgment in case titled "Mr. Zawar Hussain V/S Secretary, PWD and other is not applicable in your case, as you were not party in the instant case;
- iii. Your Departmental Appeal dated 25-04-2019 is time barred as well.


SECTION OFFICER (ESTT)

Copy to the: -

1. Director General, Directorate General Population Welfare, KPK, Peshawar w/r to letter No. 4(15)/2019/Admn/3001-02 dated 10/06/2019.
2. PS to Secretary Population Welfare Department, KPK, Peshawar.

Attested by
M: Fawaz advocate SECTION OFFICER (ESTT)


18

FRM NO. :

17

1 Nov. 2018 10:20:41 PM



**GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT**
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

Dated Peshawar the, 31st October, 2018

NOTIFICATION

NO. SOE (PWD) 4-42/2018/DPC:- Consequent upon the recommendations of Departmental Promotion Committee dated 25-09-2018, and approval by the Competent Authority on 24-10-2018, Mr. Arif Abbas, Assistant (BPS-16) Office of Directorate General Population Welfare, Khyber Pakhtunkhwa, Peshawar is promoted as Superintendent (BPS-17) on regular basis, with immediate effect, subject to the condition that:-

- i) He will retain inter-se-seniority as in the lower post;
- ii) He will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

Handwritten signature and initials

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Encls: SOE (PWD) 4-42/2018/DPC/4363-71 Dated Peshawar the, 31st October, 2018

Copy forwarded for information & necessary action:

- 1. Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department, Peshawar.
- 2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 4. Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
- 5. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
- 6. Officer concerned.
- 7. Personal file of the officers.
- 8. Master file.

Attested by

By - For and on behalf of

Handwritten signature

Handwritten initials and dates: JDA, 2/11, 2/11

Handwritten initials and date: Supat, 06/11

SECTION OFFICER (ES)
PHONE NO: 091-9222

Handwritten initials and date: 06/11, 06/11

PROVISIONAL SENIORITY LIST OF ASSISTANTS (BS-16) POPULATION WELFARE DEPARTMENT, KHYBER PAKHTUNKHWA AS UPDATD ON 01.02.2011

SNo.	Name	Date of birth	Domicile	Qualification	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Regular	Posting	Remarks
1	Muhammad Aqeel Babar	02.04.1982	Peshawar								
2	Farooq Ahmad Afridi	15.01.1983	Khyber Agency	B.A.	Direct	06.05.2009	06.05.2009	06.05.2009	24.10.2009	PHQr Peshawar	
3	Arif Abbas	8/15/1978	Peshawar	B.A.	Direct	07.05.2009	07.05.2009	07.05.2009	24.10.2009	DPW Office Mansehra	
4	Mir Baiz Khan	10.03.1982	Chitral	BBA(Hons)	Direct	08.05.2009	08.05.2009	08.05.2009	24.10.2009	DPW Office Kohat	
5	Muhammad Hussain	05.05.1980	Peshawar	M.A.	Direct	11.05.2009	11.05.2009	11.05.2009	24.10.2009	PHQ Peshawar	
6	Mr. Mohammad Anwar	4/1/1958	Dir Lower	B.A	Promotee	25.01.1983	25.04.1995	11.01.2012	5/20/2014	DPW Office Dir Lower	
7	Mr. Mohammad Javid	11/28/1958	Kohat	F.A	Promotee	26.01.1983	25.04.1995	11.01.2012	5/20/2014	DPW Office Bannu	
8	Mr. Kiramat Khan	5/10/1959	Peshawar	Matric	Promotee	07.04.1983	23.08.1995	11.01.2012	5/20/2014	PHQr, Peshawar	
9	Mr. Zafar Ali	3/1/1963	Peshawar	Matric	Promotee	07.04.1983	23.08.1995	11.01.2012	5/20/2014	DPW Office Peshawar	
10	Mr. Mohammad Daud Khan Afridi	2/20/1968	FR Peshawar FATA	B.Com	Promotee	30.09.1992	01.09.2001	11.01.2012	5/20/2014	PHQr Peshawar	
11	Mr. Sarfaraz Khan	7/1/1972	NWFP	M.A.	Promotee	01.09.2001	01.09.2001	11.01.2012	5/20/2014	PHQr Peshawar	
12	Mr. Ashiq Nabi	16.04.1973	Peshawar	B.A	Promotee	03.09.2001	03.09.2001	11.01.2012	5/21/2014	PHQ Peshawar	
13	Mr. Muhammad Asif	4/1/1986	Peshawar	MSc	Direct	4/10/2015	4/10/2015	4/10/2015	4/10/2015	PHQ Peshawar	
14	Mr. Abid Akbar	4/14/1978	Peshawar	F.A		04.9.2001	04.9.2001	04.9.2001	11.01.2012	10/26/2015	PHQr Peshawar

Adhoc appointments have been regularized vide Notification No. PAJ/NWFP/Bills/2009/30472 dated 24.10.2009 whereas inter-se seniority has been determined on merit.

Depty Director (Admin)

Accepted by
F-10603
advocate

مورخہ 16 اگست 2019ء منجانب: (سید اسد علی شاہ)
 مقدمہ بعنوان محمد عقیل باہر بنام سیکرٹری گورنمنٹ آف صوبہ پنجاب اور دیگر
 مقدمہ نمبر رجوعہ
 نوعیت مقدمہ رسیل
 مقدمہ علت نمبر مورخہ
 جرم تھانہ



باعث تحریر آنکہ



مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام مساور کیلئے محمد طارق + محمد طارق + اکبر سیدی کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل مقررہ کو راضی نامہ کرنے و تقرر
 ی ثالث و فیصلہ برحلف دینے عرضی دعویٰ، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، عذر داری، درخواست زبردفعہ (2) 12
 ض د، درخواست برآمد برآمدگی و سرسبزی مقدمہ، درخواست برآمد منسوخی کاروائی و ڈگری یکطرفہ دائر کرنے جواب، جواب
 الجواب وغیرہ درخواست کاروائی اجراء دائر کرنے و وصولی چیک و رقم اور درخواست از ہر قسم کی تصدیق زراس پر دستخط وغیرہ
 کرنے کا اختیار ہوگا۔ اپیل، اپیل دراپیل، نگرانی، نظر ثانی، رٹ و عذر داری وغیرہ دائر کرنے کا بھی اختیار ہوگا۔ اور بصورت
 ضرورت مذکورہ کے عمل یا جزوی کاروائی کے واسطے وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب
 مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر
 جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کا بھی اختیار ہوگا۔ اگر کوئی
 تاریخ پیشی پر وکیل موصوف مقام دورہ پر ہو یا حد سے باہر ہو یا بیمار ہو یا کوئی ضروری کام ہو۔ تو وکیل صاحب پابند نہ ہونگے کہ
 پیروی مقدمہ مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سند رہے۔

المرقوم: 16 اگست 2019ء
 مقام مساور کے لئے منظور ہے۔

نوٹ: اس وکالت نامہ کو فونو کاپی یا قابل قبول ہوگی۔

Advocate I.D:

BC. 11-3145

Bar Council

KPK

Bar Association

Mardan

Contact #:

0313 7404082

Attested
&
Accepted

TARIQ

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1053 of 2019

Muhammad Aqeel Babar Appellant

VERSUS

The Secretary Govt of Khyber Pakhtunkhwa and others

..... Respondents

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Deponent 
Ahmad Yar Khan
Assistant Director (Lit)

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

In Service Appeal No.1053/2019.

Muhammad Aqeel Babar (Appellant)

Versus

The Secretary, Govt. of Khyber Pakhtunkhwa
Population Welfare Department, Peshawar etc (Respondents)

PARAWISE REPLY/COMMENTS ON BEHALF OF THE RESPONDENTS

Respectfully Sheweth,

PRELIMINARY OBJECTIONS.

1. That the appellant has got no locus standi to file the instant appeal.
2. That no discrimination / injustice has been done to the appellant.
3. That the instant appeal is bad in the eye of law.
4. That the appellant has not come to this Tribunal with cleaned hands.
5. The appeal is based on distortion of facts and is not tenable in eye of law.
6. That the appellant has been estopped by his own conduct to file the appeal.
7. The present service appeal is based upon malicious/vexations and frivolous grounds.
8. That the appellant has concealed the factual position from this Honourable Tribunal.
9. That the appellant has tried to mislead this Honourable Tribunal by concealment of facts.
10. That the instant appeal is not only time-barred but also incompetent before this Honourable Tribunal as declared by Service Tribunal & Supreme Court of Pakistan through their land mark numerous judgments as well.

ON FACTS:

1. No comments.
2. Correct to the extent, that the appellant was appointed on purely Adhoc Basis as a stop-gap arrangement with clear indication in the terms & conditions at S.No.4 of the order under reference, that being an Adhoc employees, in no way he will be treated as Civil Servant, on which the appellant agreed upon alongwith others (Annex-A).
3. Pertains to office record.
4. Incorrect: Verbatim is based on distortion of facts. The appellant after submitting his arrival report has neither joined his duties nor performed any type of duties in the office of Directorate General, Population Welfare Directorate, Khyber Pakhtunkhwa. In fact, the appellant alongwith other Adhoc employees started performing their duties after when they were initially posted against the vacant

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posts vide office order No.4(35)/97-2006/Admn-Vol-VIII dated 23/05/2009 (**Annex-B**) and in compliance, the appellant submitted his arrival report for duty in DPW-Office Abbottabad on 28/05/2009 (**Annex-C**). So the claim of the appellant that after submission of arrival, he immediately joined his regular duties is totally false and against the facts.

5. Incorrect. On 24/10/2009 the Provincial Govt. of Khyber Pakhtunkhwa (the then NWFP) through an Act of parliament vide Notification No.PA/NWFP/Bills/2009/38472 dated 24/10/2009 only regularized the services of Adhoc Employees not all Provincial employees. In pursuance of the Notification under reference, the Population Welfare Directorate vide Order No.4(35)/97-2006/Admn-Vol-XIV(Part-II) dated 18/02/2010 (**Annex-D**) regularized the services of Adhoc employees w.e.f. **24/10/2009** & not from the date of their initial Adhoc appointment. Therefore the appellant alongwith others has been considered as a regular civil servants w.e.f. **24/10/2009**.
6. Incorrect. At the time of regularization of his services the appellant was performing his duties in the office of the then Minister for Population Welfare Department as desired by the then Minister (**Annex-E**).
7. Correct.
8. No comments. Pertains to record.
9. Incorrect. Verbatim is totally based on distortion of facts. Promotions are always based / made on the finality of the Seniority list. The appellant is concealing the factual position from Honorable Tribunal, while the factual position is that the Directorate General Population Welfare, Khyber Pakhtunkhwa vide letter No.4(15)/2016/Admn dated 15/11/2017 issued & circulated the tentative seniority list of Assistant (BPS-16) (the previous cadre of the appellant) amongst the then officials concerned (**Annex-F**) with clear direction that **“if any objections/omissions found may be communicated to this Directorate General, PW within 30-days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection”**. Afterwards exactly after two days all of the then Assistants on 17/11/2017 submitted **No Objection Certificates** including Mr. **Muhammad Aqeel Babar** (the appellant), wherein he clearly intimated that **“I have gone through my particulars mentioned at S.No. 3 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list”** (**Annex-G**). After the submission of their No Objection Certificates, the Directorate General Population Welfare, Khyber Pakhtunkhwa accordingly issued & circulated the Final Seniority list of Assistant (BPS-16) vide letter No.4(15)/2016/Admn dated 04/01/2018 (**Annex-H**). Later on a meeting of Departmental Promotion Committee was held on 24/04/2018 under the chairmanship of Director General, Population Welfare, Govt. of Khyber Pakhtunkhwa wherein five (05) Assistants namely Muhammad Hussain at S.No.2, Muhammad Aqeel Babar at S.No.3, Mir Baiz Khan at S.No.4, Javed Khan at S.No.5 and Kiramat Khan at S.No.6 from the undisputed final seniority list of Assistant (BPS-16) were promoted to the posts of Assistant District Population Welfare Officers/Admn Officers (BPS-16) (**Annex-I**) while Arif Abbas (Respondent No.3) at S.No.1 was not considered due to under disciplinary proceedings at that time. With the mutual understandings between the DPC members that the case of Arif Abbas will be processed after the outcome of disciplinary proceedings. On 04/05/2018 the newly promoted five (05) officers concerned including Muhammad Aqeel Babar (the appellant) vide office order No.4(5)/2018/Admn dated 04/05/2018 were posted against the vacant posts (**Annex-I**). In response, Muhammad Aqeel Babar willingly/happily assumed the charge of the vacant post of Assistant District Population Welfare Officer (BPS-16) in District Population Welfare Office, Bannu & submitted a charge

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assumption report (**Annex-J**) & consequent upon his willingly charge assumption, he was accordingly taken on a staff strength in DPW-Office Bannu (**Annex-K**). Afterwards when Mr. Arif Abbas at S.No.1 of the seniority list of Assistant (BPS-16) was exonerated of all the charges, his promotion case was forwarded to the Admn Department (Population Welfare Department) and he was promoted to the post of Superintendent (BPS-17) being on top of the Seniority list. Later on 31/10/2018 with clear narration that Mr. Arif Abbas (Respondent No.3) will retain his inter-se seniority as in the lower cadre (**Annex-L**). Hence after a lapse of almost two years, questioning the promotion order of Respondent No.3 on the name of merit order is clearly speaking it out loud the malafide intentions of the appellant. As on the same seniority the appellant himself is enjoying promotion to next higher scale of Assistant District Population Welfare Officer (BPS-17).

10. Correct to the extent, that on 25/04/2019 the appellant filed a **barred by limitations** departmental appeal in the capacity of Assistant District Population Welfare Officer against the promotion Notification No.SOE(PWD)4-42/2018/DPC of Respondent No.3 issued on 31/10/2018 prior to judgment dated 12/03/2019 of Service Tribunal, Khyber Pakhtunkhwa case titled "Zawar Hussain VS Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department, Peshawar & eight others" **after a lapse of five (05) months & twenty-four (24) days** wherein the appellant falsely claimed that initially seniority lists issued in his service were formulated/compiled on date of arrival & he was on top of the previously issued all seniority lists which is incorrect. He also wrongfully interpreted the judgment under reference of this Honourable Tribunal. The appellant further prayed in his time barred appeals before Respondent No.1 & 2 that "My seniority position in seniority list of his previous cadre i.e. Assistant (BPS-16) may be revisited and be given promotion as Supdt: as per service rules of the department" (**Annex-M**). As per procedure the appeal of the appellant dated 25/04/2019 was forwarded by Respondent No.1 office to Respondent No.2 office for views/comments (**Annex-N**) which was accordingly, thoroughly examined in Directorate General Population Welfare and views/comments was submitted to Respondent No.1 vide letter No.4(15)/2019/Admn dated 10/06/2019 (**Annex-O**). Likewise the Respondent No.1 after examining the appeal of the appellant & reply of Respondent No.2 in light of the facts alongwith supporting documents rightly regretted the appeal of the appellant on the following grounds (**Annex-P**): -

- i. *On 15-11-2017, tentative seniority list of Assistant (BPS-16) as stood on 09-11-2017 was circulated amongst the Assistants including you with the direction that if any objections/omissions found may be communicated to the DG, PW, KP within thirty (30) days of the issuance of the letter No.4(15)/2016/Admn dated 15/11/2017 and you gave a **No Objection Certificate** on 17/11/2017 to the effect that he had gone through particulars mentioned at S.No.3 of the tentative seniority list of Assistant (BPS-16) and found them correct and had no objection on the said seniority.. Furthermore, final seniority list of Assistant (BPS-16), PW KP as stood on 27/11/2017 was notified on 04/01/2018;*
 - ii. *Khyber Pakhtunkhwa Service Tribunal, Peshawar judgment in case titled "Mr. Zawar Hussain V/S Secretary, PWD & others" is not applicable in your case, as you were not party in the instant case;*
 - iii. *Your Departmental Appeal dated 25-04-2019 is time barred as well.*
- a. Furthermore, in judgement dated 12-03-2019 case titled "Zawar Hussain VS Secretary to Govt. of KP, PWD & others" the Honourable Tribunal

only granted relief to the then appellant Zawar Hussain. No such direction has been given like that the determination of seniority and promotion of the employees in their respective department the determining factor shall be considered on the basis of their officiation and not on the basis of their date of birth. So the interpretation of the appellant is totally false & concocted. Moreover, the judgment in case of Zawar Hussain has already been challenged by two of the respondents in that particular case in the Supreme Court of Pakistan. As conveyed by the Administrative Department (PWD) vide letter No.SOE(PWD)4-9/177/2019/SC/647-48 dated 23/04/2019 (**Annex-Q**).

ON GROUNDS:

- i. Incorrect. That where appeal before departmental authority is barred by time, then appeal before Tribunal would also be incompetent. That law helps the diligent and not the delinquent / remiss. If a person has been negligent in prosecuting his remedy before the proper forum, he is not entitled for indulgence of the court as narrated by the Supreme Court of Pakistan through its numerous landmark judgments.
- ii. Incorrect. Section 4 sub-section (2) of The North-West Frontier Province (now Khyber Pakhtunkhwa) Employees (Regularization of Services) Act, 2009 read with other sections of the Act *ibid* doesn't say clearly that seniority will be determined from the date of arrival for the post of Adhoc service. Furthermore, Adhoc appointment did not confer any right or interest to continuous appointments, seniority or promotion under the law. The Adhoc appointment cannot be counted towards service, the seniority in grade is to be taken effect from the date of regular appointment to a post and it cannot be conferred retrospectively. Moreover, as narrated in para-4 of the Facts above, the appellant has neither performed any duties after submitting arrival nor assumed a charge against any post w.e.f. 06/05/2009. The appellant and respondent No.3 both were appointed as Assistant (BPS-14) on Adhoc basis & subsequently their services were regularized under the above referred act. **Since both of the appellant & respondent No.3 are now promoted on the undisputed seniority to the next higher scale, therefore their previous seniority in the cadre of Assistant (BPS-14) is only countable towards as inter-se seniority of the next higher scale, otherwise it is now a closed account & past chapter.**
- iii. No comments.
- iv. Incorrect. The instant appeal & the case of Zawar Hussain are based on two different types of scenarios. Zawar Hussain adopted/acted as per law, rules & regulations, while the appellant Muhammad Aqeel Babar has already given his consent in his previous cadre i.e. Assistant (BPS-16) by submitting No Objection Certificate as narrated in para-9 of the facts above and afterwards willingly/happily accepted his promotion dated 04/05/2018 as ADPWO which was made on the undisputed seniority based on his previous cadre of Assistant (BPS-16) & successfully completed his probation period as well. So the appellant cannot invoke the jurisdiction of this Honourable Tribunal after a lapse of almost two (02) years as narrated in para-i of the Grounds above. While enjoying the perks and privileges of the higher grades.
- v. Incorrect. Verbatim is based on distortion of facts. In fact, all the subordinate officers/officials are equal in the eyes of Respondents No.1 & 2. They always treat their juniors as per law, rules & regulations. So the appellant on account of his own failures, cannot take a plea in the name of malafide, malice and tainted with clear grudge and ill will towards him by the Respondents No.1 & 2. So the claim of the appellant is not correct and is based on distortion of facts.

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- vi. Incorrect. That the appellant has got no cause of action. The appeal is based on distortion of facts & not tenable in the eye of Law. The appellant when had a chance at the time of circulation of the tentative seniority list of his previous cadre i.e. Assistant (BPS-16) dated 15/11/2017 (**Annex-F**) to challenge/appeal against his placement in the seniority list, he submitted **No Objection Certificate** & afterwards on the issuance of final seniority list of his previous cadre i.e. Assistant (BPS-16) dated 04/01/2018, the appellant kept silent & had given his tacit/implied consent that he has no objection on his placement on the seniority list at all. He also willingly accepted his promotion as ADPWO (BPS-17) & assumed the charge & successfully completed his probation period as well.
- vii. No comments.
- viii. Incorrect. That the appellant has got no locus standi to file the instant appeal. That the appellant has got no valid cause of action to file the instant appeal.
- ix. The respondents may also be allowed to raise further grounds at the time of arguments.

Prayer:-

Keeping in view the above factual position, it is humbly prayed that the instant appeal may kindly be dismissed in the best public interest.


26.06.20

Secretary to Govt. of KPK
Population Welfare Department,
Respondent No.1

Secretary
Population Welfare Department
Khyber Pakhtunkhwa Peshawar



Director General
Population Welfare Khyber Pakhtunkhwa
Respondent No.2

Director General
Population Welfare Deptt:
Govt. of Khyber Pakhtunkhwa
Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 1053 of 2019

Muhammad Aqeel Babar Appellant

VERSUS

The Secretary Govt of Khyber Pakhtunkhwa and others

..... Respondents

Affidavit

I, Mr. Ahmad Yar Khan Assistant Director (Litigation), Directorate General of Population Welfare Department do hereby solemnly affirm and declare on oath that the content of the accompanied comments/reply on behalf respondent No.1 to 3 are true and correct to the best of my knowledge and available record and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT

Mr. Ahmad Yar Khan

Assistant Director (Litigation),

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt: Ph: # 091-9211536-38

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Dated Peshawar, the 29/11/2009

ORDER

No.4(35)97-2006/Admn/Vol-VIII: Consequent upon the recommendation of the Departmental Selection Committee (DSC), the Competent Authority is pleased to appoint the following *Office Assistant (BPS-14)* on purely adhoc basis in Population Welfare Department, NWFP with immediate effect. The order regarding their posting /transfer will follow.

S.No.	Name of Candidate with Father's name	Mailing Address
1	Mir Baiz Khan S/O Nadir Khan	House No.C-20, Prince Amin Colony Haji Camp G.T Road Peshawar. Ph# 0345-8859251
2	Arif Abbas S/O Tehmas Khan	House NO. 590, Chaman Street, Bazar Bahadar Shah, Asiya Peshawar. 0333-9107778
3	Muhammad Aqeel Babar S/o Pir Muhammad Khan	60/G Ali Manzil Gunj Gate Peshawar City Ph 03005934518
4	Farooq Ahmad Afridi S/O M. Younas Afridi	House No. 4884, Mohallah Kakshal, P/O Namak Mandi, Peshawar.
5	Muhammad Hussain S/O Haji Adam Khan	House No.463, Street No.20, Sector No.02, APECHS Rawalpindi.Ph# 0345-9094119

Their appointment is subject to the following terms and conditions

1. The appointment of the above named candidates against Office Assistant posts are purely on adhoc basis for a period of one year or till the arrival of selectees of NWFP Public Service Commission whichever is earlier.
2. Their services will be liable to termination without assigning any reason during the currency of the agreement. In case of resignation 15 days prior notice will be required, otherwise their 15 days pay plus usual allowances will be forfeited.
3. They shall provide Medical Fitness Certificate from the Medical Superintendent, Police Services Hospital, Peshawar before joining service.
4. Being adhoc employees, in no way they will be treated as Civil Servants and in the case their performance is found un-satisfactory or found committed any misconduct, their service will be terminated with the approval of competent authority without adopting the procedure provide in North West Frontier Province (E&D) Rules, 1973 or North West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 which will not be challengeable in NWFP Service Tribunal / any court of Law.
5. They shall be held responsible for the losses accruing to the department due to their carelessness or in-efficiency and shall be recovered from them.

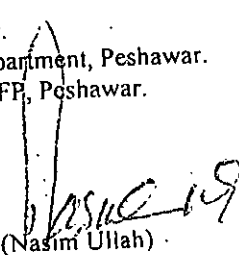
- 131
6. They will get pay in BPS-14 plus usual allowances as admissible under the rules.
 7. They will neither be entitled to any pension or gratuity for the service rendered by them nor they will contribute towards GP Fund or CP Fund.
 8. This order / offer of appointment shall not confer any right on them for regularization of their service against the posts occupied by them or any other regular posts in the Department.
 9. No TA / DA will be allowed to them for joining the post.
 10. If the above terms & conditions are acceptable to them, they may report to the *Director General, Population Welfare Department, FC Trust Building Sunehri Masjid Road, Peshawar Cantt.* within 15 days of the issuance of this order / offer of appointment otherwise the appointment order will stand cancelled.

(Director General)
Population Welfare Department

Dated Peshawar the 21/11 /2009

No.4(35)97-2006/Admn/Vol-VIII:
Copy forwarded to the:-

1. PS to Minister for Population Welfare, NWFP, Peshawar.
2. PS to Secretary, Govt. of NWFP Population Welfare Department, Peshawar.
3. PS to Director General, Population Welfare Deptt., NWFP, Peshawar.
4. Official concerned.
5. Master File.


(Nasim Ullah)
Assistant Director (Admn)

Government of NW
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt. Ph: # 091-9211536-38

32

Dated Peshawar, the 23/5/2009

OFFICE ORDER

F.No.4 (35)/97-2006/Admn-Vol-VIII:- In continuation to this office orders of even number dated 27.04.2009 and with approval of the competent authority the following postings / transfers are hereby ordered with immediate effect and till further order.

Office Assistant (BPS-14)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
1	1	Mir Baiz Khan, Office Assistant B-14	Fresh appointment	DPW Office Peshawar	08.05.2009	Vice No.37
2	2	Mr. Arif Abbas, Office Assistant B-14	-do-	DPW Office Bannu	08.05.2009	Vice No.33
3	3	Muhammad Aqeel Babar Office Assistant B-14	-do-	DPW Office Abbottabad	06.05.2009	Against the vacant post
4	4	Muhammad Hussain, Office Assistant B-14	-do-	Directorate General, PW	11.05.2009	Vice No.34
5	5	Mr. Farooq Ahmad Afridi, Office Assistant B-14.	-do-	DPW Office, Kohat	07.05.2009	Vice No.35

Projectionist (BPS-12)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
6	1	Mr. Kifayatullah, Projectionist B-12	-do-	DPW Office Hangu	11.05.2009	Against the vacant post
7	2	Mr. Sajjad Ahmed, Projectionist B-12	Fresh appointment	DPW Office Dir Upper	07.05.2009	-do-
8	3	Mr. Kashif Ali, Projectionist B-12	-do-	DPW Office Haripur	08.05.2009	-do-
9	4	Mr. Naveed Gul, Projectionist B-12	-do-	DPW Office Kohistan	14.05.2009	-do-
10	5	Mr. Hazrat Jamal, Projectionist B-12	-do-	DPW Office Chitral	11.05.2009	-do-

Stenotypist (BPS-12)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
11	1	Mr. Alamzeb, Stenotypist B-12	-do-	DPW Office Nowshera	09.05.2009	-do-
12	2	Muhammad Zahir, Stenotypist B-12	-do-	DPW Office Battagram	07.05.2009	-do-
13	3	Mr. Farmanullah, Stenotypist B-12	-do-	DPW Office Haripur	07.05.2009	-do-
14	4	Syed Muhammad Shah, Stenotypist B-12	-do-	DPW Office D.I.Khan	07.05.2009	-do-
15	5	Mr. Fazal-e- Tawab, Stenotypist B-12	-do-	DPW Office Abbottabad	09.05.2009	-do-
16	6	Mr. Wajid Ali, Stenotypist B-12	-do-	DPW Office Bunner	07.05.2009	-do-
17	7	Mr. Hayat Muhammad Khan, Stenotypist B-12	-do-	DPW Office Dir Upper	06.05.2009	-do-
18	8	Mr. Abdul Latif, Stenotypist B-12	-do-	DPW Office L. Marwat	07.05.2009	-do-
19	9	Mr. Abdur Rahim, Stenotypist B-12	-do-	DPW Office Tank	07.05.2009	-do-
20	10	Mr. Saheel Khan, Stenotypist B-12	-do-	DPW Office Kohistan	07.05.2009	-do-

P.T.O

Statistical Assistant (BPS-11)

33

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
21	1	Mr. Fazal Wadood, Statistical Assistant B-11	-do-	DPW Office Kohistan	07.05.2009	-do-
22	2	Mr. Naveed Ahmad, Statistical Assistant B-11	-do-	DPW Office Shangla	08.05.2009	-do-
23	3	Mr. Zawar Hussain Khan, Statistical Asstt: B-11	-do-	DPW Office Lakki Marwat	06.05.2009	-do-
24	4	Mr. Zakir Hussain, Statistical Asstt: B-11	-do-	DPW Office Nowshera	14.05.2009	Against the vacant post of Acclt. Asstt. B-11
25	5	Muhammad Najeem Khan, - Slat: Asstt: B-11	-do-	DPW Office Dir Upper	11.05.2009	Against the vacant post
26	6	Mr. Shafique Alam, Statistical Asstt: B-11	-do-	DPW Office Malakand	07.05.2009	-do-
27	7	Hafiz Nasir Khan, Slat: Assistant B-11	-do-	DPW Office Bunner	07.05.2009	-do-
28	8	Muhammad Shakir Khan, Slat: Assistant B-11	-do-	DPW Office Tank	07.05.2009	-do-
29	9	Mr. Nazar Ali, Slat: Assistant B-11	-do-	DPW Office Chitral	06.05.2009	-do-
30	10	Mr. Amir Ali, Statistical Asstt: B-11	-do-	DPW Office Nowshera	11.05.2009	-do-
31	11	Mr. Khair Muhammad Afridi, Slat: Assistant B-11	-do-	DPW Office Hangu	07.05.2009	-do-

General Transfer

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
32	1	Mr. Zafar Ali, Senior Clerk (BPS-9)	DPW Office Peshawar	DPW Office Nowshera	-	Against the post of Accounts Assistant B-11 in his own pay & scale
33	2	Mr. Allikhar Ahmed, Accounts Assistant B-11 adjusted against the post of Office Assistant B-14.	DPW Office Bannu	DPW Office L. Marwat	-	Against the vacant post of Acclt. Asstt: (B-11) to vacate vacancy for the original incumbent.
34	3	Mr. Abid Akbar, Senior Clerk B-9 adjusted against the post of Office Assistant B-14	Directorate General PW NWFP	Directorate General PW NWFP	-	Against the vacant post of Accounts Asstt: B-11 in his own pay & scale to vacate vacancy for the original incumbent.
35	4	Mr. Zia-ul-Haq, Accounts Assistant B-11 adjusted against the post of Office Assistant B-14	DPW Office Kohat	RHSC-A Kohat	-	(Vice No. 36) to vacate the vacant post for the original incumbent.
36	5	Mr. Aman Ullah, Acclt: Assistant (BPS-11)	RHSC-A Kohat	DPW Office, Hangu	-	Against the vacant post
37	6	Muhammad Nazif, Senior Clerk B-9, adjusted against the post of Office Assistant B-14	DPW Office Peshawar	DPW Office Peshawar	-	(Vice S.No.32) to vacate the Vacancy for the original incumbent.

(DIRECTOR GENERAL)
Population Welfare Department

Copy forwarded to:-

1. The Accountant General, NWFP, Peshawar.
2. All Directors, PWD, NWFP, PHQR, Peshawar.
3. All District Population Welfare Officers in NWFP along with arrival reports of the incumbent & medical fitness certificate for further necessary action.
4. All District Accounts Officer concerned with request/clarification that the gap between the issuance of this order and the arrival reports may be treated as compulsory waiting for posting.
5. PS to Minister for Population Welfare NWFP, Peshawar.
6. PS to Secretary to Govt. of NWFP, PWD Peshawar.
7. PS to Director General, PWD NWFP, Peshawar.
8. Officials concerned.
9. Master file.

(Nasim Ullah)
Assistant Director (Admin)

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To,

The District Population Welfare Officer,
Abbottabad.

SUB:- ARRIVAL REPORT.

Sir,

In compliance with Director General, Population Welfare Department, NWFP Peshawar, order No. 4(35)/97-2006/Admn-Vol-VIII dated 23.5.2009. I submit my arrival report as Office Assistant, BPS-14 today on 28.5.2009 (F.N) please.



MUHAMMAD AQEEL BABAR
S/O
PIR MUHAMMAD KHAN
Office Assistant, DPW-Office,
Abbottabad.

Dated 28.5.2009.

Mr. Safer

Pr. Safer
28/5

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28-5-09

35/12

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt: Ph: # 091-9211536-38

Dated Peshawar the 18/02/2010.

OFFICE ORDER

F.No.4(35)/97-2006/Admn-Vol-XIV (Part-II) :- In pursuance of Provincial Assembly Secretariat, NWFP Act No. XVI of 2009 vide Notification No. PA/NWFP/Bills/2009/38472 dated 24/10/2009 duly circulated by the Govt. of NWFP Establishment and Administration Department (Regulation Wing) vide No. SOR-VI/E&AD/1-13/2009 dated 4/11/2009, the services of the following adhoc employees of this Department appointed on 27/04/2009 are hereby regularized w.e.f. 24.10.2009.

LIST OF OFFICE ASSISTANT (BPS-14)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Mir Balz Khan	Nadir Khan	Office Assistant, BPS-14, DPW Office, Peshawar
2	Arif Abbas	Tehmas Khan	Office Assistant, BPS-14, DPW Office, Bannu
3	Muhammad Aqeel Babar	Peer Muhammad Khan	Office Assistant, BPS-14, DPW Office, Abbottabad
4	Muhammad Hussain	Haji Adam Khan	Office Assistant, BPS-14, Directorate General, PWD
5	Mr. Farooq Ahmad Afridi	Muhammad Younas Afridi	Office Assistant, BPS-14, DPW Office, Kohat.

LIST OF PROJECTIONIST (BPS-12)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Kifayat Ullah	Ibraheem Khan	Projectionist, BPS-12, DPW Office, Hangu
2	Sajjad Ahmad	Hussain Ahmad	Projectionist, BPS-12, DPW Office, Dir Upper
3	Kashif Ali	Azim Khan	Projectionist, BPS-12, DPW Office, Haripur
4	Naveed Gul	Ali Asghar	Projectionist, BPS-12, DPW Office, Kohistan
5	Hazrat Jamal	Khushhal Khan	Projectionist, BPS-12, DPW Office, Chitral

LIST OF STENOTYPIST (BPS-12)

S.No	Name of Employee	Father's Name	Designation with BPS of employees
1	Farman Ullah	Adam Khel	Stenotypist, BPS-12, DPW Office, Nowshera
2	Syed Muhammad Shah	Syed Samin Jan	Stenotypist, BPS-12, DPW Office, Dir Upper
3	Wajid Ali	Multan Khan	Stenotypist, BPS-12, DPW Office, Dir Upper
4	Hayat Muhammad Khan	Musharrif Khan	Stenotypist, BPS-12, DPW Office, Dir Upper
5	Abdul Latif	Ghulam Sadique	Stenotypist, BPS-12, DPW Office, Lakki Marwat

LIST OF STATISTICAL ASSISTANT (BPS-11)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	Fazali Wadood	Fazali Rahim	Statistical Assistant, BPS-11 DPW Office, Kohistan
2	Zawar Hussain Khan	Khan Bahadar	Statistical Assistant, BPS-11 DPW Office, Lakki Marwat
3	Zakir Hussain	Nazir Ahmed	Statistical Assistant, BPS-11 DPW Office, Nowshera
4	Muhammad Najeem Khan	Ghulam Raziq	Statistical Assistant, BPS-11 DPW Office, Dir (Upper)
5	Shafeeq Alam	Akbar Khan	Statistical Assistant, BPS-11 DPW Office, Malakand
6	Hafiz Nasir Khan	Haji Musafar Khan	Statistical Assistant, BPS-11 DPW Office, Eurner

D/Office work 4(35)

36 (11)

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

Dated Peshawar, the 7/10/09 2009.

OFFICE ORDER

F.No. 1(2)/2009/Admn: - With approval of the competent authority Mr. Muhammad Aqeel Babar, Office Assistant, District Population welfare Office, Abbottabad is hereby directed to perform duty in office of the Minister for Population Welfare, NWFP with immediate effect and till further order as desired by the Minister.

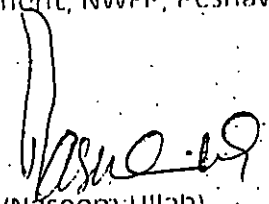
Sd/-

(Director General)

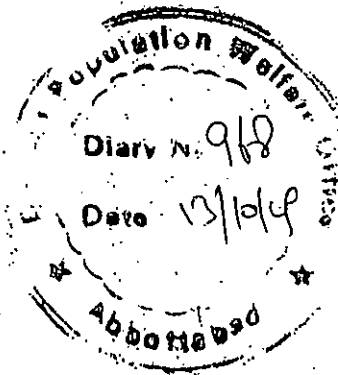
Population Welfare Department, NWFP

Copy forwarded to the:-

1. District Population Welfare Officer, Abbottabad.
2. PS to Minister for Population Welfare, NWFP.
3. PS to Director General, Population Welfare Department, NWFP, Peshawar.
4. ✓ Official concerned for compliance.
5. Master File.


(Naseem Ullah)

Assistant Director (Admn)



37

6

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

F.No.4 (15)/2016/Admn
Dated Peshawar the 15/11/2017.

To

- | | | |
|------|-----------------------------|---------------------------------------|
| ✓1. | Arif Abbas ✓ P.C. | Directorate General, PW,
Peshawar. |
| ✓2. | Muhammad Hussain ✓ | Directorate General, PW,
Peshawar. |
| ✓3. | Muhammad Aqeel Babar ✓ | DPW Office, Peshawar. |
| ✓4. | Mir Baiz Khan ✓ | Directorate General, PW,
Peshawar. |
| ✓5. | Muhammad Anwar ✓ P.C. | DPW Office, Dir (Lower) |
| ✓6. | Muhammad Javid ✓ | DPW Office, Bannu |
| ✓7. | Kiramat Khan ✓ | Directorate General, PW,
Peshawar. |
| ✓8. | Zafar Ali ✓ | DPW Office, Peshawar. |
| ✓9. | Muhammad Daud Khan Afridi ✓ | Directorate General, PW,
Peshawar. |
| ✓10. | Sarfraz Khan ✓ | Directorate General, PW,
Peshawar. |
| ✓11. | Ashiq Nabi ✓ | Directorate General, PW,
Peshawar. |
| ✓12. | Abid Akbar ✓ | Directorate General, PW,
Peshawar. |

Subject:- TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017

I am directed to refer to the subject noted above and to enclose herewith tentative seniority list of Assistant (BPS-16) as stood on 09.11.2017 and to state that if any objections / omissions found may be communicated to this Directorate General, PW within 30 days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection.


(Hidayat Khan)
Deputy Director (Admn)

Copy forwarded to the:-

1. All Directors, DPWOs, Principal RTIs & CMO, PWD, KP.
2. PA to Advisor to CM for PWD, KP Peshawar.
3. PS to Director General, PWD, KP, Peshawar.

Vble No. 6590-6604
Dn. 15/11/17
Deputy Director (Admn)

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plo: No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

Date Peshawar The _____ 2017

OFFICE ORDER

F.No.4(15)/2017/Admn:- In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989, the tentative seniority list of Assistant (BPS-16) (As stood on 09-11-2017), Population Welfare Department, Khyber Pakhtunkhwa is hereby ordered/circulated for general information.

TENTATIVE SENIORITY LIST OF ASSISTANTS (BPS-16) POPULATION WELFARE DEPARTMENT, KHYBER PAKHTUNKHWA AS ON 09-11-2017

SNo.	Name	Date of birth	Domicile	Qualif.	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
1	Arif Abbas	15/08/1978	Peshawar	B.A.	Direct	07/05/2009	--	07/05/2009	24/09/2009	DG Office, Peshawar	Adhoc appointment has been regularized vide promulgation of Ordinance i.e. 24.09.2009, whereas intersee seniority has been determined as per analogy of BPS-17 (NT) vide Admn. Deptt: PW letter No. SOE(PWD)4-30/2012/Vol-II/1425-27 dated 06th Oct: 2017, and vide Admn. Department guidance letter No. SOE(PWD)4-30/2012/Vol-II/1911-13 dated 26th Oct: 2017
2	Muhammad Hussain	05/05/1980	Peshawar	M.A.	Direct	11/05/2009	--	11/05/2009	24/09/2009	DG Office, Peshawar	
3	Muhammad Aqeel Babar	04/02/1982	Peshawar	B.A.	Direct	06/05/2009	--	06/05/2009	24/09/2009	DPW Office, Peshawar	
4	Mir Baiz Khan	10/03/1982	Chitral	BBA(Hons)	Direct	08/05/2009	--	08/05/2009	24/09/2009	DG Office, Peshawar	
5	Mohammad Anwar	01/04/1986	Dir Lower	B.A	Promotee	25/01/1983	25/04/1995	11/01/2012	--	DPW Office Dir Lower	
6	Mohammad Javid	28/11/1988	Kohat	F.A.	Promotee	26/01/1983	25/04/1995	11/01/2012	--	DPW Office Bannu	
7	Kramat Khan	10/05/1989	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DG Office, Peshawar	
8	Zafar Ali	01/03/1983	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office Peshawar	


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Name	Date of birth	Domicile	Qualif.	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
Mohammad Daud Khan Afridi	20/02/1968	FR Peshawar FATA	B.Com	Promotee	30/09/1992	01/09/2001	11/01/2012	--	DG Office, Peshawar	--
Sarfraz Khan	01/07/1972	Khyber Agency	M.A.	Promotee	01/09/2001	01/09/2001	11/01/2012	--	DG Office, Peshawar	--
Ashiq Nabi	16/04/1973	Peshawar	B.A	Promotee	03/09/2001	03/09/2001	11/01/2012	21/05/2014	DG Office, Peshawar	--
Abid Akbar	14/04/1978	Peshawar	B.A	Promotee	04/09/2001	04/09/2001	11/01/2012	26/10/2015	DG Office, Peshawar	--

(Director General)
Population Welfare Department
Khyber Pakhtunkhwa

Copy forwarded to the:-

1. All Directors, PWD, KP, Peshawar.
2. All District Population Welfare Officers, Khyber Pakhtunkhwa with the direction to distribute the final seniority list among the concerned officials.
3. PA to Advisor to CM for PWD, KP, Peshawar.
4. PS to Secretary to Govt: of KP, PWD, Peshawar.
5. PS to Director General, PWD, KP, Peshawar.
6. Officials concerned C/O DPWOs.
7. F.No. 4(5)/Admn
8. Master File.


(Hidayat Khan)
Deputy Director (Admn)
04/10/2017


1/50

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CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS:STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.03 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Name: Muhammad Aqeel Baber
Designation: Assistant (BPS-16)
Dated: 17-11-2017

41

CERTIFICATE

Subject:- **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.01 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Name: Arif Abbass
Designation: Assistant (BPS-16)
Dated: 17-11-2017

42

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.11 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.



Name: Ashiq Nabi
Designation: Assistant (BPS-16)
Dated: 17-11-2017

43

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn. letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.11 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.



Name: Abid Akbar
Designation: Assistant (BPS-16)
Dated: 17-11-2017

44

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.10 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Sarfraz Khan
Name: Sarfraz Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

45

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.08 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.



Name: Zafar Ali
Designation: Assistant (BPS-16)
Dated: 17-11-2017

46

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.07 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Kiramath Khan

Name: Kiramath Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

92

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.04 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

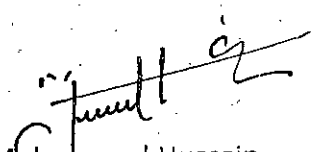
Name: Mir Baiz Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

48

CERTIFICATE

Subject: - TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.02 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Name: Muhammad Hussain
Designation: Assistant (BPS-16)
Dated: 17-11-2017

Sarvagha ss / Athi dathan SA

49

Subject- TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AD SIVUB CH 05-11-2017

It is certified that I have gone through my particulars mentioned at S.No. 5 of the tentative seniority list of Assistant (BPS-16) and found them correct, except of the following columns.

S.No.	Column No.	Present entry	To be replaced by	Remarks
1				No objection
2				
3				
4				
5				

The following discrepancies are also brought into the notice.

- 1.
- 2.
- 3.
- 4.
- 5.

I Muhammed Anwar
Assistant to PS-16 in the previous
seniority list at S.No 5.
I have no objections on
Tentative seniority list of
BPS-16.

NOTE: MULTILINGUAL SCRIPT MAY BE USED, IF REQUIRED PLEASE.

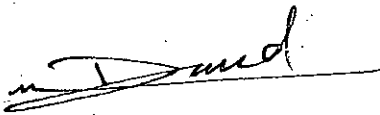
M Anwar
Name Muhammed Anwar
BPS 16
Designation Office Assistant
Dated 18-11-2017

50

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.09 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Name: Muhammad Daud Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

52

Subject: TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017

It is certified that I have gone through my particulars mentioned at S.No. 06 of the tentative seniority list of Assistant (BPS-16) and found them correct, except at the following columns:-

S.No	Column No.	Present entry	To be replaced by	Remarks
1	02	Muhammad Javed Khan	Muhammad Javed Khan	
2	11	Bannu	Kohat	
3				
4				
5				

The following discrepancies are also brought into the notice.

1. correct Name is Muhammad Javed Khan
2. District Kohat instead of Bannu
- 3.
- 4.
- 5.

Note: Additional Sheet may be used, if required please.

Muhammad Javed Khan

Name Muhammad Javed Khan
 BPS 16
 Designation Assistant
 Dated 17-11-2017

24
53

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

F.No.4 (15)/2016/Admn
Dated Peshawar the 04/11 2018.

To

- | | | |
|-----|---------------------------|------------------------------------|
| 1. | Arif Abbas | Directorate General, PW, Peshawar. |
| 2. | Muhammad Hussain | Directorate General, PW, Peshawar. |
| 3. | Muhammad Aqeel Babar | DPW Office, Peshawar. |
| 4. | Mir Baiz Khan | Directorate General, PW, Peshawar. |
| 5. | Muhammad Anwar | DPW Office, Dir (Lower) |
| 6. | Muhammad Javid | DPW Office, Kohat. |
| 7. | Kiramat Khan | Directorate General, PW, Peshawar. |
| 8. | Zafar Ali | DPW Office, Peshawar. |
| 9. | Muhammad Daud Khan Afridi | Directorate General, PW, Peshawar. |
| 10. | Sarfraz Khan | Directorate General, PW, Peshawar. |
| 11. | Ashiq Nabi | Directorate General, PW, Peshawar. |
| 12. | Abid Akbar | Directorate General, PW, Peshawar. |

Subject:- FINAL SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 27-11-2017

I am directed to refer to the subject noted above and to enclose herewith final seniority list of Assistant (BPS-16) as stood on 27.11.2017.

Copy forwarded to the:-

1. All Directors, DPWOs, Principal RTIs & CMO, PWD, KP.
2. PA to Advisor to CM for PWD, KP Peshawar.
3. PS to Director General, PWD, KP, Peshawar.

(Hidayat Khan)
Deputy Director (Admn)

g/c *[Signature]*

Deputy Director (Admn)

g/c *[Signature]*

Hand of vide No. 75-89
04/11/18
[Signature]

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare

Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

Date Peshawar The 11/11/2017

25

OFFICE ORDER

F.No.4(15)/2017/Admn:- In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989, the Final seniority list of Assistant (BPS-16) (As stood on 27.11.2017), Population Welfare Department, Khyber Pakhtunkhwa is hereby ordered/circulated for general information.

SNo.	Name	Date of birth	Domicile	Qualif:	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
1	Anif Abbas	15/08/1978	Peshawar	B.A.	Direct	07/05/2009	--	07/05/2009	24/09/2009	DG Office, Peshawar	Adhoc appointment has been regularized vide promulgation of Ordinance i.e. 24.09.2009, whereas interse seniority has been determined as per analogy of BPS-17 (NT) vide Admn: Deptt: PW letter No. SOE(PWD)4-30/2012/Vol-II/1425-27 dated 06th Oct: 2017, and vide Admn: Department guidance letter No. SOE(PWD)4-30/2012/Vol-II/1911-13 dated 26th Oct: 2017
2	Muhammad Hussain	05/05/1980	Peshawar	M.A.	Direct	11/05/2009	--	11/05/2009	24/09/2009	DG Office, Peshawar	
3	Muhammad Aqeel Babar	04/02/1982	Peshawar	B.A.	Direct	06/05/2009	--	06/05/2009	24/09/2009	DPW Office, Peshawar	
4	Mir Baiz Khan	10/03/1982	Chitral	BBA(Hons)	Direct	08/05/2009	--	08/05/2009	24/09/2009	DG Office, Peshawar	
5	Mohammad Anwar	01/04/1958	Dir Lower	B.A	Promotee	25/01/1983	25/04/1995	11/01/2012	--	DPW Office Dir Lower	
6	Mohammad Javed Khan	28/11/1958	Kohat	F.A	Promotee	26/01/1983	25/04/1995	11/01/2012	--	DPW Office Kohat	
7	Kirammat Khan	10/05/1959	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office, Peshawar	
8	Zafar Ali	01/03/1963	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office Peshawar	

HS

S.No.	Name	Date of birth	Domicile	Qualif.	Direct/ Promotee	Date of joining Govt. Service	Lower Grade	Present Grade	Date of Regularization
9	Mohammed Daud Khan Afandi	20/02/1938	FR Peshawar FATA	B.Com	Promotee	30/09/1992	01/09/2001	11/01/2012	--
10	Sarifraz Khan	01/07/1972	Khyber Agency	M.A.	Promotee	01/09/2001	01/09/2001	11/01/2012	--
11	Asriq Naci	16/04/1976	Peshawar	B.A	Promotee	03/09/2001	03/09/2001	11/01/2012	21/05/2014
12	Adis Akbar	14/04/1978	Peshawar	B.A	Promotee	04/09/2001	04/09/2001	11/01/2012	25/10/2015

Posting	Remarks
Office, Peshawar	---
Office, Peshawar	---
Office, Peshawar	---
Office, Peshawar	---

(Director General)
Population Welfare Department
Khyber Pakhtunkhwa

Copy forwarded to:-

1. All Directors, PWD, KP, Peshawar.
2. All District Population Welfare Officers, Khyber Pakhtunkhwa with the direction to distribute the seniority among the concerned officials & obtained receipt certificate to this effect shall be furnished to this office for record within 30 days.
3. PA to Advisor to CM for PWD, KP, Peshawar.
4. PS to Secretary to Govt. of KP, PWD, Peshawar.
5. PS to Director General, PWD, KP, Peshawar.
6. Officials concerned C/O DPWOs.
7. F.No. 4(5)/Admn
8. Master File.

(Hidayat Khan)
Deputy Director (Admn)



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

69

Dated Peshawar the, 31st October, 2018

NOTIFICATION

NO. SOE (PWD) 4-42/2018/DPC:- Consequent upon the recommendations of Departmental Promotion Committee dated 25-09-2018, and approval by the Competent Authority on 24-10-2018, Mr. Arif Abbas, Assistant (BPS-16) Office of Directorate General Population Welfare, Khyber Pakhtunkhwa, Peshawar is promoted as Superintendent (BPS-17) on regular basis, with immediate effect, subject to the condition that:-

- i) He will retain inter-se-seniority as in the lower post;
- ii) He will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Endst: SOE (PWD) 4-42/2018/DPC/4363-71 Dated Peshawar the, 31st October, 2018

Copy forwarded for information & necessary action to the; -

1. Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
5. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
6. Officer concerned.
7. Personal file of the officers.
8. Master file.

SECTION OFFICER (ESTT)
PHONE No. 091-9223623

27

D No 667
dt 25.3.2019

61

No 721
dt 25/3/19

To

The Hon'able Director General,
Population Welfare Department
Khyber Pakhtunkhwa.

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE
CASE TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY
POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

R/Sir,

D-No. 348
dt 28-03-019

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/5/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post Supdtt (BPS-17).

That now Khyber Pakhtunkhwa Service Tribunal issued a judgment in service appeal No.56/2018 Mr. Zawar Hussain V/S the Secretary Govt. of Khyber Pakhtunkhwa PWD Peshawar and others that seniority may be determined on the basis of officiation. (Copy of judgment is attached).

In view of the above it is requested that my seniority position in seniority list of Assistant BPS-16 may be revisited and be given promotion to Supdtt as per service rule of the department it is further stated that wrong promotion if any made may also be rectified during probation period.

It is therefore, requested that I may be given due place/right/posting as per my seniority in the light of judgment of Khyber Pakhtunkhwa Service Tribunal please.

Yours faithfully,

Muhammad Aqeel Babar
ADPWO/ Working as (S.I) (M&E)
Section PWD

D No 257/18/19

25/3/19

20/3

27/3

Supdtt
27/3

R.K
28/3

62 (34)

To

Hon'able Secretary to Govt of Khyber Pakhtunkhwa,
Population Welfare Department
Peshawar.

Subject:-

APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER
PAKHUTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE
TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION
WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

Dear Sir;

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/05/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post of Superintendent (BPS-17).

That Khyber Pakhtunkhwa Service Tribunal in its judgment in the case titled " MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS" dated 12.03.2019 observed that criteria of setting up seniority on the bases of age is illegal and orders dated 15.11.2017 & 28.12.2017 may be set aside.

That I had submitted an appeal to Director General Population Welfare Department dated 25.03.2019 wherein undersigned highlighted the above mentioned points but the same is filed by the competent authority.

In view of the above being appointment authority you are requested that due place be given to undersigned in seniority list and I may be promoted to Superintendent and if any wrong promotion is made, may be rectified please.

This appeal is based in light of judgment of Khyber Pakhtunkhwa Service Tribunal dated 12.03.2019 (copy attached)

AF DG

Your faithfully

(Muhammad Aqeel Babar)
ADPWO/Working as (S.I) (M&E)
Section PWD

25/4/19

63

33



**GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT**
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

SOE(PWD) 4-103/2019/Appeal/ **822-23**
Dated Peshawar the 02nd May, 2019

PMW 08/5/19

To

The Director General,
Directorate General Population Welfare,
Khyber Pakhtunkhwa, Peshawar.

No. 1100
dt 7/5/19

Date 1193
07/5/2019

Subject: -

**APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED
OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE
KHYBER PAKHTUNKHWA & OTHERS**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of Departmental Appeal dated 25-04-2019, alongwith its enclosures, submitted by Mr. Muhammad Aqeel Babar, ADPWO working as Statistical Investigator, Population Welfare, Khyber Pakhtunkhwa with the request that views / comments in the instant case may kindly be furnished to this Department to proceed further in the matter please.

Yours faithfully,

SECTION OFFICER (ESTT)

Encls: As above.

Copy to PS to Secretary Population Welfare Department, KPK, Peshawar.

SECTION OFFICER (ESTT)

put up will present
7/5/19

on file 9/3
9/5/19

ADP: 08/5/19/10

DD/A
7/5/19
7/5/19
7/5/19

69 (34)

To

Hon'able Secretary to Govt of Khyber Pakhtunkhwa,
Population Welfare Department
Peshawar.

Subject:-

APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER
PAKHUTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE
TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION
WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

Dear Sir;

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/05/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post of Superintendent (BPS-17).

That Khyber Pakhtunkhwa Service Tribunal in its judgment in the case titled " MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS" dated 12.03.2019 observed that criteria of setting up seniority on the bases of age is illegal and orders dated 15.11.2017 & 28.12.2017 may be set aside.

That I had submitted an appeal to Director General Population Welfare Department dated 25.03.2019 wherein undersigned highlighted the above mentioned points but the same is filed by the competent authority.

In view of the above being appointment authority you are requested that due place be given to undersigned in seniority list and I may be promoted to Superintendent and if any wrong promotion is made, may be rectified please.

This appeal is based in light of judgment of Khyber Pakhtunkhwa Service Tribunal dated 12.03.2019. (copy attached)

Yours faithfully

(Muhammad Aqeel Babar)
ADPWO/Working as (S.I) (M&E)
Section PWD

R



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE
Plot No.18, Sector E-8, Phase-VII, Hayatabad, Peshawar

(41)
68

F.No.4 (15)/2019/Admn
Dated Peshawar the 10/6/2019.

To,
The Secretary to Govt. of Khyber Pakhtunkhwa
Population Welfare Department
Peshawar.

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA & OTHERS.

Dear Sir,

I am directed to refer to Section Officer (Estt), PW letter No.SOE(PWD)4-103/2019/Appeal/822-23 dated:02/05/2019 on the subject noted above and to submit para-wise comments for your kind perusal as desire please.

S.No.	Para-wise appeal of Muhammad Aqeel Babar	Para-wise departmental reply
1	That the undersigned was inducted in this department through initial recruitment dated:06/05/2009.	Incorrect. He was appointed as Assistant (BPS-14) on Adhoc basis on 27/04/2009 (Annex-A).
2	That the initial seniority list was issued on the basis of date of arrival and I was at top of list.	<p>Incorrect. That initial & final seniority lists of Assistants (BPS-14/Adhoc appointments) were determined on merit basis as issued & circulated on the following dates:-</p> <ul style="list-style-type: none"> On 16/02/2010 provisional seniority list of Assistant was issued. Final seniority list of Assistant was issued on 07/04/2010. <p>In the above mentioned provisional & final seniority lists (Annex-B) of Assistant (BPS-14) the position/placement in the list (Adhoc appointees) was:-</p> <ol style="list-style-type: none"> Muhammad Hussain was at S.No.10 Arif Abbas was at S.No.11 Muhammad Aqeel Babar was at S.No.12 Farooq Ahmad Afridi (now dismissed from service) was at S.No.13 Mir Baiz Khan was at S.No.14 <p>On 31/12/2012 this directorate issued provisional seniority list of Assistant (BPS-14) on the basis of merit (Annex-C) wherein the seniority position of Adhoc appointees was as under:-</p> <ul style="list-style-type: none"> Muhammad Hussain was at S.No.4 Arif Abbas was at S.No.5 Muhammad Aqeel Babar was at S.No.6 Farooq Ahmad Afridi (now dismissed from service) was at S.No.7 Mir Baiz Khan was at S.No.8 <p>In the year of 2013 on 05/11/2013, final seniority list of Assistant (BPS-14) were issued (Annex-D), in which their seniority position (Adhoc appointees) was the same:-</p> <ul style="list-style-type: none"> Muhammad Hussain was at S.No.4 Arif Abbas was at S.No.5 Muhammad Aqeel Babar was at S.No.6



		<ul style="list-style-type: none"> • Farooq Ahmad Afridi (now dismissed from service) was at S.No.7 • Mir Baiz Khan was at S.No.8 <p>While in 2016 once, only provisional seniority list was issued on basis of date of arrival in which Muhammad Aqeel Babar was on top. & this seniority list was not finalized as the Assistant cadre was linked with BPS-17 Adhoc officer's seniority.</p>
3	<p>That later on, seniority list was made on the basis of age and I went down to S.No.3</p>	<p>Correct to the extent. That in compliance with instructions/guidance issued by the Admn Deptt: (PW) dated:26/10/2017 (Annex-E) all the seniorities of subordinate Adhoc appointees were determined from the date of their regularization & subsequently compiled on age basis as per ESTA Code(Section-17(b)58(4) proviso AND TENTATIVE SENIORITY LIST OF Assistants (BPS-16) was issued on 15/11/2017 & circulated amongst all the Assistants (Annex-F), wherein "the then Assistants were asked that if they have any objections/omissions then may be communicated to this Directorate General, PW within 30 days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection". Afterwards exactly after two days all the Assistants on 17/11/2017 submitted NO OBJECTION CERTIFICATES including Muhammad Aqeel Babar wherein he clearly intimated that "I have gone through my particulars mentioned at S.No.03 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no Objection on the said seniority list" (Annex-G). After the submission of their no objection certificates final seniority list of Assistant (BPS-16) was issued on 04/01/2018 (Annex-H). Afterwards on 04/05/2018 Muhammad Aqeel Babar alongwith others were promoted from the post of Assistant to the post of ADPWO(BPS-16) by Departmental Promotion Committee which he willingly accepted & assumed the charge of ADPWO(BPS-16) in DPW Office, Bannu.</p>
4	<p>That Khyber Pakhtunkhwa, Services Tribunal Peshawar observed in the case titled "Mr. Zawar Hussain V/S Secretary, PW & others" that criteria of setting up seniority on the bases of age illegal as per claim of Muhammad Aqeel Babar.</p>	<p>Incorrect. Based on distortion of facts. The judgment copy provided by Muhammad Aqeel Babar has been thoroughly examined and nothing like such illegal deceleration by Services Tribunal Peshawar has been found. The Services Tribunal, Peshawar has only stated that "respondents are required to recast the impugned seniority of Statistical Assistant (BPS-12) only in light of the relevant section of the Regularization of Services Act, 2009" nothing like any orders etc. has been issued to the department by Services Tribunal. So the claim of the applicant is false/concocted.</p>

Keeping in view the above, it is requested that departmental appeal may kindly be discarded / filed for being demerit & time barred.

Yours faithfully,

Assistant Director (Admn)
[Signature]
 o/c

Assistant Director (Admn)
[Signature]
 o/c

Copy forwarded to the:-

PS to Director General, PWD, Peshawar.



GOVERNMENT OF KHYBER PAKHTUNKHWA

POPULATION WELFARE DEPARTMENT

02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

SOE(PWD) 4

Dated Peshawar

To

Mr. Muhammad Aqeel Babar,
ADPWO / Statistical Investigator (M&E)
Directorate General Population Welfare,
Peshawar.

Subject: -

APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

I am directed to refer to the subject noted above and to state that your application dated 25-04-2019 has thoroughly been examined in this Department and regretted due to the following reasons:-

- i. On 15-11-2017, tentative seniority list of Assistant (BS-16) as stood on 09-11-2017 was circulated amongst the Assistants including you with the direction that if any objections / omissions found may be communicated to the DG, PW, KP within thirty days of the issuance of the letter No. 4(15)/2016/Admn dated 15-11-2017 and you gave a certificate on 17/11/2018 to the effect that he had gone through particulars mentioned at S. No. 3 of the tentative seniority list of BS-16 and found them correct and had no objection on the said seniority. Furthermore final seniority list of Assistant (BS-16), PW, KP as stood on 27-11-2017 was notified on 04-01-2018;
- ii. Khyber Pakhtunkhwa Service Tribunal, Peshawar judgment in case titled "Mr. Zawar Hussain V/S Secretary, PWD and other is not applicable in your case, as you were not party in the instant case;
- iii. Your Departmental Appeal dated 25-04-2019 is time barred as well.

D. No. 1787
dated 18/7

SECTION OFFICER (ESTT)

Copy to the: -

1. Director General, Directorate General Population Welfare, KPK, Peshawar w/r to letter No. 4(15)/2019/Admn/3001-02 dated 10/06/2019.
2. PS to Secretary Population Welfare Department, KPK, Peshawar.

SECTION OFFICER (ESTT)

D. No. 1787
dated 18/7

19/7

D. P. (A)

22/7
Smt
22/7

GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

68
1/20/19
02/28/19

No. SOE (PWD) 4-9/177/2019/SC/647-48
Dated Peshawar the 23rd April, 2019

To

The Director General,
Population Welfare Department,
KPK, Peshawar.

NO-1086
dt 24/4/19

D No 1086
Date 24-4-2019

Subject: - NOTICE REGARDING FILING OF CPLA IN THE SUPREME COURT OF
PAKISTAN AGAINST THE JUDGMENT DATED 12-03-2019 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of Notice received from Mir Adam Khan, Advocate on Record, Supreme Court of Pakistan, Islamabad in r/o of Khair Muhammad Afridi and others V/S Zawar Hussain Khan and others for further necessary action please.

Yours faithfully,

SECTION OFFICER (ESTT)

Encls: As above.

Copy to PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (ESTT)

D. Afroz
24/4
DD/CS
24/4/19
24/4/19 (A)

69

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

C.P.L.A. No _____/2019

Khair Muhammad Afridi and another.....**Petitioners**

VERSUS

Zawar Hussain Khan and others.....**Respondents**

NOTICE

To,

1. Zawar Hussain Khan, Statistical Assistant, Office of the District Population Welfare, District Mardan.
2. The Secretary, Govt. of Khyber Pakhtunkhwa, Population Welfare Department Peshawar.
3. The Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
4. Nazar Ali, Statistical Assistant, Office of the District Population Welfare, District Chitral.
5. Shafeeq Alam, Statistical Assistant, Office of the District Population Welfare, District Malakand.
6. Hafiz Nasir Khan, Office of the Director General, Population Welfare Department, Peshawar.
7. Muhammad Najeem Khan, Office of the District Population Welfare, District Dir Lower.
8. Fazal Wadood, Office of the District Population Welfare, District Buner.

Please take notice that today I have filed CPLA against the impugned Judgment dated 12-03-2019 of the Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No 56/2018 on behalf of the appellant in the above cited case, in the Supreme Court of Pakistan Islamabad.

Dated _____

Mir Adam Khan
Advocate on Record
Supreme Court of Pakistan
Islamabad

Pursue p.p.
SA-E

19/4

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.1053/2019

Muhammad Aqeel Babar (Appellant)

Versus

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department, Peshawar.
 2. The Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
 3. Arif Abbas, Superintendent, Population Welfare Directorate, Peshawar.
- (Respondents)

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4.	Copy of initial posting order dated 23/05/2009	"B"	9-10
5.	Copy of arrival report dated 28/05/2009	"C"	11
6.	Copy of regularization of Adhoc Service vide Notification No.4(35)/97-2006/Admn-Vol-XIV (Part-II) dated 18/02/2010	"D"	12-13
7.	Copy of transfer order of the appellant	"E"	14
8.	Copy of Tentative Seniority list issued vide letter No.4(15)/2016/Admn dated 15/11/2017	"F"	15-17
9.	Copies of No Objection Certificates of the appellant alongwith others	"G"	18-30
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11.	Copy of order No.4(5)/2018/Admn dated 04/05/2018	"I"	34-35
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Deponent in person


(Arif Abbas)

Superintendent / Respondent No.3

①

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

In Service Appeal No.1053/2019.

Muhammad Aqeel Babar (Appellant)

Versus

1. The Secretary to Govt. of Khyber Pakhtunkhwa
Population Welfare Department, Peshawar.
2. The Director General, Population Welfare Directorate
Khyber Pakhtunkhwa, Peshawar.
3. Arif Abbas S/O Tehmas Khan, Superintendent
Population Welfare Directorate, Peshawar.

..... (Respondents)

**PARAWISE REPLY / COMMENTS ON BEHALF OF THE
RESPONDENT NO.3 (UNDERSIGNED)**

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

1. That the instant appeal is badly time barred.
2. That the appellant has not even submitted application before this Honorable Service Tribunal seeking for condonation of delay under section-5 of Limitation Act, 1908 as prescribed by law. Therefore needs to be dismissed.
3. That the appellant has not come to this Honorable Tribunal with clean hands.
4. That the instant appeal is based on distortion of facts.
5. That the litigant has concealed the truth/factual position from this Honorable Tribunal.

ON FACTS

1. No comments.
2. Correct to the extent, that the appellant was appointed on purely Adhoc Basis as a stop-gap arrangement with clear indication in the terms & conditions at S.No.4 of the order under reference, that being an Adhoc employees, in no way he will be treated as Civil Servant means he will not have any confer / right to continuous regular appointment in such service or cadre, he will not have any right / couldn't claim any seniority in such service or cadre and he can't seek promotion as Adhoc employec under the law, on which the appellant agreed upon alongwith others (Annex-A).
3. No comments.
4. Incorrect. The appellant after his appointment on Adhoc Basis as stop-gap arrangement was initially posted in District Population Welfare Office, Abbottabad vide Office Order No.4(35)/97-2006/Admn-Vol-VIII dated 23/05/2009 (Annex-B) and in compliance the appellant submitted his arrival report for duty in DPW-Office Abbottabad on 28/05/2009 (Annex-C).
5. Incorrect. On 24/10/2009 the Provincial Govt. of Khyber Pakhtunkhwa (the then NWFP) through an Act of parliament vide Notification

No.PA/NWFP/Bills/2009/38472 dated 24/10/2009 only regularized the services of Adhoc / Contract Employees and not all Provincial employees. In pursuance of the Notification under reference, the Population Welfare Directorate vide Order No.4(35)/97-2006/Admn-Vol-XIV(Part-II) dated 18/02/2010 (Annex-D) regularized the services of Adhoc employees w.e.f. 24/10/2009 & not from the date of their initial Adhoc appointment. Therefore the appellant alongwith others has been considered as a regular civil servants w.e.f. 24/10/2009.

a. In addition to para-5 above it is further added that after the regularization of Adhoc employees in Population Welfare Directorate w.e.f. 24/10/2009 nobody **objected / complained / agitated** including **Muhammad Aqeel Babar** (the appellant) regarding their regularization of services w.e.f. 24/10/2009 (commencement date of the North-West Frontier Province Employees (Regularization of Services) Act, 2009 and all the then Adhoc Employees willingly / happily accepted their regularization of services w.e.f. 24/10/2009.

- 6. Incorrect. At the time of regularization of his services the appellant was performing his duties in the office of the then Minister for Population Welfare Department as desired by the then Minister for Population Welfare Department, Khyber Pakhtunkhwa (Annex-E).
- 7. Correct.
- 8. Pertains to record. Hence need no comments.
- 9. Incorrect. Verbatim is totally based on distortion of facts. Promotions are always base / made on the finality of the Seniority list. The appellant is concealing the factual position from Honorable Tribunal, while the truth is that the Directorate General Population Welfare, Khyber Pakhtunkhwa vide letter No.4(15)/2016/Admn dated 15/11/2017 issued & circulated amongst the then officials concerned a Tentative Seniority list of Assistant (BPS-16) "the previous cadre of the appellant" (Annex-F) with clear direction that **"if any objections/omissions found may be communicated to this Directorate General, PW within 30-days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection"**. Afterwards exactly after two days all the then Assistants on 17/11/2017 submitted **No Objection Certificates** including **Muhammad Aqeel Babar** (the appellant), wherein he clearly intimated that **"I have gone through my particulars mentioned at S.No. 3 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list"** (Annex-G). After the submission of their No Objection Certificates, the Directorate General Population Welfare, Khyber Pakhtunkhwa accordingly issued & circulated the Final Seniority list of Assistant (BPS-16) vide letter No.4(15)/2016/Admn dated 04/01/2018 (Annex-H) and no one objected / agitated the final seniority list including the appellant. Later on a meeting of Departmental Promotion Committee was held on 24/04/2018 under the chairmanship of Director General, Population Welfare, Govt. of Khyber Pakhtunkhwa wherein five (05) assistants namely Muhammad Hussain at S.No.2, Muhammad Aqeel Babar at S.No.3, Mir Baiz Khan at S.No.4, Javed Khan at S.No.5 and Kiramat Khan at S.No.6 from the undisputed final seniority list of Assistant (BPS-16) at (Annex-H) were promoted to the posts of Assistant District Population Welfare Officers/Admn Officers (BPS-16) while Arif Abbas (Respondent No.3) at S.No.1 was not considered due to under disciplinary proceedings that time with the mutual understandings between the DPC members that the case of Arif Abbas will be processed after the outcome of disciplinary proceedings. On 04/05/2018 the newly promoted five (05) officers concerned

including Muhammad Aqeel Babar (the appellant) vide office order No.4(5)/2018/Admn dated 04/05/2018 were posted against the vacant posts (**Annex-I**). In response, Muhammad Aqeel Babar **willingly/happily** assumed the charge of the vacant post of Assistant District Population Welfare Officer (BPS-16) in District Population Welfare Office, Bannu & submitted a charge assumption report there (**Annex-J**) & consequent upon his willingly charge assumption, he was accordingly taken on a staff strength in DPW-Office Bannu (**Annex-K**). Afterwards when Mr. Arif Abbas at S.No.1 of the seniority list of Assistant (BPS-16) was exonerated of all the charges, his promotion case was forwarded to the Admn Department (Population Welfare Department) and he was promoted to the post of Superintendent (BPS-17) later on 31/10/2018 (**Annex-L**). Hence after a lapse **more than two years and three months**, questioning the promotion order of Respondent No.3 on the name of merit order is clearly speaking it out loud the malafide intentions of the appellant. As on the same seniority the appellant himself is enjoying promotion to next higher scale of Assistant District Population Welfare Officer (BPS-17) till date.

- a. It is further to add that the appellant in para-9 of the facts, speaking it out loudly without any evidence that he was the most deserving and eligible candidate in shape of the appellant was deprived from being promoted to the position of Superintendent and the Respondent No.1 & 2 has violated & destroyed the order of Merit. Now the question arises, how ? the appellant has neither annexed any rule in favor of his claim nor explained his point of view with cogent reasons & full justification. Moreover Mr. Muhammad Aqeel Babar (appellant) is not only in merit order assigned by the then DSC, is junior to me but also in age.

10. Correct to the extent. That on 25/04/2019 the appellant filed a **barred by limitations** departmental appeal in the capacity of Assistant District Population Welfare Officer against the promotion Notification No.SOE(PWD)4-42/2018/DPC of Respondent **No.3 issued on 31/10/2018** which was issued prior to judgment dated 12/03/2019 of Service Tribunal, Khyber Pakhtunkhwa case titled "Zawar Hussain VS Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department, Peshawar & eight others" **after a lapse of five (05) months & twenty-six (26) days** wherein the appellant claimed that initially seniority lists issued in his service were formulated/compiled on date of arrival & he was top of the previously issued all seniority lists. He also wrongly fully interpreted the judgment under reference of this Honourable Tribunal. That the appellant further prayed in his time barred appeals before Respondent No.1 & 2 that "My seniority position in seniority list of his previous cadre i.e. Assistant (BPS-16) may be revisited and be given promotion to Supdt: as per service rules of the department" (**Annex-M**). As per procedure, the appeal of the appellant dated 25/04/2019 was forwarded by Respondent No.1 office to Respondent No.2 office for views/comments (**Annex-N**) which accordingly thoroughly examined in Directorate General Population Welfare and views/comments was submitted to Respondent No.1 vide letter No.4(15)/2019/Admn dated 10/06/2019 (**Annex-N1**). Afterwards the Respondent No.1 after examining the appeal of the appellant & reply of Respondent No.2 in light of the facts alongwith supporting documents rightly regretted the appeal of the appellant on the following grounds (**Annex-O**):

- i. On 15-11-2017, tentative seniority list of Assistant (BPS-16) as stood on 09-11-2017 was circulated amongst the Assistants including you with the direction that if any objections/omissions

found may be communicated to the DG, PW, KP within thirty (30) days of the issuance of the letter No.4(15)/2016/Admn dated 15/11/2017 and you gave a **No Objection Certificate** on 17/11/2017 to the effect that he had gone through particulars mentioned at S.No.3 of the tentative seniority list of Assistant (BPS-16) and found them correct and had no objection on the said seniority.. Furthermore, final seniority list of Assistant (BPS-16), PW KP as stood on 27/11/2017 was notified on 04/01/2018;

- ii. Khyber Pakhtunkhwa Service Tribunal, Peshawar judgment in case titled "Mr. Zawar Hussain V/S Secretary, PWD & others" is not applicable in your case, as you were not party in the instant case;
- iii. Your Departmental Appeal dated 25-04-2019 is time barred as well.

b. Furthermore, in judgment dated 12-03-2019 case titled "Zawar Hussain VS Secretary to Govt. of KP, PWD & others" the Honourable Tribunal only granted relief to the then appellant Zawar Hussain. No such direction has been given like that the determination of seniority and promotion of the employees in their respective department the determining factor shall be considered on the basis of their officiation and not on the basis of their date of birth. So the interpretation of the appellant regarding judgment under reference is totally false & concocted. Moreover, the judgment in case of Zawar Hussain has already been challenged by two of the respondents in that case in the Supreme Court of Pakistan. As conveyed by the Administrative Department (PWD) vide letter No.SOE(PWD)4-9/177/2019/SC/647-48 dated 23/04/2019 (**Annex-P**).

ON GROUNDS:

i. Incorrect. As narrated in paras-1 & 2 of the preliminary objections above, the instant appeal is not only time barred but badly barred by limitations and the appellant has also has not even submitted application before this Honorable Service Tribunal seeking for condonation of delay under section-5 of Limitation Act, 1908 as prescribed by law. Therefore needs to be dismissed.

a. It is further added in light of the land mark judgments passed by the Honorable Supreme Court of Pakistan i.e. where appeal before departmental authority is barred by time, then appeal before Tribunal would also be incompetent. That law helps the diligent and not the delinquent/remiss. If a person has been negligent in prosecuting his remedy before the proper forum well on time, he is not entitled to indulgence of the court.

ii. Incorrect. Section 4 sub-section (2) of The North-West Frontier Province (now Khyber Pakhtunkhwa) Employees (Regularization of Services) Act, 2009 read with other sections of the Act ibid doesn't says that seniority will be determined from the date of arrival for the post of Adhoc service. Furthermore, Adhoc appointment did not confer any right or interest to continuous appointments, seniority or promotion under the law. The Adhoc appointment cannot be counted towards service, the seniority in grade is to be taken effect from the date of regular appointment to a post and it cannot be conferred retrospectively.

iii. No comments.

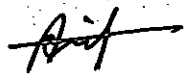
iv. Incorrect. The instant appeal & the case of Zawar Hussain are based on two different type of scenarios. Zawar Hussain adopted/acted as per law, rules &

regulations. While the appellant Muhammad Aqeel Babar has already given his consent in his previous cadre i.e. Assistant (BPS-16) by submitting No Objection Certificate (**Annex-G**) as narrated in para-9 of the facts above and afterwards willingly/happily accepted his promotion dated 04/05/2018 as ADPWO which was made on the undisputed seniority based on his previous cadre of Assistant (BPS-16) (**Annex-H**) & successfully completed his probation period as well. So the appellant cannot invoke the jurisdiction of this Honourable Tribunal after a lapse of **more than two years and three months** as narrated in para-9 of the facts above.

- v. Incorrect. Verbatim is based on distortion of facts. In fact, all the subordinate officers/officials are equal in the eyes of Respondents No.1 & 2. They always treat their juniors as per their performance. So the appellant on account of his own failures, cannot take a plea on the name of malafide, malice and tainted with clear grudge and ill will towards him by the Respondents No.1 & 2 is not correct and is based on distortion of facts.
- vi. Incorrect. That the appellant has got no cause of action. The appeal is based on distortion of facts & not tenable in the eye of Law. The appellant when had a chance at the time circulation of the tentative seniority list of his previous cadre i.e. Assistant (BPS-16) dated 15/11/2017 (**Annex-F**) to challenge/appeal against his placement in the seniority list, he submitted **No Objection Certificate** & afterwards on the issuance of final seniority list of his previous cadre i.e. Assistant (BPS-16) dated 04/01/2018, the appellant kept silent & had given his tacit/implied consent that he has not objection on his placement on the seniority list at all. He also willingly accepted his promotion as ADPWO & assumed the charge & successfully completed his probation period as well.
- vii. No comments.
- viii. Incorrect. That the appellant has got no locus standi to file the instant appeal. That the appellant has got no valid cause of action to file the instant appeal.
- ix. The respondent No.3 (undersigned) may also be allowed to raise additional ground at the time of arguments.

Prayer:

Keeping in view the above factual position, it is very humbly prayed that the instant appeal may kindly be dismissed being devoid of merit.


 (Arif Abbas)
 Superintendent (Respondent No.3)
 Population Welfare Directorate,
 Khyber Pakhtunkhwa
 Peshawar.

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No.1053/2019

Muhammad Aqeel Babar (Appellant)

Versus

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department, Peshawar.
2. The Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar.
3. Arif Abbas, Superintendent, Population Welfare Directorate, Peshawar.
..... (Respondents)

Affidavit

I Mr. Arif Abbas, Superintendent, Population Welfare Directorate, Khyber Pakhtunkhwa, Peshawar do hereby solemnly affirm and declare on oath that the content of the accompanied comments / reply on behalf of the undersigned, Respondent No. 3 in the instant case are true and correct to the best of my knowledge and available record and nothing has been concealed from this Honorable Tribunal.

Deponent in person Arif
(Arif Abbas)
Superintendent / Respondent No.3

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt: Ph: # 091-9211536-38

7

Dated Peshawar, the 27/4/2009

O R D E R

No.4(35)97-2006/Admn/Vol-VIII: Consequent upon the recommendation of the Departmental Selection Committee (DSC), the Competent Authority is pleased to appoint the following *Office Assistant (BPS-14)* on purely adhoc basis in Population Welfare Department, NWFP with immediate effect. The order regarding their posting /transfer will follow.

S.No.	Name of Candidate with Father's name	Mailing Address
1 ✓	Mir Baiz Khan S/O Nadir Khan	House No.C-20, Prince Amin Colony Haji Camp G.T Road Peshawar. Ph# 0345-8859251
2	Arif Abbas S/O Tehmas Khan	House NO. 590, Chaman Street, Bazar Bahadar Shah, Asiya Peshawar. 0333-9107778
3	Muhammad Aqeel Babar S/o Pir Muhammad Khan	60/G Ali Manzil Gunj Gate Peshawar City Ph 03005934518
4	Farooq Ahmad Afridi S/O M. Younas Afridi	House No. 4884, Mohallah Kakshal, P/O Namak Mandi, Peshawar.
5	Muhammad Hussain S/O Haji Adam Khan	House No.463, Street No.20, Sector No.02, APECHS Rawalpindi.Ph# 0345-9094119

Their appointment is subject to the following terms and conditions

1. The appointment of the above named candidates against Office Assistant posts are purely on adhoc basis for a period of one year or till the arrival of selectees of NWFP Public Service Commission whichever is earlier.
2. Their services will be liable to termination without assigning any reason during the currency of the agreement. In case of resignation 15 days prior notice will be required, otherwise their 15 days pay plus usual allowances will be forfeited.
3. They shall provide Medical Fitness Certificate from the Medical Superintendent, Police Services Hospital, Peshawar before joining service.
4. Being adhoc employees, in no way they will be treated as Civil Servants and in the case their performance is found un-satisfactory or found committed any misconduct, their service will be terminated with the approval of competent authority without adopting the procedure provide in North West Frontier Province (E&D) Rules, 1973 or North West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 which will not be challengeable in NWFP Service Tribunal / any court of Law.
5. They shall be held responsible for the losses accruing to the department due to their carelessness or in-efficiency and shall be recovered from them.

8

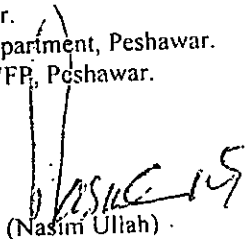
6. They will get pay in BPS-14 plus usual allowances as admissible under the rules.
7. They will neither be entitled to any pension or gratuity for the service rendered by them nor they will contribute towards GP Fund or CP Fund.
8. This order / offer of appointment shall not confer any right on them for regularization of their service against the posts occupied by them or any other regular posts in the Department.
9. No TA / DA will be allowed to them for joining the post.
10. If the above terms & conditions are acceptable to them, they may report to the *Director General, Population Welfare Department, FC Trust Building Sunehri Masjid Road, Peshawar Cantt*: within 15 days of the issuance of this order / offer of appointment otherwise the appointment order will stand cancelled.

(Director General)
Population Welfare Department

Dated Peshawar the 21 / 11 / 2009

No.4(35)97-2006/Admn/Vol-VIII:
Copy forwarded to the:-

1. PS to Minister for Population Welfare, NWFP, Peshawar.
2. PS to Secretary, Govt. of NWFP Population Welfare Department, Peshawar.
3. PS to Director General, Population Welfare Deptt., NWFP, Peshawar.
4. Official concerned.
5. Master File.


(Nasim Ullah)
Assistant Director (Admn)

Dated Peshawar, the 23/5/2009

OFFICE ORDER

F.No.4 (35)/97-2006/Admn-Vol-VIII:- In continuation to this office orders of even number dated 27.04.2009 and with approval of the competent authority the following postings / transfers are hereby ordered with immediate effect and till further order.

Office Assistant (BPS-14)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
1	1	Mir Baiz Khan, Office Assistant B-14	Fresh appointment	DPW Office Peshawar	08.05.2009	Vice No.37
2	2	Mr. Arif Abas, Office Assistant B-14	-do-	DPW Office Bannu	08.05.2009	Vice No.33
3	3	Muhammad Aqeel Babar Office Assistant B-14	-do-	DPW Office Abbottabad	06.05.2009	Against the vacant post
4	4	Muhammad Hussain, Office Assistant B-14	-do-	Directorate General, PW	11.05.2009	Vice No.34
5	5	Mr. Farooq Ahmad Afridi, Office Assistant B-14.	-do-	DPW Office, Kohat	07.05.2009	Vice No.35

Projectionist (BPS-12)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
6	1	Mr. Kifayatullah, Projectionist B-12	-do-	DPW Office Hangu	11.05.2009	Against the vacant post
7	2	Mr. Sajjad Ahmed, Projectionist B-12	Fresh appointment	DPW Office Dir Upper	07.05.2009	-do-
8	3	Mr. Kashif Ali, Projectionist B-12	-do-	DPW Office Haripur	08.05.2009	-do-
9	4	Mr. Naveed Gul, Projectionist B-12	-do-	DPW Office Kohistan	14.05.2009	-do-
10	5	Mr. Hazrat Jamal, Projectionist B-12	-do-	DPW Office Chitral	11.05.2009	-do-

Stenotypist (BPS-12)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
11	1	Mr. Alamzeb, Stenotypist B-12	-do-	DPW Office Nowshera	09.05.2009	-do-
12	2	Muhammad Zahir, Stenotypist B-12	-do-	DPW Office Battagram	07.05.2009	-do-
13	3	Mr. Farmanullah, Stenotypist B-12	-do-	DPW Office Haripur	07.05.2009	-do-
14	4	Syed Muhammad Shah, Stenotypist B-12	-do-	DPW Office D.I.Khan	07.05.2009	-do-
15	5	Mr. Fazal -e- Tawab, Stenotypist B-12	-do-	DPW Office Abbottabad	09.05.2009	-do-
16	6	Mr. Wajid Ali, Stenotypist B-12	-do-	DPW Office Bunner	07.05.2009	-do-
17	7	Mr. Hayat Muhammad Khan, Stenotypist B-12	-do-	DPW Office Dir Upper	06.05.2009	-do-
18	8	Mr. Abdul Latif, Stenotypist B-12	-do-	DPW Office L. Marwat	07.05.2009	-do-
19	9	Mr. Abdur Rahim, Stenotypist B-12	-do-	DPW Office Tank	07.05.2009	-do-
20	10	Mr. Safeel Khan, Stenotypist B-12	-do-	DPW Office Kohistan	07.05.2009	-do-

Statistical Assistant (BPS-11)

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
21	1	Mr. Fazal Wadood, Statistical Assistant B-11	-do-	DPW Office Kohistan	07.05.2009	-do-
22	2	Mr. Naveed Ahmad, Statistical Assistant B-11	-do-	DPW Office Shangla	08.05.2009	-do-
23	3	Mr. Zawar Hussain Khan, Statistical Asstt: B-11	-do-	DPW Office Lakki Marwat	06.05.2009	-do-
24	4	Mr. Zakir Hussain, Statistical Asstt: B-11	-do-	DPW Office Nowshera	14.05.2009	Against the vacant post of Accit. Asstt. B-11
25	5	Muhammad Najeem Khan, Stat: Asstt: B-11	-do-	DPW Office Dir Upper	11.05.2009	Against the vacant post
26	6	Mr. Shafique Alam, Statistical Asstt: B-11	-do-	DPW Office Malakand	07.05.2009	-do-
27	7	Hafiz Nasir Khan, Stat: Assistant B-11	-do-	DPW Office Bunner	07.05.2009	-do-
28	8	Muhammad Shakir Khan, Stat: Assistant B-11	-do-	DPW Office Tank	07.05.2009	-do-
29	9	Mr. Nazar Ali, Stat: Assistant B-11	-do-	DPW Office Chitral	06.05.2009	-do-
30	10	Mr. Amir Ali, Statistical Asstt: B-11	-do-	DPW Office Nowshera	11.05.2009	-do-
31	11	Mr. Khair Muhammad Afridi, Stat: Assistant B-11	-do-	DPW Office Hangu	07.05.2009	-do-

General Transfer

S.No	S.No	Name and Designation	From	To	Date of arrival for duty	Remarks
32	1	Mr. Zafar Ali, Senior Clerk (BPS-9)	DPW Office Peshawar	DPW Office Nowshera	-	Against the post of Accounts Assistant B-11 in his own pay & scale.
33	2	Mr. Aftikhar Ahmed, Accounts Assistant B-11 adjusted against the post of Office Assistant B-14.	DPW Office Bannu	DPW Office L. Marwat	-	Against the vacant post of Accit. Asstt: (B-11) to vacate vacancy for the original incumbent.
34	3	Mr. Abid Akbar, Senior Clerk B-9 adjusted against the post of Office Assistant B-14	Directorate General PW NWFP	Directorate General PW NWFP	-	Against the vacant post of Accounts Asstt: B-11 in his own pay & scale to vacate vacancy for the original incumbent.
35	4	Mr. Zia-ul-Haq, Accounts Assistant B-11 adjusted against the post of Office Assistant B-14	DPW Office Kohat	RHSC-A Kohat	-	(Vice No. 36) to vacate the vacancy for the original incumbent.
36	5	Mr. Aman Ullah, Accit: Assistant (BPS-11)	RHSC-A Kohat	DPW Office, Hangu	-	Against the vacant post
37	6	Muhammad Nazif, Senior Clerk B-9, adjusted against the post of Office Assistant B-14	DPW Office Peshawar	DPW Office Peshawar	-	(Vice S.No.32) to vacate the Vacancy for the original incumbent

(DIRECTOR GENERAL)
Population Welfare Department

Copy forwarded to:-

1. The Accountant General, NWFP, Peshawar.
2. All Directors, PWD, NWFP, PHQR, Peshawar.
3. All District Population Welfare Officers in NWFP along with arrival reports of the incumbent & medical fitness certificate for further necessary action.
4. All District Accounts Officer concerned with request/clarification that the gap between the issuance of this order and the arrival reports may be treated as compulsory waiting for posting.
5. PS to Minister for Population Welfare NWFP, Peshawar.
6. PS to Secretary to Govt. of NWFP, PWD Peshawar.
7. PS to Director General, PWD NWFP, Peshawar.
8. Officials concerned.
9. Master file.

(Nasim Ullah)
Assistant Director (Admin)

22

To,

The District Population Welfare Officer,
Abbottabad.

SUB:- ARRIVAL REPORT.

Sir,

In compliance with Director General, Population Welfare Department, NWFP Peshawar, order No. 4(35)/97-2006/Admn-Vol-VIII dated 23.5.2009. I submit my arrival report as Office Assistant, BPS-14 today on 28.5.2009 (F.N) please.



MUHAMMAD AQEEL BABAR
S/O
PIR MUHAMMAD KHAN
Office Assistant, DPW-Office,
Abbottabad.

Dated 28.5.2009.

Mr. Safer

PR. Safer

28/5

518

28-5-09

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

FC Trust Building Sunehri Masjid Road, Peshawar Cantt. Ph: # 091-92 1536-38

Dated Peshawar the 18/02/2010.

OFFICE ORDER

F.No.4(35)/97-2006/Admn-Vol-XIV (Part-II) :- In pursuance of Provincial Assembly Secretariat, NWFP Act No. XVI of 2009 vide Notification No. PA/NWFP/Bills/2009/38472 dated 24/10/2009 duly circulated by the Govt. of NWFP Establishment and Administration Department (Regulation Wing) vide No. SOR-VI/E&AD/1-13/2009 dated 4/11/2009, the services of the following adhoc employees of this Department appointed on 27/04/2009 are hereby regularized w.e.f. 24.10.2009.

LIST OF OFFICE ASSISTANT (BPS-14)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	Mir Baiz Khan	Nacir Khan	Office Assistant, BPS-14, DFW Office, Peshawar
2	Arif Abbas	Tehmas Khan	Office Assistant, BPS-14, DFW Office, Bannu
3	Muhammad Aqeel Babar	Peer Muhammad Khan	Office Assistant, BPS-14, DPW Office, Abbottabad
4	Muhammad Hussain	Haji Aadam Khan	Office Assistant, BPS-14, Directorate General, PWD
5	Mr. Farooq Ahmad Afridi	Muhammad Younas Afridi	Office Assistant, BPS-14, DPW Office, Kohat

LIST OF PROJECTIONIST (BPS-12)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	K Fayat Ullah	Ibraheem Khan	Projectionist, BPS-12, DPW Office, Hangu
2	Sajjad Ahmad	Hussain Ahmad	Projectionist, BPS-12, DPW Office, Dir Upper
3	Kashif Ali	Azim Khan	Projectionist, BPS-12, DPW Office, Haripur
4	Naveed Gul	Ali Asghar	Projectionist, BPS-12, DPW Office, Kohistan
5	Hazrat Jamal	Khushhal Khan	Projectionist, BPS-12, DPW Office, Chitral

LIST OF STENOYPIST (BPS-12)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	Farman Ullah	Adam Khel	Stenotypist, BPS-12, DPW Office, Nowshera
2	Syed Muhammad Shah	Syed Samin Jan	Stenotypist, BPS-12, DPW Office, Dir Khan
3	Wajid Ali	Multan Khan	Stenotypist, BPS-12, DPW Office, Buner
4	Hayat Muhammad Khan	Musarrat Khan	Stenotypist, BPS-12, DPW Office, Dir Upper
5	Abdul Latif	Ghulam Saaique	Stenotypist, BPS-12, DPW Office, Lakki Marwat

LIST OF STATISTICAL ASSISTANT (BPS-11)

S.No.	Name of Employee	Father's Name	Designation with BPS of employees
1	Fazali Wadood	Fazali Rahim	Statistical Assistant, BPS-11 DPW Office, Kohistan
2	Zawar Hussain Khan	Khan Bahadar	Statistical Assistant BPS-11 DPW Office, Lakki Marwat
3	Zakir Hussain	Nazir Ahmed	Statistical Assistant, BPS-11 DPW Office, Nowshera
4	Muhammad Najeem Khan	Ghulam Rezaq	Statistical Assistant, BPS-11 DPW Office, Dir (Upper)
5	Shafeeq Alam	Akbar Khan	Statistical Assistant, BPS-11 DPW Office, Malakand
6	Hafiz Nasir Khan	Haji Musafar Khan	Statistical Assistant, BPS-11 DPW Office, Buner

D/Office work 4(35)

13

7	Nazar Ali	Muhammad Karim Shah	Statistical Assistant, BPS-11 CPW Office, Chitral
8	Amir Ali	Bakhtiar Ali	Statistical Assistant, BPS-11 CPW Office, Nowshera
9	Khair Muhammad Afridi	Faiz Muhammad Afridi	Statistical Assistant, BPS-11 CPW Office, Hangu

The terms and conditions contained in Govt. of NWFP Act No. IX of 2005 notified vide Notification No. PA/NWFP/Legis-I/2005/20440 dated 23/07/2005 shall apply to the above named employees.

Sd/-
(Director General)
Population Welfare Department

Distribution:-

1. All Directors, Population Welfare Department, NWFP.
2. All District Population Welfare Officers, in NWFP.
3. Accountant General, NWFP.
4. All District Accounts Officers in NWFP.
5. District Accounts Officer (Local) PWD, Peshawar.
6. PS to Minister for Population Welfare NWFP, Peshawar.
7. PS to Secretary to Govt. of NWFP, PWD, Peshawar.
8. PS to Director General, PWD, NWFP, PHQr, Peshawar.
9. Official concerned.
10. Master File.


(Nasim Ullah)
Assistant Director (Admn)

(14) (H)

Government of NWFP
Directorate General Population Welfare
Post Box No. 235

Dated Peshawar, the 7/09/2009

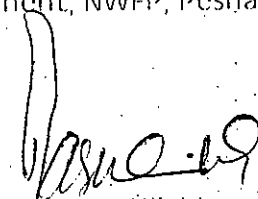
OFFICE ORDER

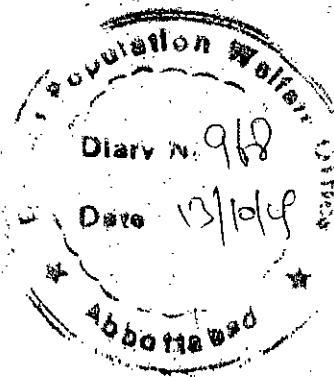
F.No. 1(2)/2009/Admn. - With approval of the competent authority Mr. Muhammad Aqeel Babar, Office Assistant, District Population welfare Office, Abbottabad is hereby directed to perform duty in office of the Minister for Population Welfare, NWFP with immediate effect and till further order as desired by the Minister.

Sd/-
(Director General)
Population Welfare Department, NWFP

Copy forwarded to the:-

1. District Population Welfare Officer, Abbottabad.
2. PS to Minister for Population Welfare, NWFP.
3. PS to Director General, Population Welfare Department, NWFP, Peshawar.
4. Official concerned for compliance.
5. Master File.


(Naseem Ullah)
Assistant Director (Admn)



Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

15

F.No.4 (15)/2016/Admn
Dated Peshawar the 15/11/2017.

To

1. Arif Abbas ✓ P.C. Directorate General, PW, Peshawar.
2. Muhammad Hussain ✓ Directorate General, PW, Peshawar.
3. Muhammad Aqeel Babar ✓ DPW Office, Peshawar.
4. Mir Baiz Khan ✓ Directorate General, PW, Peshawar.
5. Muhammad Anwar ✓ DPW Office, Dir (Lower)
6. Muhammad Javid ✓ DPW Office, Bannu
7. Kiramat Khan ✓ Directorate General, PW, Peshawar.
8. Zafar Ali ✓ DPW Office, Peshawar.
9. Muhammad Daud Khan Afridi ✓ Directorate General, PW, Peshawar.
10. Sarfaraz Khan ✓ Directorate General, PW, Peshawar.
11. Ashiq Nabi ✓ Directorate General, PW, Peshawar.
12. Abid Akbar ✓ Directorate General, PW, Peshawar.

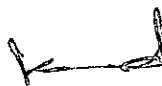
Subject:- TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017

I am directed to refer to the subject noted above and to enclose herewith tentative seniority list of Assistant (BPS-16) as stood on 09.11.2017 and to state that if any objections / omissions found may be communicated to this Directorate General, PW within 30 days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection.


(Hidayat Khisra)
Deputy Director (Admn)

Copy forwarded to the:-

1. All Directors, DPWOs, Principal RTIs & CMO, PWD, KP.
2. PA to Advisor to CM for PWD, KP Peshawar.
3. PS to Director General, PWD, KP, Peshawar.

 Vole No: 6590-6604
15/11/17
Deputy Director (Admn)

(16)

(8)

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

OFFICE ORDER

Date Peshawar The _____ 2017

F.No.4(15)/2017/Admn:- In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989, the tentative seniority list of Assistant (BPS-16) (As stood on 09.11.2017), Population Welfare Department, Khyber Pakhtunkhwa is hereby ordered/circulated for general information.

TENTATIVE SENIORITY LIST OF ASSISTANTS (BPS-16) POPULATION WELFARE DEPARTMENT, KHYBER PAKHTUNKHWA AS ON 09-11- 2017

SNo.	Name	Date of birth	Domicile	Qualif:	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
1	Ari Abbas	15/02/1976	Peshawar	B.A	Direct	07/05/2009	--	07/05/2009	24/09/2009	DG Office, Peshawar	Adhoc appointment has been regularized vide promulgation of Ordinance i.e. 24.09.2009, whereas intersee seniority has been determined as per analogy of BPS-17 (NT) vide Admn: Deptt: PW letter No. SOE(PWD)4-30/2012/Vol-II/1425-27 dated 06th Oct: 2017, and vide Admn: Department guidance letter No. SOE(PWD)4-30/2012/Vol-II/1911-13 dated 26th Oct: 2017
2	Muhammad Hussain	05/05/1980	Peshawar	M.A.	Direct	11/05/2009	--	11/05/2009	24/09/2009	DG Office, Peshawar	
3	Muhammad Aqeel Sabar	04/02/1982	Peshawar	B.A.	Direct	06/05/2009	--	06/05/2009	24/09/2009	DPW Office, Peshawar	
4	Mir Balz Khan	10/03/1982	Chitral	BBA(Hons)	Direct	08/05/2009	--	08/05/2009	24/09/2009	DG Office, Peshawar	
5	Muhammad Anwar	01/04/1956	Dir Lower	B.A	Promotee	25/01/1983	25/04/1995	11/01/2012	--	DPW Office Dir Lower	
6	Muhammad Javid	28/11/1956	Kohat	F.A	Promotee	26/01/1983	25/04/1995	11/01/2012	--	DPW Office Bannu	
7	Karamat Khan	10/05/1959	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DG Office, Peshawar	
8	Zafar Ali	01/03/1963	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office Peshawar	

	Name	Date of birth	Domicile	Qualif:	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
9	Mohammad Daud Khan Afridi	20/02/1968	FR Peshawar FATA	B.Com	Promotee	30/09/1992	01/09/2001	11/01/2012	--	DG Office, Peshawar	---
10	Sarfaraz Khan	01/07/1972	Khyber Agency	M.A.	Promotee	01/09/2001	01/09/2001	11/01/2012	--	DG Office, Peshawar	---
11	Ashiq Nabi	16/04/1973	Peshawar	B.A	Promotee	03/09/2001	03/09/2001	11/01/2012	21/05/2014	DG Office, Peshawar	---
12	Abid Akbar	14/04/1978	Peshawar	B.A	Promotee	04/09/2001	04/09/2001	11/01/2012	26/10/2015	DG Office, Peshawar	---

(17)

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Copy forwarded to the:-

1. All Directors, PWD, KP, Peshawar.
2. All District Population Welfare Officers, Khyber Pakhtunkhwa with the direction to distribute the final seniority list among the concerned officials.
3. PA to Advisor to CM for PWD, KP, Peshawar.
4. PS to Secretary to Govt: of KP, PWD, Peshawar.
5. PS to Director General, PWD, KP, Peshawar.
6. Officials concerned C/O DPWOs.
7. F.No. 4(5)/Admn
8. Master File.

(Director General)
Population Welfare Department
Khyber Pakhtunkhwa

(Hidayat Khan)
Deputy Director (Admn)

04/01/2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.03 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Name: Muhammad Aqeel Baber
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject:- **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.01 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Name: Arif Abbass
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.11 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Ashiq
Name: Ashiq Nabi
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn. letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.11 of the tentative seniority list of Assistant (BPS-16) and found them correct, and I have no objection on the said seniority list.



Name: Abid Akbar
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017**

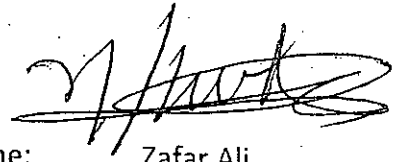
I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.10 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Name: Sarfaraz Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - **TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017**

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.08 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.



Name: Zafar Ali
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.07 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Kiram Khan

Name: Kiram Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

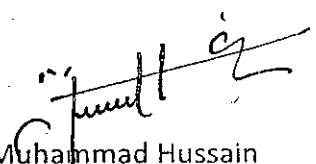
I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.04 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

Name: Mir Baiz Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.02 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.


Name: Muhammad Hussain
Designation: Assistant (BPS-16)
Dated: 17-11-2017

Sarjazkha ss / Anid Khan St

Subject: TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS ST/CD CH 69-11-2017

It is certified that I have gone through my particulars mentioned at S.No. 5 of the tentative seniority list of Assistant (BPS-16) and found them correct, except at the following columns:-

S.No	Column No.	Present entry	To be replaced by	Remarks
1				No objection
2				
3				
4				
5				

The following discrepancies are also brought into the notice.

- 1.
- 2.
- 3.
- 4.
- 5.

I Muhammad Anwar
 Assistant BPS-16 in the previous
 seniority list at S.No 5.
 I have no objection in
 tentative seniority list of
 BPS-16.

NOTE: MULTIPLE COPIES MAY BE USED, IF REQUIRED PLEASE.

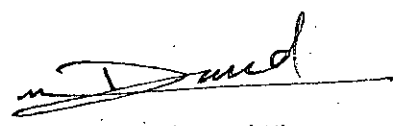
Muhammad Anwar

Name Muhammad Anwar
 BPS 16
 Designation office Assistant
 Dated 16-11-2017

CERTIFICATE

Subject: - TENTAIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE
DEPARTMENT AS STOOD ON 09-11-2017

I have the honor to refer to the Deputy Director Admn letter No. 4(15)/2016/Admn dated 15-11-2017, and to state that I have gone through my particulars mentioned at S.No.09 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no objection on the said seniority list.

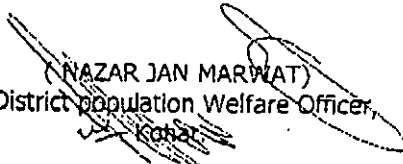


Name: Muhammad Daud Khan
Designation: Assistant (BPS-16)
Dated: 17-11-2017

Deputy Director (Admin)
Government of Khyber Pakhtunkhwa,
Population Welfare Department,
Hayat Abad Peshawar.


Subject:- TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON-09-11-2017.

Please refer to your letter F.No.4(15)/2016/Admn/6590-6604 dated 15-11-2017 on the subject cited above and to enclose herewith certificate.


(NAZAR JAN MARWAT)
District population Welfare Officer,
Kohat.

Copy to:-

PS to Director General, Population Welfare, Dntt/KPK, Peshawar for information.


District population Welfare Officer,
Kohat.

Dated 17-11-2017

Subject:- TENTATIVE SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 09-11-2017

It is certified that I have gone through my particulars mentioned at S.No. 26 of the tentative seniority list of Assistant (BPS-16) and found them correct, except at the following columns:-

S.No	Column No.	Present entry	To be replaced by	Remarks
1	02	Muhammad Javed Khan	Muhammad Javed Khan	
2	11	Bannu	Kohat	
3				
4				
5				

The following discrepancies are also brought into the notice.

1. correct name is Muhammad Javed Khan
2. District Kohat instead of Bannu
- 3.
- 4.
- 5.

Note:- Additional Sheet may be used, if required please.

Signature: wp

name Muhammad Javed Khan

BPS 16

Designation Assistant

Dated 17-11-2017

K

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare

Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

F.No.4 (15)/2016/Admn

Dated Peshawar the 04/11/2018

24
31

To

- | | | |
|-----|---------------------------|------------------------------------|
| 1. | Arif Abbas | Directorate General, PW, Peshawar. |
| 2. | Muhammad Hussain | Directorate General, PW, Peshawar. |
| 3. | Muhammad Aqeel Babar | DPW Office, Peshawar. |
| 4. | Mir Baiz Khan | Directorate General, PW, Peshawar. |
| 5. | Muhammad Anwar | DPW Office, Dir (Lower) |
| 6. | Muhammad Javid | DPW Office, Kohat. |
| 7. | Kirammat Khan | Directorate General, PW, Peshawar. |
| 8. | Zafar Ali | DPW Office, Peshawar. |
| 9. | Muhammad Daud Khan Afridi | Directorate General, PW, Peshawar. |
| 10. | Sarfraz Khan | Directorate General, PW, Peshawar. |
| 11. | Ashiq Nabi | Directorate General, PW, Peshawar. |
| 12. | Abid Akbar | Directorate General, PW, Peshawar. |

Subject:- FINAL SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 27-11-2017

I am directed to refer to the subject noted above and to enclose herewith final seniority list of Assistant (BPS-16) as stood on 27.11.2017.

Copy forwarded to the:-

1. All Directors, DPWOs, Principal RTIs & CMO, PWD, KP.
2. PA to Advisor to CM for PWD, KP Peshawar.
3. PS to Director General, PWD, KP, Peshawar.

(Hidayat Khan)
Deputy Director (Admn)
gc

Deputy Director (Admn)
gc

vide No. 75-89
04/11/18
Rum

Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

Date Peshawar, The 11/11/2018

32

OFFICE ORDER

F.No.4(15)/2017/Admn:- In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) rules 1989, the Final seniority list of Assistant (BPS-16) (As stood on 27.11.2017), Population Welfare Department, Khyber Pakhtunkhwa is hereby ordered/circulated for general information.

SNo.	Name	Date of birth	Domicile	Qualif:	Direct/ Promotee	Date of joining Govt. Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
1	Arif Abbas	15/08/1978	Peshawar	B.A.	Direct	07/05/2009	--	07/05/2009	24/09/2009	DG Office, Peshawar	Adhoc appointment has been regularized vide promulgation of Ordinance i.e. 24.09.2009, whereas interse seniority has been determined as per analogy of BPS-17 (NT) vide Admn: Deptt: PW letter No. SOE(PWD)4-30/2012/Vol-III/1425-27 dated 06th Oct: 2017, and vide Admn: Department guidance letter No. SOE(PWD)4-30/2012/Vol-III/1911-13 dated 26th Oct: 2017
2	Muhammad Hussain	05/05/1980	Peshawar	M.A.	Direct	11/05/2009	--	11/05/2009	24/09/2009	DG Office, Peshawar	
3	Muhammad Aqeel Babar	04/02/1982	Peshawar	B.A.	Direct	06/05/2009	--	06/05/2009	24/09/2009	DPW Office, Peshawar	
4	Mir Baiz Khan	10/03/1982	Chitral	BBA(Hons)	Direct	08/05/2009	--	08/05/2009	24/09/2009	DG Office, Peshawar	
5	Mohammad Anwar	01/04/1958	Dir Lower	B.A	Promotee	25/01/1983	25/04/1995	11/01/2012	--	DPW Office Dir Lower	
6	Mohammad Javed Khan	28/11/1958	Kohat	F.A	Promotee	26/01/1983	25/04/1995	11/01/2012	--	DPW Office Kohat	
7	Kiramal Khan	10/05/1959	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DG Office, Peshawar	
8	Zafar Ali	01/03/1963	Peshawar	Matric	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office Peshawar	

(S) ~~SSK~~ 33

SNo.	Name	Date of birth	Domicile	Qualif.	Direct/ Promotee	Date of joining Govt. Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
9	Mohammad Daud Khan Akhidi	20/02/1968	FR Peshawar FATA	B.Com	Promotee	03/09/1992	01/09/2001	11/01/2012	--	DG Office, Peshawar	---
10	Safaraz Khan	01/07/1972	Khyber Agency	M.A.	Promotee	01/09/2001	01/09/2001	11/01/2012	--	DG Office, Peshawar	---
11	Ashiq Naez	16/04/1973	Peshawar	B.A	Promotee	03/09/2001	03/09/2001	11/01/2012	21/05/2014	DG Office, Peshawar	---
12	Asid Akbar	14/04/1978	Peshawar	B.A	Promotee	04/09/2001	04/09/2001	11/01/2012	25/10/2015	DG Office, Peshawar	---

(Director General)
Population Welfare Department
Khyber Pakhtunkhwa

Copy forwarded to in:-

1. All Directors, PWD, KP, Peshawar.
2. All District Population Welfare Officers, Khyber Pakhtunkhwa with the direction to distribute the seniority among the concerned officials & obtained receipt certificate to this effect shall be furnished to this office for record within 30 days.
3. PA to Advisor to CM for PWD, KP, Peshawar.
4. PS to Secretary to Govt. of KP, PWD, Peshawar.
5. PS to Director General, PWD, KP, Peshawar.
6. Officials concerned C/O DPWOs.
7. F.No. 4(5)/Admn
8. Master File.

(Hidayat Khan)
Deputy Director (Admn)

GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

2018
IS

34

Dated Peshawar the 04/5/2018

OFFICE ORDER

F.No.4(5)/2018/ Admn:- On recommendation of the Departmental Promotion Committee meeting, held on 7 24.04.2018 the following Senior Scale Stenographers (BPS-16), Statistical Assistants (BPS-12) and Assistants (BPS-16) are promoted to the post of Assistant District Population Welfare Officers / Admn Officers (BPS-16) on regular basis with immediate effect:-

S.No	Name	Promoted to the post of
1	Mr. Hussain Khan	Assistant District Population Welfare Officers / Admn Officers (BPS-16)
2	Mr. Rashid Ahmad	-do-
3	Mr. Hamid Ali	-do-
4	Mr. Akhtar Hussain	-do-
5	Mr. Muhammad Hussain	-do-
6	Mr. Muhammad Aqeel Babar	-do-
7	Mr. Mir Baiz Khan	-do-
8	Mr. Mohammad Javed	-do-
9	Mr. Kiramat Khan	-do-

The officers will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 extendable for another one year.

Consequent upon their promotion, the above mentioned Assistant District Population Welfare Officers / Admn Officers (BPS-16) are hereby posted as under:-

S.No	Name	From	To	Remarks
1	Mr. Hussain Khan	DPW-Office, Dir (Lower)	DPW-Office, Dir (Lower)	Against the post of DDPWO (N/T) BPS 17 in his own pay & Scale, already working against the said post.
2	Mr. Rashid Ahmad	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the post of M&E, Officer (BPS-16) for the purpose of salary, already working against the said post.
3	Mr. Hamid Ali	DPW-Office, Battagram	RTI, Abbottabad	Against the vacant post of Admn Officer (BPS-16). Vice S.No.10
4	Mr. Akhtar Hussain	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Statistical Investigator (BPS-16) for the purpose of salary.
5	Mr. Muhammad Hussain	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar.	Against the vacant post of Accountant (BPS-16) for the purpose of salary.
6	Mr. Muhammad Aqeel Babar	DPW-Office, Bannu	DPW-Office, Bannu	Against the vacant post of ADPWO (BPS-16)
7	Mr. Mir Baiz Khan	Directorate General, PW, Peshawar	DPW-Office, Abbottabad	Against the vacant post of ADPWO (BPS-16)
8	Mr. Mohammad Javed	DPW-Office, Kohat	DPW-Office, Kohat	Against the vacant post of ADPWO (BPS-16) Vice S.No.11
9	Mr. Kiramat Khan	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Superintendent (BPS-17) in his own pay & scale.
10	Mrs. Walayat Aftab, FTO(BPS-16) working against the post of Admn Officer (BPS-16)	RTI, Abbottabad	RTI, Abbottabad	Against the vacant post of Accountant (BPS-16) for the purpose of salary, to vacate post for original incumbent Vice S.No.3

Dallhu/Surface:


1	Mr. Waqar Hussain Khattak Account Assistant (BPS-12) working against the post of AE O (BPS-16)	DPW-Office, Kohat	DPW-Office, Kohat	Against the vacant post of Assistant (BPS-16) in his own pay & scale. To vacate post for original incumbent Vice S.No.8
2	Hafiz Nasir Khan, Statistical Assistant (BPS-12) Adjusted against the post of Photographer (BPS-12)	Directorate General, PW, Peshawar	Directorate General, PW, Peshawar	Against the vacant post of Statistical Assistant (BPS-12) Vice S.No.4

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(Director General)
Population Welfare Department

Copy forwarded to:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Directors, PWD, KP Peshawar.
3. Principal RTIs, Peshawar, Abbottabad & Malakand.
4. SMO, I/C, RHSC-As, KTH, HMC & LRH, Peshawar.
5. Section Officer (Estt;) PWD, KP, Peshawar.
6. All District Population Welfare Officers, in Khyber Pakhtunkhwa.
7. All District Accounts Officers, in Khyber Pakhtunkhwa.
8. PA to Advisor to CM for PWD, in Khyber Pakhtunkhwa Peshawar.
9. PS to Secretary, PWD, Khyber Pakhtunkhwa Peshawar.
10. PS to Director General PWD, Khyber Pakhtunkhwa Peshawar.
11. HR Assistant (Admn Section) PWD, Peshawar.
12. Officers concerned.
13. Personal file of the officers concerned.
14. Master File.
15. F.No. 4 (15)/2017/Admn.


Deputy Director (Admin)

To,

The District Population Welfare Officer,
BANNU

Subject:- CHARGE ASSUMPTION REPORT

R/Sir,

With due respect & humble submission, I beg to submit that in compliance with Director General, PWD-KP, Peshawar Office Order F.No.4(5)/2018/Admn dated 04/05/2018, I, the undersigned has assumed charge of the vacant post on account of my promotion as Assistant District Population Welfare Officer (BPS-16) in your esteemed office today on 05/05/2018.

For n/a, P
[Signature]
5/5/18
Admn

Yours Obediently,

[Signature]
Aqeel Babar,
ADPWO BPS-16
District Population Welfare Office,
Bannu

Copy to:-

1. Deputy Director(Admn) PW-Deptt: K.P, Peshawar w/r to his Office Order no.cited as above.
2. District Accounts Officer, Bannu for information & necessary action
3. PS to Secretary, PWD-K.P, Peshawar.
4. PS to Director General, PWD-K.P, Peshawar.
5. Accountant (Local) for information & necessary action.
6. PF of the Officer concerned.
7. Master File.

[Signature]
Aqeel Babar,
ADPWO BPS-16
District Population Welfare Office,
Bannu

OFFICE OF THE
DISTRICT POPULATION WELFARE OFFICER, BANNU,
BANGLOW NO. 21 DEFENCE OFFICERS COLONY
BANNU CANTT



F No.1(1)/2018/Admn

Dated 05/05/2018

OFFICE ORDER

In pursuance of the Director General, PWD, KP, Peshawar, Office Order F.No.4(5)/2018/Admn dated 04/05/2018, & subsequent charge assumption report submitted by Mr. Mr.Aqeel Babar, ADPWO (BPS-16) on 05/05/2018. He is hereby taken on the staff strength of this office against the vacant post of ADPWO (BPS-16) w.e.f. 05/05/2018.

District Population Welfare Officer
Bannu

Copy to:-

1. Deputy Director(Admn) PW-Deptt: K.P, Peshawar w/r to his Office Order no.cited as above.
2. District Accounts Officer, Bannu for information & necessary action.
3. PS to Secretary, PWD-K.P, Peshawar.
4. PS to Director General, PWD-K.P, Peshawar.
5. Accountant (Local) for information & necessary action.
6. Officer concerned for information & w/r to his charge assumption report dated 0505/2018.
7. PF of the Officer concerned.
8. Master File.

District Population Welfare Officer
Bannu



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

Dated Peshawar the, 31st October, 2018

NOTIFICATION

NO. SOE (PWD) 4-42/2018/DPC:- Consequent upon the recommendations of Departmental Promotion Committee dated 25-09-2018, and approval by the Competent Authority on 24-10-2018, Mr. Arif Abbas, Assistant (BPS-16) Office of Directorate General Population Welfare, Khyber Pakhtunkhwa, Peshawar is promoted as Superintendent (BPS-17) on regular basis, with immediate effect, subject to the condition that:-

- i) He will retain inter-se-seniority as in the lower post;
- ii). He will remain on probation for a period of one year in terms of Rule-15 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
POPULATION WELFARE DEPARTMENT

Endst: SOE (PWD) 4-42/2018/DPC/4363-71 Dated Peshawar the, 31st October, 2018

Copy forwarded for information & necessary action to the; -

- 1. Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department, Peshawar.
- 2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
- 4. Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
- 5. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
- 6. Officer concerned.
- 7. Personal file of the officers.
- 8. Master file.

SECTION OFFICER (ESTT)
PHONE No. 091-9223623

To

The Hon'able Director General,
Population Welfare Department
Khyber Pakhtunkhwa.

27
D.No 667
25.3.2019

No. 721
dt 25/3/19

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

R/Sir,

D.No. 348
dt 28-03-019

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/5/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post Supdtt (BPS-17).

That now Khyber Pakhtunkhwa Service Tribunal issued a judgment in service appeal No.56/2018 Mr. Zawar Hussain V/S the Secretary Govt. of Khyber Pakhtunkhwa PWD Peshawar and others that seniority may be determined on the basis of officiation.(Copy of judgment is attached).

In view of the above it is requested that my seniority position in seniority list of Assistant BPS-16 may be revisited and be given promotion to Supdtt as per service rule of the department it is further stated that wrong promotion if any made may also be rectified during probation period.

It is therefore, requested that I may be given due place/right/posting as per my seniority in the light of judgment of Khyber Pakhtunkhwa Service Tribunal please.

Yours faithfully,

Muhammad Aqeel Babar
ADPWO/ Working as (S.I) (M&E)
Section PWD

D. Zahid
25/3/19

25/3/19

25/3

27/3

Supdtt
27/3

R.K
28/3

(40)

(34)

To

Hon'able Secretary to Govt of Khyber Pakhtunkhwa,
Population Welfare Department
Peshawar.

Subject:-

APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER
PAKHUTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE
TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION
WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

Dear Sir;

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/05/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post of Superintendent (BPS-17).

That Khyber Pakhtunkhwa Service Tribunal in its judgment in the case titled " MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS" dated 12.03.2019 observed that criteria of setting up seniority on the bases of age is illegal and orders dated 15.11.2017 & 28.12.2017 may be set aside.

That I had submitted an appeal to Director General Population Welfare Department dated 25.03.2019 wherein undersigned highlighted the above mentioned points but the same is filed by the competent authority.

In view of the above being appointment authority you are requested that due place be given to undersigned in seniority list and I may be promoted to Superintendent and if any wrong promotion is made, may be rectified please.

This appeal is based in light of judgment of Khyber Pakhtunkhwa Service Tribunal dated 12.03.2019 (copy attached)

EDG

Your faithfully

(Muhammad Aqeel Babar)
ADPWO/Working as (S.I) (M&E)
Section PWD

25/4/19

6600
645-6800
699
Khyber Pakhtunkhwa

(42)

(34)

To

Hon'able Secretary to Govt of Khyber Pakhtunkhwa,
Population Welfare Department
Peshawar.

Subject:-

APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER
PAKHUTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE
TITLED OF "MR ZAWAR HUSSAIN V/S SECRETARY POPULATION
WELFARE KHYBER PAKHTUNKHWA AND OTHERS"

Dear Sir;

It is humbly submitted that the undersigned was inducted in this department through initial recruitment dated 6/05/2009 and submitted my arrival on the same day.

That the initial seniority list was issued on the basis of date of arrival and I was at the top of the list.

That later on, seniority list was made on the basis of age and I went down to S.No.3 in the list.

That on the account of seniority based on age Mr. Arif Abbas was promoted to the post of Superintendent (BPS-17).

That Khyber Pakhtunkhwa Service Tribunal in its judgment in the case titled " MR ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS" dated 12.03.2019 observed that criteria of setting up seniority on the bases of age is illegal and orders dated 15.11.2017 & 28.12.2017 may be set aside.

That I had submitted an appeal to Director General Population Welfare Department dated 25.03.2019 wherein undersigned highlighted the above mentioned points but the same is filed by the competent authority.

In view of the above being appointment authority you are requested that due place be given to undersigned in seniority list and I may be promoted to Superintendent and if any wrong promotion is made, may be rectified please.

This appeal is based in light of judgment of Khyber Pakhtunkhwa Service Tribunal dated 12.03.2019 (copy attached)

FDG

Your faithfully

(Muhammad Aqeel Babar)
ADPWO/Working as (S.I) (M&E)
Section PWD
25/4/19





GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE
Plot No.18, Sector E-8, Phase-VII, Hayatabad, Peshawar

F.No.4 (15)/2019/Admn
Dated Peshawar the 10/6/2019.

(44)
43

To,
The Secretary to Govt. of Khyber Pakhtunkhwa
Population Welfare Department
Peshawar.

Subject:- APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA & OTHERS.

Dear Sir,

I am directed to refer to Section Officer (Estt), PW letter No.SOE(PWD)4-103/2019/Appeal/822-23 dated:02/05/2019 on the subject noted above and to submit para-wise comments for your kind perusal as desire please.

S.No.	Para-wise appeal of Muhammad Aqeel Babar	Para-wise departmental reply
1	That the undersigned was inducted in this department through initial recruitment dated:06/05/2009.	Incorrect. He was appointed as Assistant (BPS-14) on Adhoc basis on 27/04/2009 (Annex-A).
2	That the initial seniority list was issued on the basis of date of arrival and I was at top of list.	Incorrect. That initial & final seniority lists of Assistants (BPS-14/Adhoc appointments) were determined on merit basis as issued & circulated on the following dates:- <ul style="list-style-type: none">On 16/02/2010 provisional seniority list of Assistant was issued.Final seniority list of Assistant was issued on 07/04/2010. In the above mentioned provisional & final seniority lists (Annex-B) of Assistant (BPS-14) the position/placement in the list (Adhoc appointees) was:- <ol style="list-style-type: none">Muhammad Hussain was at S.No.10Arif Abbas was at S.No.11Muhammad Aqeel Babar was at S.No.12Farooq Ahmad Afridi (now dismissed from service) was at S.No.13Mir Baiz Khan was at S.No.14 On 31/12/2012 this directorate issued provisional seniority list of Assistant (BPS-14) on the basis of merit (Annex-C) wherein the seniority position of Adhoc appointees was as under:- <ul style="list-style-type: none">Muhammad Hussain was at S.No.4Arif Abbas was at S.No.5Muhammad Aqeel Babar was at S.No.6Farooq Ahmad Afridi (now dismissed from service) was at S.No.7Mir Baiz Khan was at S.No.8 In the year of 2013 on 05/11/2013, final seniority list of Assistant (BPS-14) were issued (Annex-D), in which their seniority position (Adhoc appointees) was the same:- <ul style="list-style-type: none">Muhammad Hussain was at S.No.4Arif Abbas was at S.No.5Muhammad Aqeel Babar was at S.No.6

44
42

	<ul style="list-style-type: none">• Farooq Ahmad Afridi (now dismissed from service) was at S.No.7• Mir Baiz Khan was at S.No.8 <p>While in 2016 once, only provisional seniority list was issued on basis of date of arrival in which Muhammad Aqeel Babar was on top. & this seniority list was not finalized as the Assistant cadre was linked with BPS-17 Adhoc officer's seniority.</p>
3	<p>That later on, seniority list was made on the basis of age and I went down to S.No.3</p> <p>Correct to the extent. That in compliance with instructions/guidance issued by the Admn Deptt: (PW) dated:26/10/2017 (Annex-E) all the seniorities of subordinate Adhoc appointees were determined from the date of their regularization & subsequently compiled on age basis as per ESTA Code(Section-17(b)58(4) proviso AND TENTATIVE SENIORITY LIST OF Assistants (BPS-16) was issued on 15/11/2017 & circulated amongst all the Assistants (Annex-F), wherein "the then Assistants were asked that if they have any objections/omissions then may be communicated to this Directorate General, PW within 30 days of the issue of this letter as per enclosed certificate in either case positively. Non response within the stipulated time will be considered as no objection". Afterwards exactly after two days all the Assistants on 17/11/2017 submitted NO OBJECTION CERTIFICATES including Muhammad Aqeel Babar wherein he clearly intimated that "I have gone through my particulars mentioned at S.No.03 of the tentative seniority list of Assistant (BPS-16) and found them correct and I have no Objection on the said seniority list" (Annex-G). After the submission of their no objection certificates final seniority list of Assistant (BPS-16) was issued on 04/01/2018 (Annex-H). Afterwards on 04/05/2018 Muhammad Aqeel Babar alongwith others were promoted from the post of Assistant to the post of ADPWO(BPS-16) by Departmental Promotion Committee which he willingly accepted & assumed the charge of ADPWO(BPS-16) in DPW Office, Bannu.</p>
4	<p>That Khyber Pakhtunkhwa, Services Tribunal Peshawar observed in the case titled "Mr. Zaiwar Hussain V/S Secretary, PW & others" that criteria of setting up seniority on the bases of age illegal as per claim of Muhammad Aqeel Babar.</p> <p>Incorrect. Based on distortion of facts. The judgment copy provided by Muhammad Aqeel Babar has been thoroughly examined and nothing like such illegal deceleration by Services Tribunal Peshawar has been found. The Services Tribunal, Peshawar has only stated that "respondents are required to recast the impugned seniority of Statistical Assistant (BPS-12) only in light of the relevant section of the Regularization of Services Act, 2009" nothing like any orders etc. has been issued to the department by Services Tribunal. So the claim of the applicant is false/concocted.</p>

Keeping in view the above, it is requested that departmental appeal may kindly be discarded / filed for being demerit & time barred.

Yours faithfully,

Assistant Director (Admn)

O/CB

Copy forwarded to the:-

PS to Director General, PWD, Peshawar.

Assistant Director (Admn)

O/CB

Scanned with CamScanner
Note No. 3001-22
10/6/19



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

45

SOE(PWD) 4-103/2019/Appeal/2342-44
Dated Peshawar the 18th July, 2019

To

Mr. Muhammad Aqeel Babar,
ADPWO / Statistical Investigator (M&E)
Directorate General Population Welfare,
Peshawar.

Subject: - **APPEAL FOR REDRESSAL OF GRIEVANCES IN THE LIGHT OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT IN THE CASE TITLED OF "MR. ZAWAR HUSSAIN V/S SECRETARY POPULATION WELFARE KHYBER PAKHTUNKHWA AND OTHERS"**

I am directed to refer to the subject noted above and to state that your application dated 25-04-2019 has thoroughly been examined in this Department and regretted due to the following reasons:-

- i. On 15-11-2017, tentative seniority list of Assistant (BS-16) as stood on 09-11-2017 was circulated amongst the Assistants including you with the direction that if any objections / omissions found may be communicated to the DG, PW, KP within thirty days of the issuance of the letter No. 4(15)/2016/Admn dated 15-11-2017 and you gave a certificate on 17/11/2018 to the effect that he had gone through particulars mentioned at S. No. 3 of the tentative seniority list of BS-16 and found them correct and had no objection on the said seniority. Furthermore final seniority list of Assistant (BS-16), PW, KP as stood on 27-11-2017 was notified on 04-01-2018;
- ii. Khyber Pakhtunkhwa Service Tribunal, Peshawar judgment in case titled "Mr. Zawar Hussain V/S Secretary, PWD and other is not applicable in your case, as you were not party in the instant case;
- iii. Your Departmental Appeal dated 25-04-2019 is time barred as well.

D. No. 1787
dated 18/7

D. No. 1787
dated 18/7

SECTION OFFICER (ESTT)

Copy to the: -

1. Director General, Directorate General Population Welfare, KPK, Peshawar w/r to letter No. 4(15)/2019/Admn/3001-02 dated 10/06/2019.
2. PS to Secretary Population Welfare Department, KPK, Peshawar.

SECTION OFFICER (ESTT)

22/7
22/7
22/7



GOVERNMENT OF KHYBER PAKHTUNKHWA,
POPULATION WELFARE DEPARTMENT
02nd Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

46

17/05/2019
09.28.19

No. SOE (PWD) 4-9/177/2019/SC/647-48
Dated Peshawar the 23rd April, 2019

To

The Director General,
Population Welfare Department,
KPK, Peshawar.

NO-1086
dt 24/4/19

D No 1086
dt 24-4-2019

Subject: -

NOTICE REGARDING FILING OF CPLA IN THE SUPREME COURT OF
PAKISTAN AGAINST THE JUDGMENT DATED 12-03-2019 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of Notice received from Mir Adam Khan, Advocate on Record, Supreme Court of, Pakistan, Islamabad in r/o of Khair Muhammad Afridi and others V/S Zawar, HussainKhan and others for further necessary action please.

Yours faithfully,

SECTION OFFICER (ESTT)

Encls: As above.

Copy to PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (ESTT)

D. Afridi
24/4
DD/CS
24/4/19
24/4/19 (CA)

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

C.P.L.A. No _____/2019

Khair Muhammad Afridi and another.....**Petitioners**

VERSUS

Zawar Hussain Khan and others.....**Respondents**

NOTICE

To,

1. Zawar Hussain Khan, Statistical Assistant, Office of the District Population Welfare, District Mardan.
2. The Secretary, Govt. of Khyber Pakhtunkhwa, Population Welfare Department Peshawar.
3. The Director General, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
4. Nazar Ali, Statistical Assistant, Office of the District Population Welfare, District Chitral.
5. Shafeeq Alam, Statistical Assistant, Office of the District Population Welfare, District Malakand.
6. Hafiz Nasir Khan, Office of the Director General, Population Welfare Department, Peshawar.
7. Muhammad Najeem Khan, Office of the District Population Welfare, District Dir Lower.
8. Fazal Wadood, Office of the District Population Welfare, District Buner.

Please take notice that today I have filed CPLA against the impugned Judgment dated 12-03-2019 of the Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No 56/2018 on behalf of the appellant in the above cited case, in the Supreme Court of Pakistan Islamabad.

Dated _____

Mir Adam Khan
Advocate on Record
Supreme Court of Pakistan
Islamabad

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19/4

