· Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakhel, Learned Assistant Advocate General alongwith Aizazul Hasan, Assistant for respondents present.

File to come up alongwith connected Service Appeal No. 9150/2020 titled "Hidayat Shah Vs Government of Khyber Pakhtunkhwa" on 25.11.2022 for arguments before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

25.11.2022

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

File to come up alongwith connected Service Appeal No. 9150/2020 titled "Hidayat Shah Vs Government of Khyber Pakhtunkhwa" on 30.01.2023 for arguments before the D.B.

(Fareena Paul) Member (E) (Rozina Rehman) Member (J) Due to Winter Vacations, the case is adjourned to 25.04.2022 for the same as before.

READER

25.04.2022

: 😚

Clerk of learned counsel for the appellant present. Mr Aizazul Hassan Superintendent alongwith Mr. Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

File to come up alongwith 9150/2020 titled Hidayat Shah Vs Government of Khyber Pakhtunkhwa, on 18.07.2022 before the D.B.

(Rozina Rehman) Member (J) (Salah-Ud-Din) Member (J)

18.07.2022

Appellant present through counsel.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Aizazul Hassan Superintendent for respondents present.

File to come up alongwith connected Service Appeal No.9150/2020 titled "Hidayat Shah Vs. Government of Khyber Pakhtunkhwa" on 14.09.2022 for arguments before D.B.

(Fareeha Paul) Member(E) (Rozina Rehman) Member (J) 19.01.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 19.05.2021 before S.B.

Appellant Deposited Security & Process Fee

> (Rozina Rehman) Member (J)

19.05.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 01.09.2021 for the same as before.

Reader

01.09.2021

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Zain, AD for respondents present.

Learned AAG sought time for submission of written reply/comments. Adjourned. The respondents are directed to submit written reply/comments within 10 days. To come up for written reply/comments as well as arguments before the D.B on 28.12.2021.

(MIAN MUHAMMAD) MEMBER (E)

34.80 M

Form- A FORM OF ORDER SHEET

Court of	
Case No 10289	/2020

	Case No	/2020
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	
1-	07/08/2020	The appeal presented today by Mr. Noor Muhammad Khattal Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.
:		Learned Weimber for proper
2-		REGISTRAR , This case is entrusted to S. Bench for preliminary hearing to be presented to S. Bench for preliminary hearing to S. Bench for preliminary hearing to be presented to S. Bench for preliminary hearing to S. Bench for pr
		up there on
.11.202	20	Nemo for appellant. Since the Members of the High Court as well as of the
	Di	strict Bar Association, Peshawar, are observing strike
	to	day, therefore, learned counsel for appellant is no
		vailable today. Adjourned to 19.01.2021 on which date to
	1	me up for preliminary hearing before S.B.
		(Muhammad Ja mal Khan) Member (Judicial)
!		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO	·	/2020
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ARSHAD NABI

V/S

GOVT. OF KP & OTHERS

INDEX

S. NO	<u>DOCUMENTS</u>	ANNEXURE	PAGE
1	MEMO APPEAL		1 – 3.
2	Stay application		4.
3	Appointment order	A 5.	
4	Old service rules	В	6- 8.
5	Impugned Rules dated 5.4.2018	· · · · · · · · · · · · · · · · · · ·	
6	Impugned rules dt: 1.8.2018	8 D 10-13.	
7	Impugned rules dt: 16.10.2019	E 14- 15.	
8	Notification	F	16.
9	Departmental appeal	G 17- 18.	
10	Vakalat nama		19.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK,
ADVOCATE

ROOM NO. 3, UPPER FLOOR, NEW ISLAMIA CLUB BUILDING, KHYBER BAZAR, PESHAWAR CITY

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Mr. Arshad Nabi, Village Secretary, Village Council Tatar Khel, District Karak.

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- **3-** The Secretary Local Government, Election & Rural Development Department, Civil Secretariat, Peshawar.
- 4- The Secretary (Finance) Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 5- The Director General Local Govt:, Election & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

...... RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES OF THE RESPONDENT **DEPARTMENT NOTIFIED ON 5.4.2018, 1.8.2018** 16.10.2019 WHEREBY THE PROSPECTS OF PROMOTION OF THE APPELLANT TO THE NEXT HIGHER SCALES HAS BEEN DONE AWAY AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STAUTTORY PERIOD OF NINETY DAYS

ledte-day service

PRAYER: That on acceptance of this appeal the impugned Notified on 5.04.2018, 1.8.2018 rules 16.10.2019 may kindly be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and the respondents be directed to consider the appellant for promotion to the next higher scale/scales under the old rules notified on 26.01.1978. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH: ON FACTS:

1-That the appellant is the employee of the respondent Department and is presently serving as Village Secretary since from the date of appointment till date quite efficiently

- That according to the service rules Notified on 26.1.1978 the initial scale of the appellant was in BPS-6 which was later on upgraded to BPS-7. That under the said Rules the prospects of promotion was on up to the post of Deputy Director (BPS-18) but later on vide impugned Notifications dated 5.4.2018, 1.8.2018 and 16.10.2019 the channel of promotion has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Civil Servant Act, 1973 & APT Rules, 1989. Copies rules and impugned rules are attached as annexure B, C, D & E.
- That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.
- The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota. Copy of the impugned rules is already attached.
- 6- That appellant feeling aggrieved filed Departmental appeal but no reply has been received so for. Hence the present

appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure G.

GROUNDS:

- A- That the impugned service rules dated 5.4.2018, 1.8.2018 and 16.10.2019 framed by the respondents whereby ignoring the appellant from promotion to the next higher scales is against the Law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- **B-** That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That, the treatment meted out to the appellant is clear violation of the Fundamental Rights of the appellant as enshrined in the Constitution of Pakistan, 1973.
- **D-** That according to Article 37 of the Constitution the state is bound to promote social justice and eradication of social evils and accordingly the action and inaction of the respondents squarely falls in violation of the said Article.
- E- That, inspite of all the requisites available with the appellant the respondents acted in a malafide and arbitrary manner by issuing the impugned service rules dated 5.4.2018 & 16.10.2019.
- **F-** That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- **G-** That, the ignoring the appellant from promotion to the next higher scales is violative of Article-38 (e) of the Constitution of Pakistan, 1973.
- **H-** That the appellant seek permission to advance other grounds and proofs at the time of hearing.

THROUGH:

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 25.08.2020

ARSHAD NABI

NOOR MOHAMMAD KHATTAK

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M. NO		/2020
	IN	
APPEAL NO		/2020

ARSHAD NABI

-

VS

GOVT: OF KPK & OTHERS

APPLICATION FOR RESTRAINING THE RESPONDENTS
NOT TO ACT UPON THE IMPUGNED SERVICE RULES
DATED 5.4.2018, 1.8.2018 & 16.10.2019 TILL THE
DISPOSAL OF THE ISNTANT SERVICE APPEAL

R.SHEWETH:

- 1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
- 2. That, appellant filed the above mentioned service appeal against the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018</u> & <u>16.10.2019</u> whereby the 75% promotion quota have been done/washed away.
- 3. That, all the three ingredients required for grant of stay are in favor of the appellant.
- 4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to act upon on the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018</u> & <u>16.10.2019</u> till the disposal of the instant service appeal.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE, High Court Peshawar

A-8

OFFICE OF THE ASSISTANT DIRECTOR LOCAL GOVT: & RDD DISTRICT KARAK

OFFICE ORDER

Dated Karak the: 25/2019

No._300 /AD/LGRDD appointment on the recommendation of departmental promorion and selection committee meeting held on _22-05-2014. Mr. Arshad Nabi S/O Nabi Rehman is hereby appointed as Village Secretary in EPS-09 (11770-730-33670) plus usual allowances as admissible under the rules on permanent basis (Medical Board son quota) with immediate effect under the terms and conditions given below:-

- 1. He will on probation for a period of one year.
- 2. The appointee joins their post within 15 days of the issuance of this order.
- 3. He will produce Health & Age certificate from Medical Superintendent DHQ Hospital Karak.

ASSISTANT DIRECTOR

LG&RDD Distt: Karak

Endst: of Even No. & Date:

Copy forwarded for information to the:-

- 1. Director General Local Government & RDD KPK Peshawar.
- 2. District Account Officer District Karak.
- 3. Supervisor LG & RDD District Karak.
- 4. Mr. Arshad Nabi S/O Nabi Rehman R/O Chokara Tehsil Takht e Nasrati & District Karak.

5. Office order file.

ASSISTANTPIRECTOR

LG&RDD Distt: Karak



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF NORTH WEST FRONTIER PROVINCE

NOTIFICATION

Dated: 26th January, 1978.

applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be Transfer) Rules, 1975 and in consultation with the information services and General Administration Department and the Finance Department, the Local Government Cooperation, Social affairs, Tourism No. Section Officer(LG-1) 2-188/93-Vol-II: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and

		•	Grade-16 or above.		
			Welfare, Planning & Dev: or Forest in		
			Animal Husbandry Education, Social		
			b) Pive year experience in Agriculture,		
such.	•		or Social Psychology and		
Project Managers & Progress Officers with at least years experience as			Animal Husbandry, Agril: Geography		
Rural Development (including the defunct basis Democracies Deptt.)	years		statistics, social works sociology,	-	
seniority from amongst the holders of the posts of Assistant Director	and not more than 35		recognized University in Economics,		
i) 25% by initial recruitment, and 75% by on merit with due regards to	Not less than 30 years	-	a) 2 nd Class Master Degree from a	Deputy Director	_
6	5	4	· ·	2	
	recruitments	promotion		post	
Method of appointment	Age limit for initial	Qualification for	Qualification for initial recruitment	Nomenclature of	S.No.
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holders of the post Village Secy: in Depit with least years experience as the	years			
ii) 75% by selection on merit with due regards seniority from amongst	and not more than 25		-	··· <u> </u>
25% by initial recruitment and	Not less than 18 years	Degree from recognized University	Supervisor	
	years		-	10
	and not more than 25	-		_
By Initial Recruitment	Not less than 21 years	Diploma from recognized Institute	Overseer	
		words per minute in typing		T
		shorthand in English and 40		
	•	b) Speed 100 words per minutes in		
holders of the post Stenographer (Junior Clerk).	years			<u>.</u>
(ii) 75% by selection on merit with due regards seniority from amongst	and not more than 25	quanticaton nom recognized	(Dellas Octob)	
i) 25% by initial recruitment and	Not less than 18 years	a) Prairiculation or equivalent	(Senior Scale)	
experience as such.			Ctanounnhor	×
holders of the post Village Seey; in the Deptt: with at least years	years			_
	and not more than 30			
1) 25% by initial recruitment and	Not less than 21 years	E-gree from recognized Officersity	Accountant	
=		Dorge from recognized Linius.	Assistant /	7
with least fine wants avantation and state available to and managements	· <u>-</u>	-		
holders of the Assisted Accountants/ Senior Stangaranher /Senior Auditors	_			_
By the selection on merit with due regards to seniority from amongst			Superintendent	_
holders of the post the overseers	усатѕ	University	Director Engineer	1
ii) 75% by selection on merit with due regards seniority from amongst	and not more than 30	qualification from a recognized	Direct /Assistant	_
	Not less than 21 years	Degree in Engineering or equivalent	Sub Divisional	-
		Creography or Social Psychology		<u>-</u>
<u> </u>		rubic Admir Folnical Science	_	
Note: Service in defunct vill: Deptt and the purpose of service under this		Bublic Admin Bulling Agriculture,	_	
holders of the post supervisor, RD in the deptt: with at least.	years	A cimal Track and A citalians		
	and not more than 30	teognized University in Economics,	Clincol	
i) 50% by initial recruitment and	Not less than 21 years	2" Class Master Degree from a	Development	
		Department.	7	
service such.		Audit Deptt: or Provincial Local Audit		
holders of the post Superintendent the Deptt: with a least three years	years	or G.A.S qualified persons of Pakistan		
	and not more than 30	Commence / Business Administration,		-
i) 50% by initial recruitment and	Not less than 21 years	2 ^{nu} class Master's Degree in	Accounts Officer	
		Physics, Chemistry, Mathematics		, T
		Geography or Social Psychology,		(
	•	Science, Public Administration,		
(Assistant Director Engineer)		Animal Husbandry, Agril: Political		1
	years	statistics, social works sociology,	/Progress Officer	1) -
 5;\	and not more than 30	recognized University in Economics,	Project Manager	2
=	Not less than 21 years	a) 2 nd Class Master Degree from a	Assistant Director/	
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	2 th JUNE, 2019

=	Senior Auditor	Degree from recognized University Note: Preference will be given to persons	Not less than 18 years and not more than 25	Not less than 18 years i) 50% by initial recruitment and and regards seniority from amongst and not more than 25 ii) 50% by selection on merit with due regards seniority from amongst
		holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts	усатѕ	holders of the post Junior Clerk in the Deptt; with a least three years service such, who have minimum qualification prescribed for initial recruitment
12	Stenographer (Junior Scale)	a) Matriculation or equivalent qualification from recognized board and	Not less than 18 years and not more than 25 years	By Initial Recruitment
		 b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing 		
13	Steno Typist	a) Matriculation or equivalent qualification-from recognized board	Not less than 18 years and not more than 25	 i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amongst holders of the
			years	post Junior Clerk /Senior Clerk in the Deptt; with a least three years
		(b) Speed 80 words per minutes in	-	service such.
	-	shorthand in English and 35 words per minutc-in typing	-	
	Junior Auditor	Matriculation or equivalent	Not less than 18 years	By Initial Recruitment
		qualification from recognized board	and not more than 25	
15	Senior Clerk			by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment
g.	Village Secretary	Intermediate from recognized Board -	Not less than 18 years and not more than 25	By Initial Recruitment
17	Junior Clerk	Matriculation or equivalent qualification from recognized board	Not less than 18 years and not more than 25 years	iii) Not less than 80% by initial recruitment and iv) Not more than 20% by selection on merit from amongst holders of the post Daftaries and Poen in the Deptt: with a least three years service
				such. Qualification prescribed for initial recruitment

Sd/-xxx
ATTAUR REHMAN KHAN
Secretary to Govt: of N.W.F.P.
Local Govt:, Cooperation, Social Welfare, Tourism & Rural Development Department.

Printed and published by the Manager, Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 05th April, 2018

No. SO(LG-I)2-188/SSRC/2018.- | Phi exercise of the power conferred by sub-rule (2) of the rule 3-of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26:01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix.-

for serial No. 10 the following shall be substituted, in the respective columns marriely:

-10.	Supervisor	Atleast Second Class 21 to 30 [i]	Seventy-live (75), per cent, by
1	ļ.,.,,	Bachelor's Degree from a pears.	promotion, on the basis of
}		recognized University.	seniority-cum-fitness from
	1 .		amongst the Senior Secretary
			Village / Neighborhood Council.
.1	I		with atleast five (05) year service
1	T j	1 / / / / / / / / / / / / / / / / / / /	as such: and
	İ		Twenty-five (25) per cent by
	İ	MX M/	initial recruitment.";

(b) after serial No. 15, the following new entries shall be inserted, in the respectively columns, namely.

· ·	Senior Secretary Village Neighborhood Council			By promution on the basis of seniority - cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such,"; and
-----	---	--	--	---

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

-16.	Junior Secretary Village Neighborhood Council.	Alleast Second Class Intermediate or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS-Office. Impage and Internet.	30 years.	i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids, and Chowkidars in the Village. / Neighborhood Council with seniority at tehsil level, having Secondary School Certificate in second division, from a recognized Board or Institute with three (03) year service as such; and
•	•			

ATASIED



ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates: adjacent Village -1/ Neighborhood Council: -

Provided further that in case of non-availability of candidate Village adjacent Neighborhood Council then from Village 🦠 🕖 other Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVE, ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

Dated Peshawar, the 05th April, 2018.

No. SO(LG-1)2-188/SSRC/2018.-

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6. The Director General, LG.E&RDD, Khyber Pakhtunkhwa Peshawar,
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyher Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Peshawar
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- . 12 All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press. Peshawar for publication in the next. Government Gazettee Notification, 40 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG.E&RD Khyber Pakhtunkhwa.
- 15. The PS to Secretary LG.E&RDD Peshalour
- 16. The Office Order file

(CAMMENIAM ILAH) SECTION OFFICER (ESTAB) Phone # 091-9213224

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT
DEPARTMENT.

NOTIFICATION -

Peshawar, dated the 1st August 2018.

No. SO (LG-I)2-188/SSRC/2018.-In exercise of the powers conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department, in consultation with the Establishment and Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG (RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. 1 the following shall be substituted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
"1.	Director General.	_	-	-	By transfer from amongst PAS, PCS and PMS officer in BPS-20.".
					and Tivis officer in Dr 3-20.

(b) for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
"1A.	Director.		-		By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years service as such or twelve (12) years service as Assistant Director and above.
	FED			-	Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

1426 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019

(c) after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

6417	T-				<u> </u>
"1B.	Director (Technical).	-	<u>-</u>	_	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years service as such or twelve (12) years service, as Assistant Engineer and Assistant Director (Technical) and above.
1C.	Deputy Director/Assistant Director (Senior).	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors with at least five (05) years service as such.
1D.	Deputy Director (Finance and Accounts).		-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Accounts Officers with at least five years service as such.
IE.	Deputy Director (Technical).		-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years service as such and having a Bachelor's Degree in Civil Engineering."; Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

- (d) against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.
- (e) against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

3.		6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	(i)	Fifty (50) per cent by promotion, on the basis on the basis of seniority-cumfitness, from amongst the Accountants with at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by transfer.; and
in description	(ii)	fifty (50) per cent by initial recruitment.".

(12)

KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019 1427

- (f) against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.
- (g) against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

2.		6.
"Assistant.	(i)	Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and
·	(ii)	twenty-five percent initial recruitment.";

(h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:

"Provided that if no suitable officer is available for promotion then by transfer.";

(i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

1.	2.	3.	4.	5.	6
"9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University; (b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and (c) at least two years experience in relevant field.	-	18 to 30 years.	By initial recruitment.";

(j) for Serial No. 11 the following shall be substituted, in the respective columns, namely:

1. 2.	3.	4.	5.	6.
11. Accountant.	At least Second Class Bachelor's Degree in Business Administration or its equivalent qualification, from a recognized University.	-	21 to 30 years.	By initial recruitment: Provided that till the appointment of a suitable person on initial recruitment the post shall be filled by transfer.";

(k) for Serial No. 14, the following shall be substituted, in the respective columns, namely:

13

1,	2.		GOVT: GAZETTE, EX	4.	5,	
14.	Computer	(a)	At least Second		21 to 32	6. By initial
	Operator,		Class Bachelor's		years.	recruitment.";
			Degree in) years.	rectulument.
	-		Computer			·
			Science (BCS)/			
•			Information		1.	
			Technology			
			(BIT) (04-years)			-
			or its equivalent			
		}	qualification			
		<u> </u>	from a			
		į	recognized			
	*	İ	University; or			
		(b)	At least Second			:
			Class Bachelor's			
			Degree from			
			recognized		ļ.	1
			University with			
			one year			
			Diploma in	,		
			Information			
		1	Technology from			
			a recognized			
			Board of		1	
	1		Technical		-	
			Education.			

(j) after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
"19A.	Driver.	Preferably literate and holding a valid Driving License.	- .	18 to 40 years.	By initial recruitment."; and

(1) for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LOCAL GOVERNMENT ELECTIONS AND RURAL DEVELOPMENT DEPARTMENT.

Printed and published by the Manager, Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

ATTISTED

E: (14)

Page NOS



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department



NOTIFICATION

Dated Feshawar, the 16th October, 2019

No. SO(E)LG/2-188/SSRC/2019. In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in mis Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- a) Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Orticers in Provincial Management Service,";
 - Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - iii) Ten percent by promotion, on the basis of seniority-cunt-fitness, from amongst the Senior Seale Stenographers and Assistants with at least three years service as such.

Note: For purpose of promotion to the post of Assistant Director against ten percent quoto, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.":

- against Serial No. 3; in column No.6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty (50) per cent by promotion, on the basis of seniority-com-fitness, from amongst the Superintendents with at least three years service as such; and
 - ii) Fifty (50) per cent by initial recruitment.";
- against Serial No.5, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - i) "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
 - ii) Ten per cent by promotion, on the basis of semiority-cum-timess, from amongst Sub-Engineers with at least five years service as such and who posicists. Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and
 - Seventy per cent by initial recruitment.":

ATTESTED

- against Serial No. 6, in column No.6, for the words, colour, and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall
- against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and \cdot
- against Serial No. 16, in column No.6 for the existing entry, the following shall be
 - Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and.
 - Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborheod Council;

Provided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tohsil.".

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG,E&RD DEPARTMENT

No. SO(E)LG/Z-188/38RC/Z019.-

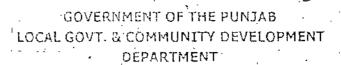
Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhtunkhwa, Pashowar,
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Cluef Secretary, Khyber Pakhtunkhwa Peshawa...
- 6. The Director General, LG.E&RDD, Khyber Pakhtinkhwa Peshawar.
- 7. The Secretary, Khyber Pakhumkhwa Public Service Commission, Peshawar,
- 8. All Head of Attached Departments in Kisyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All-Assistant Directors, ES&RDD in Khyber Pakhtunkhiva.
- 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification, 100 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG, E&RD Khyber, Pakhtunkinva.
- 15. The PS to Secretary LG, E&RDD Peshawar.
- 16. The Office Order file.

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 001-9213224





(16)

Dated Lahore the 27th July, 2018

NOTIFICATION

NO.SO.Admn-I(UG)1-4/15: The Competent Authority is pleased to approve up-gradation of the following posts of Secretary Union Councils appointed under the Punjab LG&RD Service Rules, 1981 and Runjab Government District Service (Town/Tensil Municipal cadro.) Rules 2005 w.e.f 01.07.2018:-

'	Sr#	Post	Present Scale	Up gradation	
	i.	Union Secretary (Committee)	6S- 07	BS-11	1
	2. 2.	Union Secretary (CD)	BS-11	BS-14	1.

2. The additional financial implication shall be met out of the budget of the respective Union Councils.

SECRETARY
LOCAL GOVT. & COMMUNITY DEVELOPMENT
DEPARTMENT

NO & DATE EVEN

A copy is forwarded for information & necessary action to: -

1. The Secretary, Government of the Punjab, Finance Department

- 2. The Director General, LG&CD Punjab Lahore with the reduest to amend the service rules accordingly.
- 3. All the Directors, LG&CD in the Punjab.
- 4. All the District Accounts Officers in the Punjab.
- 5. All the Deputy Directors, LG&CD in the Punjab
- .6: All Chairmen of Union Councils, in the Punjab.
- 7. The Assistant Director (UC), at the PHQ, Lahore.

8. Master file.

(MAHMOOD AHMAD) DEPUTY SECRETARY (ADMN.)

CC:-

Rana Manboop Hussain, All Punjob Socretaries UCs Association Punjab.

ATESTED!

Τo

THE SECRETARY,

Local Government, Elections & Rural Development Department, Khyber Pakhtunkhwa, Peshawar

Subject:

DEPARTMENTAL APPEAL AGAINST THE NOTIFICATIONS DATED 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/ RESTORATION THE OLD SERVICE STRUCTURE NOTIFIED ON 26.011978.

Most respectfully, it is stated that I am working as Village Secretary under your kind control. I am qualified and performing my duties with my full devotion. According to the service structure notified on 26.01.1978, the prospects of promotion for Village Secretaries were in line. That according to the said rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor and Assistant Accountant (BPS-14), 50% quota was reserved from Supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of Village Secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota...

Astonishingly the old service structure was further amended through impugned notification dated 16-10-2019 whereby the channel of promotions has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of law & APT rules, 1989,

It is therefore, requested that the impugned Notifications dated 15.04.2018 & 16.10.2019 may be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and as such I may be considered for promotion under the old rules dated 26.01.1978.

Obediently Yours,

Yshad Nabi

Secretary (VC/NC Council)

VIC <u>Toter Khel</u> Cell No: 0331277711

0311-5651887

-Arghal

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, <u>PESHAWAR</u>

·		OF 2020
Az	shad Nabi	(APPELLANT) (PLAINTIFF) (PETITIONER)
4	<u>VERSUS</u>	
Gaw!	of UP of Other	(RESPONDENT)(DEFENDANT)
KHATTAK, compromise my/our Compromise my/our Compromise my/our Compromise my/our Compressive and the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive on the compressive or the compres	appoint and constitute Advocate, Peshawar , withdraw or refer to a unsel/Advocate in the liability for his default a oint any other Advocate rize the said Advocate to my/our behalf all sums a n my/our account in the	to appear, plead, act, arbitration for me/us as above noted matter, and with the authority to Counsel on my/our cost. It deposit, withdraw and amounts payable or above noted matter.
Dated	_//2020	A) she de
		CLIENT
	NOC	ACCEPTED OR MOHAMMAD KHATTAK
	SH	AHZULLAH YOUSAFZAI
	·	MIR ZAMAN SAFI
· · · · · · · · · · · · · · · · · · ·	AI	FRASIAB KHAN WAZIR

OFFICE:

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10 201 /2020.

Mr. Arshad Nabi	Appellant
VERSUS	*
 The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil S Peshawar. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar. The Secretary Local Government Development Department, Civil Secretariat, Pesha The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Pesha Director General, Local Government & Rural Development Department Pakhtunkhwa 	awar

INDEX

S .#	Description of Documents	Annexure	Dage #
1	Joint Parawise reply	Annexure	Page #
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3	Notification No. SO(LG-I)2-188/SSRC/2018 dated 05.4.2018	Annex-I	6-7
4	Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018	Annex-II	8-11
. 5	Notification No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 alongwith 1978 Service Rules	Annex-III	12-18
6	No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018	Annex-IV	19

Respondents

Through

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>A</u>	<u>ppe</u> a	l No.	10	20	/ /2020.
	7 7 7 7				

Mr. Arshad Nabi

.Appellant

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.

..Respondents

JOINT PARA WISE REPLY ON BEHALF OF RESPONDENTS No. 1 to 5

Respectfully Sheweth!

Preliminary Objections:

- i. The Appellants have no locus standi and cause of action.
- ii. The Appellants have not come to the Service Tribunal with clean hands.
- iii. The Appellants have submitted incorrect & irrelevant documents and concealing the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.
- v. The present appeal is time barred.
- vi. That the instant appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- vii. That this Honorable Tribunal lacks jurisdiction to adjudicate upon the matter.

ON FACTS

- 1. Pertains to record.
- 2. Incorrect, The Provincial Government vide Notification bearing No. SO (LG-I)2-188/SSRC/2018 dated 05.4.2018, No. SO (LG-I)2-188/SSRC/2018 dated 01.8.2018 and No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 has allowed the channel of promotion to the appellant upto the post of Director (BPS-19) instead of Deputy Director (BPS-18) previously allowed under Service Rules Vide Notification No. DG (RWP)7(2)/73 dated 26-01-1978. (Annexure as I, II & III).



3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service

Rules thus wrongly pointed out by the petitioners. However, channel of promotion of the Village Secretary upto the post of Director (BPS-19) still exists.

- 4. The Provincial Government vide letter No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:
 - a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
 - b. 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and redesignated as Junior Village Secretary having less than 10 years' service.

In addition to above,

c. 89 posts of Supervisor upgraded from BPS-09 to BPS-14.

The channel of promotion of Village Secretary upto the post of Director (BPS-19) is intact.

Therefore necessary amendments in the Service Rules Notified on 26.01.1978 have been made, keeping in the view the requisite length of service for promotion of Junior Village Secretary (BPS-9) to the post of Senior Village Secretary (BPS-11) and it is worth mentioning that the onward channel of promotion is still intact upto the post of Director (BPS-19).

It is further submitted that the length of service for promotion of Junior Village/Neighbourhood Secretary (BPS-09) to the post of Senior Village/Neighbourhood Secretary (BPS-11) has been reduced and amended from 10 years to 5 years vide Notification No. SO (LG-I) 2-188/SSRC/2018 dated 16.10.2019, thereby allowing straightaway promotion to the petitioners after completion of 5 years' service instead of waiting for 10 years.

- 5. Irrelevant, hence denied.
- 6. As already explained, the channel of promotion has been maintained and amendments in Service Rules have been made after upgradation of the Village/Neighbourhood Secretary from BPS-07 to BPS-9 for Junior Village Secretary and BPS-07 and BPS-11 for Senior Village Secretary respectively.



Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.

REPLY TO GROUNDS:

A. Incorrect, There is no bar in Service Rules for promotion from the post of Village Secretary (BPS-09) upto the post of Director (BPS-19) LG&RD. (Annex as I,II & III).

4

- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.
- C. Incorrect, Already explained above.
- D. Incorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director (BPS-19) LG&RDD on his turn as per Law/Rules/Policy.
- F. Incorrect, already explained in Para 3, 4 and 6 of the facts.
- G. Incorrect. Promotions take place as per Law/Rules/Policy in vogue.
- H. The Respondents seek permission to produce further record and relevant arguments during the tribunal proceedings.

It is, therefore, humbly prayed that the instant Service Appeals being devoid of merits may be dismissed with cost please.

Director General G&RI Khyber Pakhtunkhwa Respondent No.5

Secretary LG, E&RDD, Khyber Pakhtunkhwa Respondent No.3

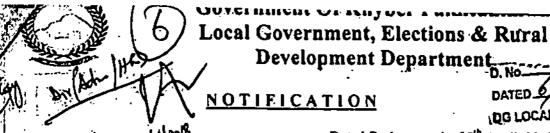
Secretary Finance Department, Khyber Pakhtunkhwa Respondent No.4 Secretary Establishment Department, Khyber Pakhtunkhwa

Respondent No.1 & 2



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1020/12020.
Mr. Avshad Nabi Appellant
VERSUS
 The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar. The Secretary Local Government Development Department, Civil Secretariat, Peshawar. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.
AFFIDAVIT I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government
& Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 10201 Parshad Nab 11
are true and correct to the best of my knowledge & belief and nothing has been intentionally
concealed from this Honorable Court. Deponent CNIC #. 17301-2416976-9
Identified By Cell #.0336-9170959
Advocate General Khyber Pakhtunkhwa



DG LOCAL GOVERNMEN

Dated Peshawar, the 05th April, 2018

No. SO(LG-I)2-188/SSRC/2018,-

In exercise of the power conferred by sub-rule (2),

of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the hereby directs that in this Department's Notification No. DG(RWP)7(2)/73. dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:-

for serial No. 10 the following shall be substituted, in the respective columns, namely:

10.	Supervisor	Atleast Second Class Bachelor's Degree from a		Seventy-five (75) per cent by promotion, on the basis of	1
		recognized University.		seniority-cum-fitness. from amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service	7
			i	is such::and i) Twenty-five (25) per cent by initial recruitment.":	1

(b) after serial No. 15; the following new entries shall be inserted, in the respectively columns, namely.

"15A;	Senior		18.0 - 8.0 - 9 1	By promotion, on the basis of seniority-
i .	Secretary			cum-fitness, from amongst the Junior
:	Village /	* ***** .*		Secretary Village / Neighborhood
ŀ	Neighborhood		 	Council, with atleast ten (10) year
	Council		}	service as such."; and

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

Secretary Village /	Atleast Second Class Intermediate or equivalent qualification from a recognized Board and atleast six (06)	30 years.	promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and
Council.	months Certificate in Computer from a recognized Institute with experience in MS-Office, Impage and Internet:		Chowkidars in the Village / Neighborhood Council with seniority at tehsil level, having Secondary School Certificate in second division: from a recognized Board or Institute with three (03) year service as such; and

Eighty (80) pen cent by initial recruitment;

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates. adjacent Village Neighborhood Council:

Provided further that in case of non-availability of candidate adjacent. Village Neighborhood Council then from other Village Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

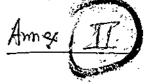
Dated Peshawar, the 05th April, 2018

Copy forwarded to:-

- I. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa,
- 3: The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- ... 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
 - .5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
 - 6) The Director General, LG E&RDD. Khyber Pakhtunkhwa Peshawar.
 - 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
 - 8: All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa.
 - 10. The Registrar, Peshawar High Court, Poshuwar.
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.
 - 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
 - 13. The Manager Government printing press. Peshawar for publication in the next Covernment Gazettes Notification. 40 suples of the Notification may be sent to this Department.
 - 14. The PS to Senior Minister for LO, E&RD Khyber Pakhtunkhwa.
 - 15. The PS to Secretary LO, E&RDD Peshinger.
 - 16: The Office Order file.

Phone # 091-9213224







Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 01st August, 2018

No. SO(LG-D2-188/SSRC/2018.— In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. 1 the following shall be substituted, in the respective columns, namely:

1,	2.	3,	4.	5.	6
<u>"1.</u>	Director General.	,	•	-	By transfer from amongst PAS, PCS and PMS officers in BPS-20.".

(b) for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

i ,	2.	3.	4.	5.	
* A.	Director.	:-		-	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above. Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";
<u>ــــــا</u>		1	<u> </u>		

(c) after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B.	Director (Technical).	-	-	-	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years' service as such or twelve (12) years' service, as Assistant Engineer and
1C.	Deputy Director/Assistant Director (Senior).	-	•	•	Assistant Director (Technical) and above. By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Directors with at least five (05) years' service as such.



1 D .	Deputy Director (Finance and Accounts).		•		By promotion, on the basis of seniority- cum-fitness, from amongst Accounts Officers with at least five years' service as such.
IE.	Deputy Director (Technical).	-	•	•	By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years' service as such and having a Bachelor's Degree in Civil Engineering."
					Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

(d) against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.

(e) against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

"At least Second City	6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	seniority-cum-fitness, from amongst the
	(ii) fifty (50) per cent by initial recruitment.".

(f) against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.

against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

2,	6.
"Assistant.	 (i) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and (ii) twenty-five percent by initial recruitment.";

(h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:

"Provided that if no suitable officer is available for promotion then by transfer.";

(i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

1	1.	2.	3.	4.	5.	6.
	"9В.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;	•	18 to 30 years.	By initial recruitment,";



(g) ,

Technical Institute; and (c) at least two years' experience in relevant field.		and (c) at least two years' experience in relevant	
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(j). for Serial No. 11 the following shall be substituted, in the respective columns, namely:

. 1.	2.	3.	4.	5.	6.
*11.	Accountant.	At least Second Class Bachelor's Degree in Business Administration or its equivalent qualification, from a recognized University.		21 to 30 years.	By initial recruitment: Provided that till the appointment of a suitable person on initial recruitment the post shall be filled by transfer.";

(k) for Serial No. 14, the following shall be substituted, in the respective columns, namely:

: 1,	2.	3.	4.	5.	6.
"14.	Computer Operator.	(a) At least Second Class Bachelor's Degree in Computer Science (BCS)/ Information Technology (BIT) (04-years) or its equivalent qualification from a recognized University; or (b) At least Second Class Bachelor's Degree from recognized University with one year Diploma in Information Technology from a recognized Board of Technical Education.		21 to 32 years.	By initial recruitment.";

(i) after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

1.	2,	3.	4.	5.	6.
"19A.	Driver.	Preferably literate and holding a valid Driving License.	-	18 to 40 years.	By initial recruitment"; and



(m) for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-I)2-188/SSRC/2018.-

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

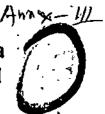
- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. 'All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
- 14. The PS to Secretary LG, E&RDD Peshawar.

15. The Office Order-file.

(HAJIMUHAMMAD) SECTION OFFICER (ESTAB) Phone # 091-9213224



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department



NOTIFICATION

Dated Peshawar, the 16th October, 2019

In exercise of the powers conferred by sub-rule (2)

of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer)

Rules, 1989, the Local Government, Elections and Rural Development Department Khyber

Pakhtunkhwa, in consultation with the Establishment & Administration Department and the

Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/7.

dated 26.01.1978, the following further amendments shall be made, namely:

<u>AMENDMENTS</u>

in the Appendix,-

a) of Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:

- i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public . Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.";
- Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
- Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";

Note: For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.";

- against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - Fifty (50) per cent by initial recruitment.";

against Serial No.5, in column No. 6, for the existing entries, the following shall be pubstituted, namely:

"Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;

Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and

Seventy per cent by initial recruitment,";

against Serial No. 6, in column No.6, for the words, colon and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall be substituted;

- the word, figure and brackets "five (05)" shall be substituted; and
- f) against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:
 - Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and
 - ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsil."

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG,E&RD DEPARTMENT

No. SO(E)LG/2-188/SSRC/2019.-

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ī(i)

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa...
 - 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa-Peshawar, *
- 6. The Director General, LG, E&RDD, Khyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwn.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa.
- ر ما المراجية 10. The Registrar, Peshawar High Court, Peshawar.
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.
 - 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
 - 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 100 copies of the Notification may be sent to this Department.
 - 14. The PS to Senior Minister for LG, E&RD Khyber Pakhtunkhwa.
 - 15. The PS to Secretary LO, E&RDD Peshawar.

:16. The Office Order file.

(HAJI MUHAMMAD)
SECTION OFFICER (ESTAB)
Phone # 091-9213224



GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 26th January, 1978

No DG(RWP) 7(2)/73: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 and in consultation with the Information, Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix.

--sd-

(Atta Ur Rehman Khan)
Secretary to Govt: of N.W.F.P.
Local Govt:, Cooperation,
Social Welfare, Tourism and
Rural Development Department

No.DG(RWP)7/(2)73.

Copy of the above forwarded to the: -

- 1. All Administrative Secretaries to Government of NWFP.
- 2. All Divisional Commissioners in NWFP.
- Secretary to Governor, NWFP, Peshawar.
- 4. Secretary, Public Service Commission, NWFP, Peshawar.
- 5. All Heads of Attached Department in NWFP.
- 6. All Deputy Commissioner/Political Agent in NWFP.
- 7. All District and Session Judge in NWFP.
- 8. Registrar, Peshawar High Court Peshawar.
- 9. Deputy Secretary-II, I S&GAD
- 10. All Section Officer in S&GAD.
- 11. Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978.
- 12. Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th October, 1978.
- 13. Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department.
- 14. Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III(S&GAD)4-6/75 dated 21st January, 1978.

				(10)	· · · · · · · · · · · · · · · · · · ·
S.No		Qualification for	Qualification	Age limit for	Method of appointment
]	of post	initial recruitment	for promotion	initial	· ·
			•	recruitments	
1	2	3	4	5	6
	Deputy	a) 2 nd Class Master's Degree from a recognized University in Economics, Statistics, Social Works/ Sociology, Animal Husbandry, Agril: Political Science, Public Admn: Geography or Social Psychology; and b) Five year experience in Agriculture, Animal Husbandry Education, Social Welfare, Planning & Dev: or Forest in Grade-16	•		i) 25% by initial recruitment and 75% by merit with due regard to seniority from
2	Assistant Director/ Project Manager /Progress Officer	or above. a) 2 nd Class Master's Degree from a recognized University in Economics, Statistics, Social Works/ Sociology, Animal Husbandry, Agril: Political Science, Public Administration, Geography or Social Psychology, Physics, Chemistry, Mathematics.			 i) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Development Officers and Sub-Divisional (Assistant Engineers)

· · ·	Commence of the contract of th			(T)	
	`			49/	
3	Accounts Officer	2 nd class Master's Degree in Commence / Business Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department.		Not less than 21 years and not more than 30 years	i) * 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the post Superintendent the Department with a least three years service such.
4	Development Officer	2 nd Class Master Degree from a recognized University in Economics, statistics, social works/ sociology, Animal Husbandry, Agriculture, Public Admn: Political Science Geography or Social Psychology		21 years and not more than 30 years	 i) 50% by initial recruitment and ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service. Note:Service in defunct Vill:Aid Department and the purpose of service under this clause be treated as service in the deptt.
5	Sub Divisional Officer /Assistant Director Engineer	Degree in Engineering or equivalent qualification from a recognized University			 i) 75% by initial recruitment and ii) 25% by selection on merit with due regard to seniority from amongst holders of the post the Overseers.
6	Superintendent	_	_		By the selection on merit with due regard to seniority from amongst holders of the Assistant/Accountants/ Senior Stenographer /Senior Auditors with least five years experience as such.
7	Assistant / Accountant	Degree from recognized University		Not less than 21 years and not more than 25 years	 25% by initial recruitment and 75% by selection on merit with due regard seniority from amongst holders of the post of Senior Clerks, Junior Auditors with atleast five years service.

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ii) 50%	18 years and		University		
í)	Not less than		Degree from recognized	Senior Auditor	11
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GOVERNMENT FINANCE DEPARTMENT (REGULATION WING)

NO.SO(FR)FD//8-25/2014/Local Govt./3379

Dated Peshawar, the 01-02-2018

To

The Secretary to Govt: of Khyber Pakhtunkhwa, Local Government Department.

Subject: -

STRUCTURE FOR THE POST OF SUPERVISOR AND

Dear Sir,

I am directed to refer to your Department letter No. SO(LG-I)2-176/2016 dated 16-01-2018 on the subject noted above and to say that the Competent Authority has been pleased to upgrade 3501 posts of VILLAGE / NEIBOURHOOD COUNCIL SECRETAIRES and 89 posts of Supervisor in Local Government Department in the following manner;-

Total Sanctioned Strength of Village / Neibourhood Council Secretaries (BPS-07)	Council Secretari	llage/Neibourhood es upgraded from 9 having less than e.	BPS-11 and Secretaries Vi	is upgraded from re-designated a illage/Neibourhoo 0 years or more s	s Senior
3501	26	51	•	850	·
Total Sanctioned Strength of Su	pervisor (BPS-09)	Number of po- nomenclature of the	sts upgraded to	o BPS-14 wit	h same
89 ·			89		

The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.

udit copy may be prepared and sent to this department for authentication.

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to:

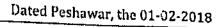
Budget Officer (PFC-III), Finance Department for information and necessary action.

SECTION OFFICER (FR)



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

NO.SO(FR)FD//8-25/2014/Local Govt./3379



To

The Secretary to Govt; of Khyber Pakhtunkhwa, Local Government Department.

Subject: -

SERVICE STRUCTURE FOR THE POST OF SUPERVISOR AND VILLAGE / NEIBOURHOOD COUNCIL SECRETAIRES.

Dear Sir,

I am directed to refer to your Department letter No. SO(LG-I)2-176/2016 dated 16-01-2018 on the subject noted above and to say that the Competent Authority has been pleased to upgrade 3501 posts of <u>VILLAGE / NEIBOURHOOD COUNCIL</u>
<u>SECRETAIRES</u> and 89 posts of Supervisor in Local Government Department in the following manner:-

Total Sanctioned Strength of Village / Neibourhood Council Secretaries (BPS-07)	1		BPS-11 and re-designated as Senior	
3501				
Total Sanctioned Strength of Supervisor (BPS-09)		Number of posts upgraded to BPS-14 with same nomenclature of the posts		
89			89	 :

2. The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.

Soludit copy may be prepared and sent to this department for authentication.

Copy is forwarded to: -

Yours faithfully

SECTION OFFICER (FR)

Budget Officer (PFC-III), Finance Department for information and necessary action.

SECTION OFFICER (FR)