14.09.2022

25.11.2022

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.

(Fareeher Paul) Member (E)



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

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

(Fareeha/Paul) Member (E)

(Rozina Rehman) Member (J) 25.04.2022 for the same as before.

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25.04.2022

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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) Mernber (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)

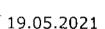
(Rozina Rehman) Member (J)

19.01.2021

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

14.

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.



Appe

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

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Member 🕡

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)

Form- A

FORM OF ORDER SHEET

Court of____

<u>47.39</u> /2020 Case No.-Order or other proceedings with signature of judge S.Ńo. Date of order proceedings 3 1 2 1 The appeal presented today by Mr. Noor Muhammad Khattak 10/08/2020 1-Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please. 2-, This case is entrusted to S. Bench for preliminary hearing to be put up there on 2.11,202 MEMBER(J) 02.11.2020 Nemo for appellant. Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for preliminary hearing before S.B. (Muhammad Jamal Khan) Member (Judicial)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO.____/2020

TAHIR AYUB

V/S

GOVT. OF KP & OTHERS

| S. NO | DOCUMENTS | 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 | C | 9. | | | | | | |
| 6 | Impugned rules dt: 1.8.2018 | 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. | | | | | | |

TNDEY

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

APPEAL NO. 10257 /2020 Service Tribunnt Diary No. 9716 Mr. Tahir Ayub, Village Secretary, Dared 4-9-200 Village Council Mitha Wala, District Karak. . APPELL

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

Fledto-day Registrar MIS 20

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PRAYER: That on acceptance of this appeal the impugned service rules Notified on 5.04.2018, 1.8.2018 & 1ay
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.

<u>R/SHEWETH:</u> 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 guite efficiently

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3- 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 of Development (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.

- 4- 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:

1.20

- 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.

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

Dated: 25.08.2020

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M. NO.____/2020 IN

APPEAL NO. ____/2020

VS

TAHIR AYUB

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, 1.8.2018 & 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 & 16.10.2019</u> till the disposal of the instant service appeal.

APPELLANT THROUGH: NOOR MOHAMMAD KHATTAK ADVOCATE, High Court Peshawar

π. OFFICE OF THE ASSISTANT DIA CTUR LOCAL GOVT & RURAL DEVEL DIATE KANAK No. 669-7 ADRD Lated Karak the JEFTCE GROM The following condidates are hereby appointed as Village Secretar against the vacant pouts in District Karak in time pay scale No.6.1.e. plus usual allowance admissible under the rules with immediate effect, as selected by the Departmental/Selection Committee: c.No. Name of Candidate/Father's Name, Place of posting againor the vacant post Britanir Ayub son of Mohaskand Ayub villogu Kurak Tehik DisttiKarak. 1. Julion Council, Juits Anguil Khel TehroD Shah Dikttikard Mr.Tuj Ali son of Zafar Ali village 2. Khadda Banda Takhte Nasrati, Tehsil 2. Union Council, Chowkara Teheil & Distt: Karak. and District Karak. They should produce the following documents:-1, Health and age Certificate from the Medical Dupdt Officer, Karak (DEstrict Headquarter Hospital) 2.FA Cortificate. 3 Domicile Certificate. Their services are purely temporary and can be terminuted at any. time without assigning any reason. If they desire to leave the job either they will give 15 days prior notice or will deposit 15 days pay in loive there · · · · . 81 TIE . (Nohanamad Lutif) Bo: 668-72 Assistant Director, Local Covt: % RDD Karak ADRD dated Karak the 23 /5/1992 Copy of Reabove is forwarded to:-1. The Director General Local Govt:& Rural Devel: Deptts for favour of E. Flig Director, Local Govt: & Rural Devel Deptt: Kohat information, please/ 3 the District Accounts Officer Kursk. 4-5. The Administrator Union Council, Jatta & Chowkara Chile Fuirir Ayub son of Mohammad Ayub Village Karak for information and W.Er. Toj ali com of Mafar Ali Village Khadda banda Potsil & Distt: Kardt. necessary ation, whe Assistant Director, Local Govt:2 Rural Devel: Dept: hard ue. ocial : ation, Assistant Director cinocracies Deptt.) Ē years experience as due , Promotion and affairs, Tourism , which shall be regards **ESTED**

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| requirized University in Economics | | | statistics, social works sociolopy. | /Progress Officer |] |
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Printed and published by the Manager, Staty. Ptg. Deptt., Khyher Pakhtunkhwa, Peshawar.

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

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| | · · | | | | | | · · · · · | <u> </u> | |
| Junior Clerk | Village Secretary | Senior Clerk | Junior Auditor | | Steno Typist | | Stenographer (Junior Scale) | Senior Auditor | _ |
| Matriculation or equivalent qualification from recognized board | Intermediate from recognized Board | | Matriculation or equivalent qualification from recognized board | b) Speed 80 words per minutes in shorthand in English and 35 words per_minute in typing | a) Matriculation or equivalent qualification from recognized board and | b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing | a) Matriculation or equivalent qualification from recognized board and | Degret from recognized University Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts | KHYBER PAKHTUNKWHA GOVERNMENT GAZET |
| | | | - | | I | | | | ERNMENT GAZ |
| Not less than 18 years and not more than 25 years | Not less than 18 years and not more than 25 years | | Not less than 18 years and not more than 25 years | | Not less than 18 years and not more than 25 years | | Not less than 18 years and not more than 25 years | Not less than 18 years and not more than 25 years | ETTE. EXTRAORD |
| 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 | By Initial Recruitment | 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 | By Initial Recruitment | service such. | i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amongst holders of the post Junior Clerk /Senior Clerk in the Deptt: with a least three years | | By Initial Recruitment | d th due r rk in th num qui | TE. EXTRAORDINARY. 12 th JUNE, 2019 1431 |

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N04 Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department NOTIFICATION Dated Peshawar, the 05th April, 2018 No. SO(LC-1)2-188/SSRC/2018 - 1981. In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appuintment, 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, namely, is: Atleast Second Class 21 to 30 (i) Seventy-five (75), per cent by 10. Supervisor promotion. on the basis of Bachelor's Degree from a j years. 5 . N. recognized University. amongst the Sentor Secretary Village / Neighborhood Council: with atleast five (05) year service as such: and ii) Twenty-live (25) per. cent by initial recruitment (b) after serial No. 15, the following new entries shall be inserted, in the respectively columns. namely. By promution, on the basis of seniority, "15A. Senior cum-fitness, from amongst the Junior Secretary Secretary Village / Neighborhood Village Council, with atleast teny (10) year Neighborhood service as such.": and Council. (c) for serial No. 16, the following shall be substituted, in the respective columns, namely: Twenty (20) per cent by Class 18 10 i) Atleast Second Junior ·· 16. promotion, on the basis of 50 Intermediate 🕐 Secretary. or seniority-cum-fitness. equivalent qualification years. Village amongst., the Naib Qasids, and from a recognized Board Neighborhood Chowkidars in the Village A and atleast six (06) Council Neighborhood Council with ÷ months Certificate in seniority al tensil level, having Computer from а Secondary, School Certificate in recognized Institute with second division. from a MSexperience in recognized. Board or Institute Office. Impage and with three (03) year service as Internet. such: and ATASTED

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

Provided that the candidateshall be preferably a bonafide resident of the same Village I Neighborhood Council: If such candidate is not available in the same Village / Neighborhood-Council then the candidates: from adjacent Village -17 Neighborhood Council:

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

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

Dated Peshawar, the 05th April, 2018

SO(LG-I)2-188/SSRC/2018.-

Copy forwarded to:-

. . . .

- 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 Pakhiunkhwa 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 Khyher 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 Knyber Pakhtunkhwa.
- 15. The PS to Secretary LG.E&RDD Peshawar,

TESTED

16. The Office Order file.

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

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

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.". |

(b)

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

| | 1. | 2. | 3. | 4. | 5. | 6. |
|----|------|-----------|----|----|----|--|
| | ₩1Å. | 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. |
| AT | TES | TED | | | | 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)."; |

1425

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:

| 44173 | | ······ | | | |
|-------|--|--------|---|---|--|
| "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 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. |
| 1E. | 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."; <u>Note:</u> 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)."; |

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

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-cum- fitness, 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 |
| | (ii) | fifty (50) per cent by initial recruitment.". |
| <u>₽</u> ₽ <u>₹</u> ⊈/ <u>₹</u> 3 <u>₩</u> ₩ | | |

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(d)

(e)

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

(f)

(h)

- 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."; |

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. | | ····· |
|---------------|-----------------------|---|----|--------------------------|------------------------------------|
| "9 <u>B</u> . | Auto CAD Operator. | (a) At least Second Class Bachelor's Degree from a recognized University; | | 5. 18 to 30 years. | 6. By initial recruitment."; |
| | · | (b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and | | ۱ ۲ | |
| | | (c) at least two years experience in relevant field. | | | |

(i)

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 | - | 21 to 30 | By initial |
| | | Bachelor's Degree in Business Administration | | years. | recruitment: |
| | | or its equivalent | | | Provided . |
| | i | qualification, from a | | | that till the |
| | | recognized University. | | | appointment |
| 1 | | | | | of a suitable |
| | | | | | person on |
| | | | | | initial |
| | | | | - | recruitment |
| .A. | | | | | the post |
| | ESTED | | , <i>,</i> | | shall be |
| | | | | | filled by |
| | | | | | transfer."; |
| | · · · · · · · · · · · · · · · · · · · | | . <u>.</u> | | |

(k)

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

| (| \tilde{l} | 3 |) |
|---|-------------|---|---|
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| | L. | <u>_</u> | | <u>GOVT: GAZETTE, EX</u> <u>3.</u> | 4. | 5. | 6. |
|-----|------|-----------|-------|---------------------------------------|-------|----------|----------------|
| | "14. | Computer | (a) | At least Second | | 21 to 32 | By initial |
| · · | | Operator. | | . Class Bachelor's | | years. | recruitment."; |
| | | | | Degree in | | , | reerannent. |
| | | | | Computer | | | |
| | | | i i | Science (BCS)/ | | | |
| | | | | Information | | | |
| | | | · · · | Technology | | | |
| • | | | | (BIT) (04-years) | | - | |
| | 1 | • | | or its equivalent | | | |
| | | | | qualification | · · . | | · · · |
| | 1 | | | | | | L |
| | : | | | from a | | | 1 . |
| | | | | recognized | | | |
| | | | | University; or | | | |
| | | | (h) | A + 1 + 0 1 | | | |
| · . | | | (b) | At least Second | | | |
| | 1. | | | Class Bachelor's | | | ~ |
| | | | : | Degree from | · · | | |
| | | | 1. | recognized | - | | |
| | | | | University with | | · · | |
| | | - | | one year | | | |
| · . | | | | Diploma in | - | t | |
| | | | | Information | | | |
| | | | | Technology from | | | |
| | | | | a recognized | 1 | | |
| | | | | Board of | | | |
| | | | ļ. | Technical | | | |
| | | | | Education. | | | |
| | 1 | 1 · · | | ••• | ļ | | |

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 |

(l) 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, Peshawa

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

1.

NOTIFICATION

Dated Feshawar, the 16th October, 2019 <u>No. SO(E)LG/2-188/SSRC/2019.</u> 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)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS -

In the Appendix.-

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ii)

- Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - "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 Stenogrophers and Assistants with at least three years service as such.";
 - <u>Note:</u> 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 Seriel No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:

- 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:
 - "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-com-fitness, from amengative 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
- iii) 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
- 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
- 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 i) amongst the Nuib Qasids and Chowkidars in the Village Council / Neighborhood Conneil 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: iiΥ

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/Z-138/SSRC/2019.-

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Dated Peshawar, the 16th October. 2019

Copy forwarded to:-

1. All Administrative Secretaries to Government of Klyber Pakhtunkhwa.

- 2. All Divisional Commissioners in Ehyber Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar, 4
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar,

5. The PSO to Chief Secretary, Khyber Pakhtuakhwa Peshawa,

6. The Director General, LG,E&RDD, Knyber Pakhtunkhwa Peshawar,

7. The Secretary, Khyber Pakhtunkhwa Fublic Service Commission, Peshawar,

- 8. All Head of Atlached Departments in Kluyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhunkhwa.

10. The Registrar, Peshawar High Court, Peshawar,

11. All District and Session Judges in Klivber Pakhtunkhwa.

12. All-Assistant Directors, EC&RDD in Knyber 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, Pakhtuukhwa

15. The PS to Secretary LG.E&RDD Peshnwar.

16. The Office Order file.

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

ATTESTED



GOVERNMENT OF THE PUNJAB LOCAL GOVT. & COMMUNITY DEVELOPMENT DEPARTMENT 16

Dated Lahore the 27th July, 2018

NOTIFICATION

NO.SO.Admn-IiLG)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 Punjab Government District Service (Town/Tehsil Municipal cadrc) Rules 2005 w.e.f 01.07.2018:-

| • | Sr# | Post | Present Scale | Up gradation | |
|---|-----|-----------------------------|---------------|--------------|----|
| | 1. | Union Secretary (Committee) | BS- 07 | BS-11 | 1 |
| | 2. | Union Secretary (CD) | БS-11 | BS-14 | ·/ |

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

SECRETARY

LOCAL GOVE. & COMMUNITY DEVELOPMENT DEPARTMENT

<u>NØ & DATE EVEN</u>

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, Labore.

TISTED

8. Master file.

(MASMOOD AHMAD).

DEPUTY SECRETARY (ADMN.)

-:D

Rana Mahboob Hussain, All Punjab Secretarias UCs Association Punjab.

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THE SECRETARY,

Local government, election & rural development department Khyber pakhtoon khwa Peshawar.

Subject: DEPARMENT APPEAL AGAINST THE NOTIFICATION DATED: 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/RESTORATION THE OLD SERVICES STRUCTURE NOTIFIED ON 26.01.1978.

SIR,

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 promotion for village secretaries were in line. That according to the said rules 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) & were after from the post of development officer to the village: secretary was in a combined share of 50% with amongst the sub-division 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) & junior secretary village neighborhood council (BPS-14) with 75% quota.

Astonishingly the old service structure was farther amended through impugned notification dated: 16.10.2019 whereby the channel of promotion have been limited to the post of departmental officer (BPS-16) & where after channel for promotion has been left for the cadre of village secretary rather than channel of promotion has been washed /done away in utter violation of law APT Rules, 1989.

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

Obediently yours,

Secretary (VC/NECOUNCIL) MITHA MA U/c KARAK South Cell No. 14202-1324774.

DOMESTIC M 1910 01830879 CASH -Crice 7

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VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

| • • | · · · · | OF 2020 |
|---|--|---|
| Tabii | Ayub | (APPELLANT) (PLAINTIFF) (PETITIONER) |
| | VER | <u>SUS</u> |
| Gout | of KP & | (RESPONDENT) Others (DEFENDANT) |
| I/We | ahir Ayuk | stitute NOOR MOHAMMAD |
| KHATTAK, compromise, my/our Cou without any engage/appo I/we authori receive on r | Advocate, Pest withdraw or ref insel/Advocate in liability for his de pint any other Adv ize the said Advo ny/our behalf all | hawar to appear, plead, act, fer to arbitration for me/us as in the above noted matter, efault and with the authority to vocate Counsel on my/our cost. to cate to deposit, withdraw and sums and amounts payable or in the above noted matter. |
| Dated | _//2020 | Jan Jan J. |
| | | CLIENT ACCEPTED NOOR MOHAMMAD KHATTAK SHAHZULLAH YOUSAFZAI MIR ZAMAN SAFI |
| | | AFRASIAB KHAN WAZIR ADVOCATES |
| | | |

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>Appeal No. 10257 /2020.</u>

Mr. Takir AYub

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

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| 1 | Joint Parawise reply | - | 1-4 |
| 2 | Affidavit | | 5 |
| . 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 1 st February 2018 | Annex-IV | 19 |

Respondents

Through

Mean

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>Appeal No. 10257/2020.</u>

Mr. Jahir Ayub

VERSUS

......Appellant

- 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.

<u>ON FACTS</u>

1. Pertains to record.

- 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.

 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 up to 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.

<u>REPLY TO GROUNDS:</u>

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).

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 Khyber Rakhtunkhwa Respondent No.5

Secretary LG, E&RDD, Khyber Pakhtunkhwa

Respondent No.3

Secretary Tinance Department, Khyber Pakhtunkhwa Respondent No.4

Secretary Establishment Department, Khyber Pakhtunkhwa Respondent No.1 & 2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

<u>Appeal No. /0257 /2020.</u>

Mr. Tahiy AYUS

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

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. 10257 "Tahir Ayub"

are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Court.

Identified By



RSAL.

......Appellant

Deponent CNIC #. <u>17301-2416976-9</u> Cell #.<u>0336-9170959</u>

Advocate General Khyber Pakhtunkhwa

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|-----------------------------|---|---------------------|--|-------------------|
| | | | nt, Elections & Rural | |
| an Adult | Deve | white | nt Department | -1- |
| 1/2190 Arthan / | NOTIFIC | ATIO | DATED 6/4/1 | - |
| 064 | 12018 | Dota | IQG LOCAL GOVERNMEN d Peshawar, the 05 th April, 2018 | |
| | | | • | |
| No. SO(LG-I)2-188/SSR | • | | the power conferred by sub-rule (2) | |
| of the rule 3 of the Khybe | er Pakhtunkwha Civil Se | ervants (Aj | ppointment. Promotion and Transfer) | |
| Rules, 1989, the Local | Government, Elections | and Rura | I Development Department Khyber | |
| Pakhtunkhwa, in consul | tation with the Establish | hment & | Administration Department and the | |
| Finance Department. | hereby directs that | u in thi | s Department's Notification No. | |
| DG(RWP)7(2)73. dated | 26.01.1978, the followin | g fürther a | mendments shall be made, namely: | |
| | AMENDA | <u>MENTS</u> | QDA. | ツ |
| in the Appendix | | | 17 | ~ |
| for serial No. 10 the follo | owing shall be substituted | l, in the re: | spective columns, namely: | |
| "10. Supervisor' Atle | | 1 | | |
| | helor's Degree from a j y gnized University. | years. | promotion. on the basis of seniority-cum-fitness. from | 6 |
| | | | amongst; the Senior Secretary | |
| | en en en | | Village / Neighborhood Council, Y | đ |
| | | | as such: and | ⁴ ا ذي |
| | | | ii) Twenty-five (25) per cent by | N |
| (b) after serial No. 15, 1 | he following new entries | s shall be | initial recruitment.": | |
| namely. | | | instruction in the respectively columns, | |
| "ISA: Senior | | • • • • • • • • • • | By promotion, on the basis of seniority- | |
| Secretary Village / | | | cum-fitness, from amongst the Junior Secretary Village / Neighborhood | |
| Neighborhood | | , | Council, with atleast ten (10) year | |
| Council. | | | service as such.": and | |
| | · · · · · · · · · · · · · · · · · · · | | e respective columns, namely: | |
| | Atleast Second Class intermediate or | 18 (to 30 | i). Twenty (20) per cent by | 13 |
| | quivalent qualification | | promotion, on the basis of seniority-cum-fitness, from | V? |
| Neighborhood f | rom a recognized Board | Ť | amongst the Naib Qasids and | |
| | nd atleast six (06) nonths Certificate in | 1 | Chowkidars in the Village / | • |
| | nonths Certificate in Computer from a | · · | Neighborhood Council with seniority at tehsil level, having | |
| | ecognized Institute with | | Secondary School Certificate in | |
| | experience in MS- Diffice. Impage and | | second division. from a | |
| | Diffice. Impage and internet; * | | recognized Board or Institute with three (03) year service as | |
| | . * ; | 1 | such; and | 1 |
| | | | | |
| | • • | • | I L | |
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| | | | | |

11) Eighty (80) pen cent by initial recruitment;

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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 from Neighborhood Council:

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

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

Dated Peshawar, the 05th April, 2018

No. SO(LG

Copy forwarded to:-

1. All Administrative, Secretaries to Government of Khyber Pakhtunkliwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa,

3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,

4. The PSO to Chief Minister, Khyber Pakhtunkhwa Poshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.

67 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, Poshawar,

11. All District and Session Judges in Knyber Pakhtunkhwa.

12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

13. The Manager Government printing press, Peshawar for publication in the next Government Gazettes Notification. 40 copies 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 LQ.E&RDD Reshawar.

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16. The Office Order file. Sec. and

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SECTION OFFICER (ESTAB) Phone # 091-9213224

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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

Am 4

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,-

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

| 지 문 | 1. | 2. | 3. | 4. | 5. | 6 |
|-----|-----|----------------------|----|----|----|--|
|] | "I. | Director General. | • | - | - | By transfer from amongst PAS, PCS and PMS officers in BPS-20.". |
| | | | | | | |

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

| . 1. | 2. | 3, | 4, | 5. | |
|----------|-----------|----|----|----|---|
| "IĂ. | 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. <u>Note:</u> 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)."; |
| ^ | | | | | |

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 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. 1E. | 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. |
|------------|---|---|---|---|--|
| 1E. | 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."; |
| | | | | | <u>Note:</u> 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)."; |

4.2 7

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

against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted,

| 3. "At least Second Class Master's Degree in Commerce / Business Administration/BS (Henours) Finance and Accounting or its equivalent qualification from a recognized University. | seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service |
|---|---|
|---|---|

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:

| "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."; |

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.";

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; | - | 18 to 30 years. | By initial recruitment."; |

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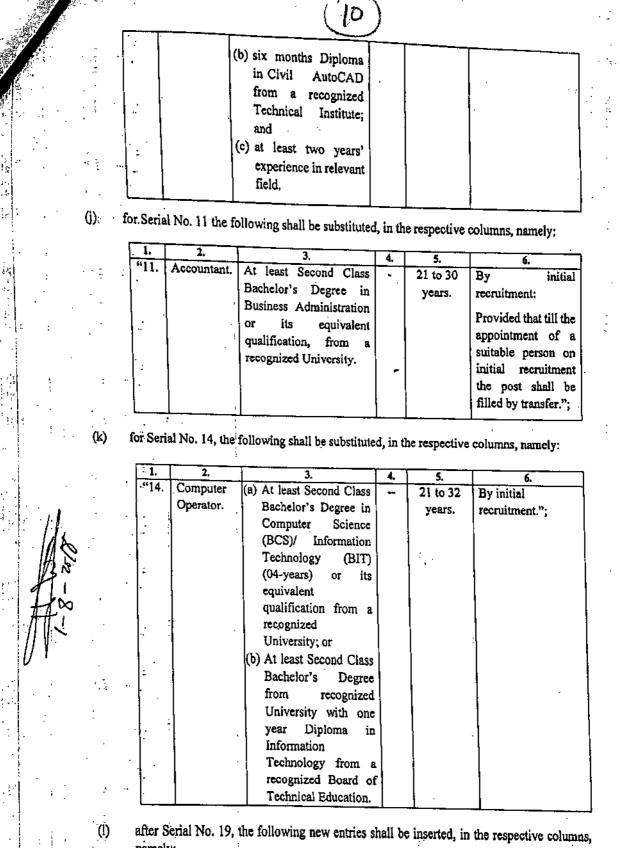
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namely:

| 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

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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.

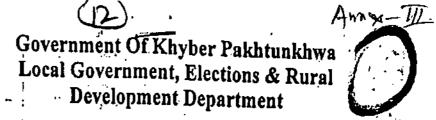
12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.

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,

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



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|-------------|-----------|--------------|---------------|-------------|--|--|-----------------------------------|-------------------|-------------|
| ľ | | ۱. ۱. ۱. | | | | Dated Pesha | war, the 16 th | October, 2019 | ۱.۱ ت |
| | | | <u>No, SO</u> | (E)LG/2- | 188/SSRC/2019 | In exercise of the pow | wers conferred | d by sub-rule (2) | |
| ľ | 1 | • | of rule | 3 of the | Khyber Pakhtunkhwa C | ivil Servants (Appointm | ient, Promotic | on and Transfer) | |
| 1 | | 1. 1. 100 | Rules, | 1989, the | Local Government, El | ections and Rural Deve | elopment Dep | artment Khyber | |
| | | 1 1 | • | , <i>`</i> | consultation with the l | | | | |
| | 4.5 | ₩ | Financ | e Departm | ent hereby directs that in | this Department's Notif | ication No. D | G(RWP)7(2)73, | ; |
| ۲۴ ۲۴ | | 4 | dated 2 | 26.01.1978 | , the following further an | | , namely: | ALL MA | ۰ ۱ ۱ |
| | : | 1 | t | | | MENDMENTS | - | × × | 12219 |
| l, | | | la tha | Appendix, | • | * | | 12 10 | V i |
| | | Ï. | | | nst Şerial No. 2, in colum ituted, namely: | n No. 6, for the existing | entries, the fo | llowing shall be | |
| | | | . s. s. | i) | "Fifty per cent by init Services Commission or Provincial Management | the pattern of syllabus | | | |
| 4 | | | 1 | , ii) | Forty per cent by promot the Progress Officers with | | - | - | 3 |
| • | ι | | | iii) | Ten percent by promotic the Senior Scale Stenogr as such."; | | • | · • | |
| • | | | | <u>Note</u> | For purpose of promotion quota, there shall be Stenographers and Ass | maintained a joint se | - | • | ₩2 1 |
| | , | à. | | | ist Serial No. 3, in colum ituted, namely: | n No.6, for the existing | entries, the fo | llowing shall be | 1 |
| 1. | цу. 2- | • | • | | "Fifty (50) per cent by amongst the Superintend | | | | 1 |
| , | • | | · | ü) | Fifty (50) per cent by init | tial recruitment."; | | | ž |
| 7 \ ₽ | | Tr | ; (H · F | | amongst diploma holder | omotion, on the basis of Sub-Engineers with at l | of seniority-cu cast ten years | un-filness, from | |
| ç | N. | 00 | | X av : | and have passed the pres- Ten per cent by promotic | | •- | à from omonore 🗅 | |
| ۰ د | | مكمد مسمر | 8 | ð : | Sub-Engineers with at Bachelor's Degree in 1 recognized University; an | least five years service Engineering or its equ | c as such an | d who possess | * |
| 1 | a. Fr | ~ <i>ठ</i> ` | 8 | 181 | Seventy per cent by initia | il recruitment,"; | | | a see a see |
| | | | | • | | | | | |

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| against Serial No. 6, in column No.6, for the words, colon | and electric S |
|--|---------------------------|
| The second secon | ntants ⁿ shall |
| | • |
| (e) against Serial No. 15A, in column No.6, for the word, figure and bracket | |
| the word, figure and brackets "five (05)" shall be substituted; and | s 'ten (10)", |
| f) against Serial No. 16, in column No.6 for the existing entry, the follow | |
| substituted, namely: | ing shall bọ |
| i) Twenty (20) per cent by promotion, on the basis of seniority-cum-f | itness from |
| amongst the Naib Qasids and Chowkidars in the Village Council / Ne | ighborhood |
| Council with seniority at Tehsil level, having Secondary School C | eruncate ing |
| in IT from recognized Board / Institute with three (03) years service a | is such: and · · · · |
| ii) Eighty (80) per cent by initial recruitment: | |
| to the second se | و." |
| Provided that the candidate shall be preferably a bonafide resider that the candidate shall be preferably a bonafide resider that the candidate is not available is not availabl | dent of the |
| isame Village / Neighborhood Council. If such candidate is not available is isame Village Council / Neighborhood Council then the candidate from adjace | |
| Council/ Neighborhood Council; | |
| Provided further that in case of non-availability of candidate from | |
| Village Council / Neighborhood Council then from only other Village | |
| Neighborhood Council in that Tehsil.". | |
| | |
| SECRETARY TO GOVERNMENT OF | CHYBER |
| PAKHTUNKHWA LG,E&RD DEPAR | TMENT |
| | |
| No. SO(E)LG/2-188/SSRC/2019 Dated Peshawar, the 16th Octobe | |
| No. SO(E)LG/2-188/SSRC/2019 Dated Peshawar, the 16 th Octobe | |
| No. SO(E)LG/2-188/SSRC/2019 Dated Peshawar, the 16th Octobe | |
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GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 26th January, 1978

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

--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.

Deputy Secretary-II, I S&GAD

10. All Section Officer in S&GAD.

Ň Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978.

Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies uctober, 1978.

of the Notification may be sent to this Department.

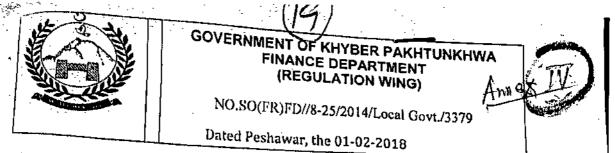
Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III(S&GAD)4-6/75 dated 21st January, 1978.

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|--|-----------------------|-----------------------------------|--------------|-------|
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| | | Psychology, Physics, | | ¥ |
| | • | Geography or Social | | |
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| | | Animal Husbandry, | | - |
| | - | Works/ Sociology, | | |
| | | Statistics, Social | Officer | |
| Divisional (Assistant Engineers) | | Economics, | /Progress | |
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| than amongst the holders of the posts of | not m | recognized | | |
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| less than i) 25% by initial recruitment and 75% by | | _ | Deputy | Ц |
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| ard | not more than | - | University | | | |
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| least 10 vears service | | | Economics, | | | |
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| regard seniority from amongst hold | more | | recognized | | | |
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| th a least three vears service | | | G.A.S qualified | | | |
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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;-

| Council Secretaries | BPS-07 to BPS-09 having less than | BPS-11 and re-designated as Series |
|---------------------|-----------------------------------|------------------------------------|
| 3501 | 2651 | 850 |

| Total Sanctioned Strength of Supervisor (BPS-09) | Number of posts upgraded to BPS-14 with nomenclature of the posts | same |
|--|---|-------------|
| 89 · | 89 | |

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

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

Yours faithfully

Copy is forwarded to: -

SECTION OFFICER (FR)

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

SECTION OFFICER (FR)