

9th June, 2022

1. Petitioner in person present. Mr. Kabir Ullah Khattak.
Additional Advocate General for respondents present.

2. Petitioner submits that his grievance has been redressed and does not want to further pursue this execution. The instant execution petition is disposed of being executed. Consign.

3. *Pronounced in open court in Swat and given under my hand and seal of the Tribunal this 9th day of June, 2022.*



(Kalim Arshad Khan)
Chairman
Camp Court Swat

07.04.2022

Nemo for the petitioner. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present and produced office order dated 05.04.2022 by alleging that the judgment under execution has been implemented.

Previous date was changed on Reader Note, therefore, neither the petitioner nor his counsel is available, therefore, notice be issued to them and to come up for further proceedings on 06.06.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)
Member (J)
Camp Court Swat

06.06.2022

None for the petitioner present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

On the call of Khyber Pakhtunkhwa Bar Council, District Bar Association is observing strike today, therefore, learned counsel for the appellant did not appear before the court. Adjourned. To come up for proper implementation on 09.06.2022 before the S.B at camp court Swat.

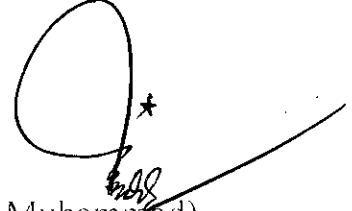


(Kalim Arshad Khan)
Chairman
Camp Court Swat

04.01.2022

Petitioner in person present. Mr. Muhammad Adeel Butt,
Additional Advocate General for respondents present.

Learned AAG submitted implementation report indicating therein that some post of Senior Clerks (BS-14) have fallen vacant on 20.12.2021 due to promotion which will be filled from elevation of Junior Clerks through the DPC. The petitioner will thus be considered for the post of Junior Clerk through DPC in the near future. Report is placed on file and copy thereof is also provided to the petitioner. To come up for further proceedings on 10.02.2022 before S.B at camp court Swat.



(Mian Muhammad)
Member(E)
Camp Court Swat

10.02.2022

Tour is hereby canceled. Therefore, the case is adjourned
to 07.04.2022 for the same as before at Camp Court Swat.

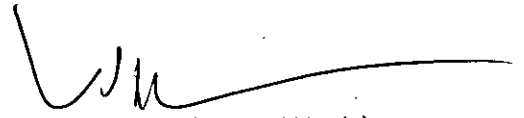

Reader

04.11.2021

Petitioner with counsel present. Mr. Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

Learned Assistant Advocate General submitted implementation report dated 02.11.2021 and contended that a meeting of Departmental Promotion Committee (DPC) was convened on 29.10.2021 to consider promotion of the petitioners. The committee observed that there is no vacancy of Junior Clerk at the moment against which promotion of the petitioners could be made. Learned Assistant Advocate General stated that promotion of the petitioners will be made upon the availability of vacancies in accordance with law.

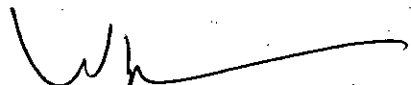
Learned counsel for the petitioner however objected on the implementation report and stated that the implementation report so presented is not in accordance with the spirit of the judgment. Adjourned. To come up for arguments on this point before the S.B on 04.01.2021 at Camp Court, Swat.


(Atiq-Ur-Rehman Wazir)
Member (Executive)
Camp Court, Swat

06.10.2021

Counsel for the petitioner present. Mr. Riaz Khan Paindakheil,
Assistant Advocate General for the respondents present.

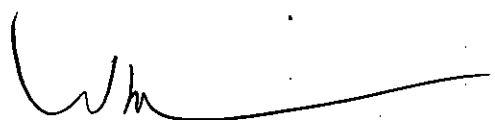
The respondents again submitted the same implementation report, which was submitted earlier on 25.08.2021, with the submission that service rules have been framed as well as common seniority list of Class-IV has also been issued, and after issuance final seniority list, his case shall be placed before D.P.C for consideration of his promotion. It was ^{not a} referred with concern that judgment of this Tribunal is very clear that the petitioners be promoted to the post of junior clerk from the date, when their erstwhile junior Class-IV colleagues were promoted, hence case of the petitioners shall not be complicated and clear implementation report, with promotion of the petitioners be submitted on the next date positively failing which, strict action will be taken against the respondents in accordance with law. Adjourned. To come up for implementation report on 03.11.2021 before S.B at Camp Court Swat.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT SWAT

03.11.2021

Petitioner in person present. Mr. Riaz Khan Paindakheil,
Assistant Advocate General for the respondents present.

Petitioner requested for adjournment as his counsel is busy before Hon'ble Peshawar High Court, Mingora Bench Swat. Adjourned To come up for implementation report before the S.B on 04.11.2021 at Camp Court Swat.


(Atiq-Ur-Rehman Wazir)
Member (Executive)
Camp Court, Swat

[Redacted]

[Redacted]
[Redacted] State General [Redacted]
[Redacted]
[Redacted]
[Redacted]

State respondent No.4 was [Redacted] dated 15.09.2021, however he has submitted an application for setting aside of the ex-parte proceedings. The application filed by the appellant within time. Moreover, law also favour adjudication on merit by avoiding technicalities, therefore, the application is allowed. Reply/comments on behalf of private respondent No. 4 submitted, copy of which is handed over to learned counsel for the appellant. Learned counsel for the appellant requested for adjournment on the

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]

26.07.2021


To come up for implementation report on 25.08.2021 before S.B at Camp Court, Swat. Notices be issued to petitioner/counsel as well as respondents for the date fixed.


Chairman

25.08.2021

Junior to counsel for the appellant present. Mr Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Learned AAG submitted implementation report on behalf of respondent No. 1. Senior counsel for the petitioner is not in attendance. Case to come up for objection/arguments on 06.10.2021 before S.B at camp court, Swat.


Chairman
Camp Court, Swat

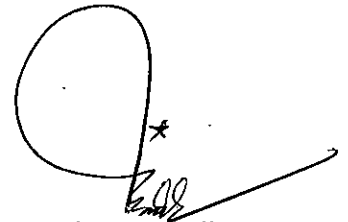
01.02.2021

Counsel for the petitioner present.

Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents is present.

Learned Asst: AG submitted reply of Respondent No.1 wherein a reference has been made to meeting of SSRC dated 15.10.2020, however, it is observed that even three months have lapsed after the meeting of SSRC and no implementation report/reply with cogent reason(s) could be received in the court to ascertain finality to the Services Tribunal judgement dated 03.09.2019. The learned counsel for the petitioner on other hand, assailed and objected reply of the Respondent No.1 on the ground that it means that in absence of the prescribed rules, earlier promotion of the Juniors to the petitioner, was irregular. The learned Asst: AG could not contest his point and requested for time to get feedback and updated status of the case from the respondent-department.

Adjourned to 05.04.2021 before S.B. at camp court Swat.



(Mian Muhammad)
Member(E)
Camp Court Swat

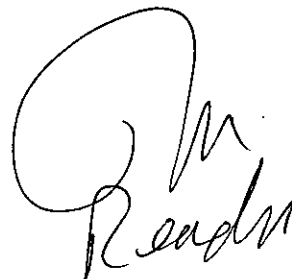
Needless to mention here that the implementation report is just a piece of information sans implementation whatsoever. Respondents are directed to put in concerted efforts in giving effect to the judgment of this august Tribunal by allowing petitioner the requisite relief. Respondents are directed to communicate concrete steps so taken in the right direction. To come up for implementation report on 07.12.2020 before S.B at Camp Court, Swat.



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT SWAT

7.12.2020.

Due to Covid-19, case is
adjourned to 01.02.2021. for the same
as before



J. M. Raza

07.10.2020

Petitioner himself alongwith Mr. Shams-ul-Hadi, Advocate, are present. Mr. Usman Ghani, District Attorney for the respondents, is also present.

The learned counsel representing petitioner through the instant Execution Petition wants the implementation of the judgment dated 03.09.2019 passed by the august Services Tribunal whereby respondents were directed to consider his case in the prescribed manner for promotion to the post of Junior Clerk from the date when their erstwhile junior Class-IV colleagues were promoted.

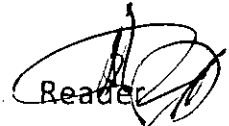
Conversely, the learned District Attorney for respondents submitted implementation report today bearing no date pleading that according to the service rules of the office concerned there is no provision of promotion to the post of Junior Clerk from Class-IV which is being filled by means of initial recruitment, in this regard a case has been moved for effecting amendment in the service rules for promotion of Class-IV to the post of Junior Clerk, to the Law Department Khyber Pakhtunkhwa through Standing Committee SSRC and the moment SSRC meeting is convened and the amendment proposed by the office is approved the case of appellant shall be placed before the Departmental Promotion Committee for consideration.

What can be gathered from the implementation report is that an obvious anomaly has happened whether it was in the notice of the authorities at the helm of affairs or else otherwise how it could be rectified vis-à-vis the case of petitioner is an issue requiring proper resolution and at the same time earnestly demands correction of the wrongs done which cannot be undone, a fact beyond stipulated mandate of this august Tribunal. While adhering to the dictates of the judgment and the limits prescribed how long the petitioner would wait when the issue has already consumed a period of more than a year? Petitioner cannot wait indefinitely for the relief granted in his favour a time span must be given in this regard for the full implementation of the judgment of the august Tribunal.

5-8.2020

Due to COVID19, the case is adjourned to

9/9/2020 for the same as before.

Reader 

08.09.2020

Petitioner present in person.

Mr. Riaz Paindakhel learned Assistant Advocate General for respondents present and submitted implementation report on behalf of respondent No.1. Copy whereof was given to the petitioner. To come up for further proceedings on 07.10.2020 before S.B at Camp Court, Swat.



(Rozina Rehman)
Member
Camp Court, Swat

07.10.2020

Petitioner himself alongwith Mr. Shams-ul-Hadi, Advocate are present. Mr. Usman Ghani, District Attorney for the respondents is also present.

By my detailed order of even date today passed in Execution Petition No. 411/2019 Captioned Akhtar Waqas Versus Advocate General etc, respondents are directed to follow the direction made therein in its letter and spirit and submit implementation report on 07.12.2020 before S.B at Camp Court, Swat.

(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT SWAT

Delimitation of powers
of authority has
to come,

02.03.2020

Petitioner absent. Learned counsel for the petitioner absent.

However clerk to counsel for the petitioner present and seeks adjournment. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Zaheer ud Din Private Secretary present and seeks time to furnish reply/implementation report. Adjourn. To come up for reply/implementation report on 06.04.2020 before S.B at Camp Court, Swat.



Member

Camp Court, Swat.

Due to corona virus tour to
Camp Court Swat has been
Cancelled. To come for the same
on- 07/06/20



Reader

03.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 06.07.2020 before SB at camp court Swat.



Reader

06.07.2020

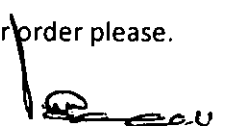

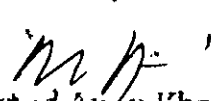
Bench is incomplete. Therefore the case is adjourned. To come up for the same on 05.08.2020, at camp court Swat.



Reader

Form- A
FORM OF ORDER SHEET

Court of _____
Execution Petition No. 411/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	04.11.2019	<p>The execution petition of Mr. Akhtar Waqas submitted today by Mr. Shamsul Hadi Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 4/11/19.</p>
2-	07.01.2020.	<p>This execution petition be put up before touring S. Bench at Swat on <u>07-01-2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Clerk of counsel for the petitioner present. Notices be issued to the respondents for implementation report for 02.07.2021 before S.B at Camp Court Swat.</p> <p style="text-align: right;"> M. J. Khan Kandi Member Camp Court Swat.</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL CAMP COURT AT SWAT.

C.M No: _____ / 2019. *Execution Petition No. 411/2018*

In Service Appeal No. 652/2016

Akhtar WaqasAppellant

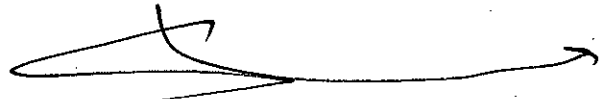
V/S

Advocate General KPK etcRespondents

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2	Affidavit		3
3	Order of this Honorable Tribunal Dated: 03-09-2019	Annex "A"	4 - 6
4	Copy of application to the respondent No.1		7
5	<i>wakalat Nama</i>		<i>8</i>

Appellant through Counsel

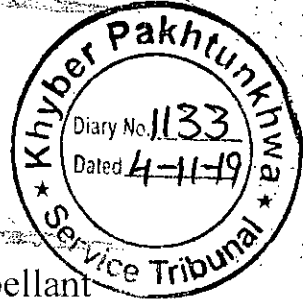


Shams-ul-Hadi
Advocate High Court

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
CAMP COURT AT SWAT.

C.M No: Execution Petition No-411/2019
/2019.



In Service Appeal No. 652/2016

Akhtar WaqasAppellant

V/S

Advocate General KPK etcRespondents

APPLICATION FOR IMPLEMENTATION OF ORDER DATED:
03.09.2019 OF THIS HONORABLE TRIBUNAL

Respectfully Sheweth,

The Appellant submit as under:

1. That the titled Service Appeal was pending before this Honorable Tribunal, which was decided in favour of the appellant vide order dated: 03-09-2019.
(Copy of order dated: 03-09-2019 is annexed as annexure " A ").
2. That vide order aforesaid the respondent department was directed to consider the case of the appellant in the prescribed manner for promotion to the post of junior Clerk from the date when his erstwhile Junior Class-IV colleagues were promoted.
3. That after the order Dated: 03-09-2019 in the titled Service Appeal, the appellant submitted an application on 28-09-2019, before the respondent No.1 to comply with order of this Honorable Tribunal, but in vain.

2

4. That the appellant have no other adequate remedy, hence the instant application.

In view of the above, it is very humbly prayed that on acceptance of the instant application, the respondent No. 1 may kindly be directed to comply with the order Dated: 03-09-2019 of this Honorable Tribunal.

Any other relief that has not been specifically prayed for, may also be granted.

Appellant through Counsel



Shams-ul-Hadi
Advocate High Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
CAMP COURT AT SWAT.

C.M No: _____ / 2019.

In Service Appeal No. 652/2016

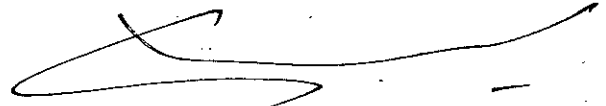
Akhtar WaqasAppellant

V/S

Advocate General KPK etcRespondents


AFFIDAVIT

I Shams-ul-Hadi, Advocate High Court, do hereby solemnly affirm and declare on oath, that the contents of this application is true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Tribunal.



Shams-ul-Hadi
Advocate High Court



Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2 03.09.2019	<p style="text-align: right;">3</p> <p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>At Camp Court, Swat.</u></p> <p style="text-align: center;">Service Appeal No. 652/2016</p> <p style="text-align: center;">Date of Institution 08.06.2016 Date of Decision 03.09.2019</p> <div style="text-align: right;">  </div> <p>Akhtar Waqas Naib Qasid Additional Advocate General Office at Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat.</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <ol style="list-style-type: none"> Advocate General Khyber Pakhtunkhwa, Peshawar. Mohsin Kamal Junior Clerk Additional Advocate General Office, at Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat. Arshid Iqbal Junior Clerk Additional Advocate General Office, at Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat. <p style="text-align: right;">Respondents</p> <p>Mr. Muhammad Hamid Mughal-----Member(J) Mr. Ahmad Hassan-----Member(E)</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for appellant present. Mr. Mian Amir Qadir learned Deputy District Attorney present.</p> <p>2. This Single/common judgment in the above captioned service appeal shall also dispose of service appeal bearing No.653/2016 filed by Kashif Hameed being identical in nature having arisen from the same facts and circumstances.</p>

ATTESTED
 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

3. The appellant (Naib Qasid) has filed the present service appeal being aggrieved against the promotion order dated 14.07.2014 in relation to promotion of Class-IV Officials as Junior Clerks. Prayer of the appellant is for his promotion as Junior Clerk according to his seniority position by maintaining correct seniority list.

4. Arguments heard. File Perused.

5. Learned counsel for the appellant argued that the appellant was appointed as Naib Qasid vide order dated 30.11.2010 and posted at the office of Additional Advocate General, at Peshawar High Court, Mingora Bench/Dar-ul-Qaza, Swat.; that the appellant has been performing his duties honestly and efficiently; that vide order dated 14.07.2014, respondent No.1 promoted Class-IV officials, junior to the appellant, to the post of Junior Clerk while ignoring the appellant; that again on 17.07.2014 Class-IV officials, junior to the appellant, were promoted as Junior Clerk and similarly on 02.08.2014 one Class-IV official, junior to the appellant, was promoted; that feeling aggrieved the appellant filed departmental appeal for his promotion to the post of Junior Clerk but the same was not answered. Learned counsel for the appellant stressed that the appellant is entitled for promotion to the post of Junior Clerk according to his seniority position by maintaining correct seniority list.

6. Learned Deputy District Attorney though resisted the present service appeal however he could not give any plausible explanation that as to how and in what manner promotions of Class-IV officials were made by the respondent department. Minutes of the meetings of DPC to

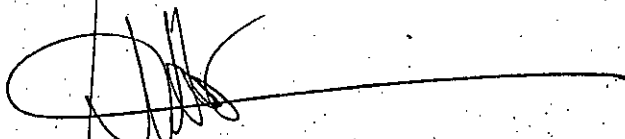
ATTESTED

10/9/2019
 MEMBER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

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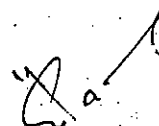
that effect were not made available on the record to determine that as to whether the promotions were made in the prescribed manner and that whether the appellants were also considered for promotion or otherwise.

7. In view of above the present service appeal and the connected service appeal are accepted and the respondent department is directed to consider the case of the appellants in the prescribed manner for promotion to the post of Junior Clerk from the date when their erstwhile junior Class-IV colleagues were promoted. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member

ANNOUNCED.
03.09.2019



(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

Certificate to be true copy


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Copy 18-09-19
Number of Copies 1200
Copying Fee 14-00
Urgent
Total 14-00
Name of Clerk
Date of Completion of Copy 20-09-19
Date of Delivery of Copy 20-09-19

خدمت جناب ایڈووکیٹ جنرل صاحب خیبر پختونخواہ پشاور ہائی کورٹ پشاور



عنوان: درخواست ترقی نائب قاضی جونیئر کلرک

جناب عالی!

مودبانہ گزارش کیجوں کہ سائل نے 23-11-2010 سے نائب قاضی کے عہدے پر ایڈیشنل ایڈووکیٹ جنرل آفیس منگورہ پنج درالقضاء سوات پرفائنری ہے اور اپنی ذمہ داریاں بخوبی انجام دے رہا ہے۔

سائل نے (Seniority list) کے مطابق ایڈووکیٹ جنرل آفیس پشاور میں ترقی لینے کے لیے ڈیپارٹمنٹل اپیل جمع کی، جس پر غور و فکر نہ ہو سکا لہذا سائل کے پاس کوئی ورت ترکیب نہ تھا اور خیبر پختونخواہ سروس ٹریبونل پشاور میں سروس اپیل نمبر 652/2016 جمع کیا۔

چونکہ اب معزز عدالت کا فیصلہ 2012-09-03 کو سائل کے حق میں ہوا اور معزز عدالت نے ہدایات دی ہیں کہ سائل کو جونیئر کلرک کے پوسٹ پر ترقی دی جائے اور فیصلہ لیا ہے

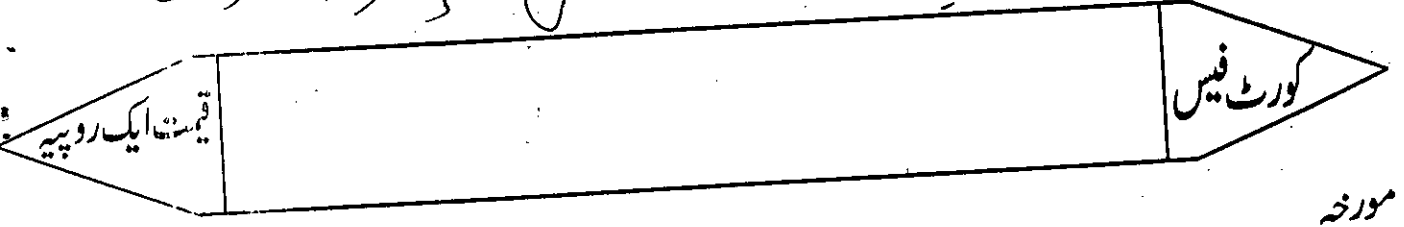
لہذا بذریعہ درخواست استدعا ہے کہ سائل کو معزز عدالت خیبر پختونخواہ سروس ٹریبونل پشاور کے فیصلے کے رو سے جونیئر کلرک پوسٹ پر ترقی دی جائے تو سائل تا زندگی دعا گو اور مشکور رہے گا۔ شکریہ

العارضہ 28-09-2019

اختر وقاص (نائب قاضی)
ایڈیشنل ایڈووکیٹ جنرل آفیس
دارالقضاء سوات

مورخہ: 28 ستمبر 2019ء

بعدالت محالہ صاحب
سروس ٹریڈنگ کمپنی کے نوٹس کو اس کے



مورخہ
مقدمہ
دعوی
جرم

۲۰ منجانب

احسن و قاص نام ایڈووکیٹ صاحب

باعث تحریر آنک

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ آن مقام منگوان کمپنی کے لئے جس ایڈووکیٹ کے نوٹس مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جو اب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق ذرا اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

احسن و قاص نامہ و قاص صاحب

۲۰/۸

۵۶ ماہ نومبر

المرقوم

گواہ شدہ العبد

کے لئے منظور

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مقام ملک کوٹ فیس

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2961-63 /ST

Dated 15/10 /2020

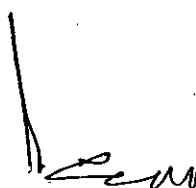
To

1. The Advocate General,
Government of Khyber Pakhtunkhwa,
Peshawar.
2. Mohsin Kamal Junior Clerk, Additional Advocate General Office at
Peshawar High Court, Mengora Bench/Dar-ul-Qaza, Swat.
3. Arshid Iqbal Junior Clerk, Additional Advocate General Office at
Peshawar High Court, Mengora Bench/Dar-ul-Qaza, Swat.

SUBJECT: - ORDER IN EXECUTION PETITION NO. 411/2019, AKHTAR WAQAS.

I am directed to forward herewith a certified copy of order dated 07.10.2020 passed
by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, CAMP
COURT AT SWAT**

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others

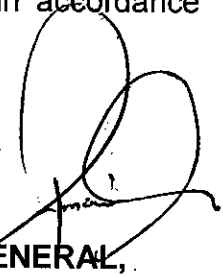
..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT No. 1

RESPECTFULLY SHEWETH:

That in compliance of the Judgment, dated 03.09.2019 of this Hon'ble Tribunal, it is respectfully submitted that according to the Service Rules of this office, there is no provision of promotion as Junior Clerk out of the Class-IV. Post of the Junior Clerk is filled in by means of initial recruitment (copy enclosed).

However, a case for effecting amendments in the Service Rules for promotion of Class-IV to the post of Junior Clerk has been moved to the Law Department, Khyber Pakhtunkhwa through Standing Service Rules Committee (SSRC). As and when meeting of the SSRC is convened and amendments, proposed by this office are approved, case of the appellant shall be placed before the Departmental Promotion Committee (DPC) for consideration in accordance with approved rules.


**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)**


7(a)	Library Assistant	2 nd Class Bachelor degree in Library Science from any recognized University / Institution	----	18 to 30 years	By initial recruitment
8	Senior Clerk	----	----	----	By promotion from amongst the holders of posts of Junior Clerks with at least two (02) years service, as such;
9	Junior Clerk /	(i) Matriculation or equivalent from a recognized Board; and (ii) A speed of 25 words per minute in typing	----	18 to 30 years	By initial recruitment
10	Driver	(i) Literate; and (ii) In possession of a valid driving license.	----	18 to 32 years	By initial recruitment
11	Daftari	Middle Standard	----	18 to 32 years	(a) By promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids. (b) If no suitable Naib Qasid is available for promotion then by initial recruitment.
12	Naib Qasid/ Chowkidar/ Mali	Preferably Literate	----	18 to 32 years	By initial recruitment


ADMINISTRATIVE OFFICER
ADVOCATE GENERAL OFFICE,
KHYBER PAKHTUNKHWA, PESHAWAR.

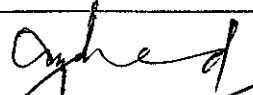
ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

KHYBER PAKHTUNKHWA OFFICE OF THE ADVOCATE GENERAL (RECRUITMENT & APPOINTMENT)
RULES, 1981

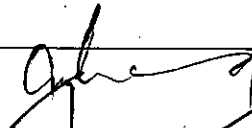
S. No	NOMENCLATURE OF THE POST	MINIMUM QUALIFICATION PRESCRIBED FOR APPOINTMENT BY INITIAL RECRUITMENT OR BY TRANSFER.	MINIMUM QUALIFICATION FOR APPOINTMENT BY PROMOTION	AGE LIMIT FOR INITIAL RECRUITMENT	METHOD OF RECRUITMENT
01	02	03	04	05	06
1	Administrative Officer / Budget & Accounts Officer	---	---	---	"By promotion, on the basis of seniority-cum-fitness from amongst the Superintendents (BS-17), with at least three (03) years service as such".
1A	Superintendent	---	---	---	"By promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with at least five (05) years service, as such".
2	Librarian	Degree with Diploma in Library Science from a recognized University	---	22 to 30 years	By initial recruitment
3	Private Secretary	---	---	---	"By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers (B-15) with at least five years service as such".


ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

3(a)	Computer Programmer (B-17)	At least Second Class Master's Degree in Computer Science or its equivalent qualification from a recognized University;	---	25 to 35 years	<p>a) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such; and</p> <p>b) Fifty percent (50%) by initial recruitment.</p> <p>Note: A Joint seniority list of both the Assistant Programmers and Computer Operators shall be maintained for the purpose of promotion.</p>
3(b)	Web Administrator (BPS-17)	At least Second Class Master's Degree or equivalent qualification in Computer Science from a recognized university.	---	21 to 32 years	<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Programmers and Computer Operators, having qualification prescribed for initial recruitment with five years service as such:</p> <p>Provided that if no suitable person is available for promotion then by initial recruitment."</p>
4	Assistant	Degree from a recognized University	---	18 to 30 years	<p>(a) Fifty (50) percent by initial recruitment and</p> <p>(b) Fifty (50) percent by promotion from amongst the holders of posts of Senior Clerk with at least three (03) years service, as such; or</p> <p>(c) If no suitable Senior Clerk is available for promotion, then by initial recruitment.</p>


 ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

5	Senior Scale Stenographer	<p>(i) 2nd Class Bachelor's Degree from a recognized University;</p> <p>(ii) A speed of 70 words per minute in shorthand in English and 45 words per minute in typing; and</p> <p>(iii) Knowledge of Computer in using MS Word and MS Excel.</p>	----	20 to 30 years	<p>(a) By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographer with at least five (05) years service, as such;</p> <p>(b) Provided that If no suitable candidate is available for promotion, then by initial recruitment; and</p>
6	Stenographer	<p>(i) Intermediate or equivalent qualification from a recognized Board;</p> <p>(ii) A speed of 50 words per minute in shorthand in English and 35 words per minute in typing; and</p> <p>(iii) Knowledge of Computer in using MS Word and MS Excel.</p>	----	18 to 30 years	By initial recruitment
7	Computer Operator	<p>(i) At least Second Class Bachelor's Degree in Computer Science/ Information Technology (BSC/BIT four years), from a recognized University; or</p> <p>(ii) At least Second Class Bachelor's Degree from a recognized University with one year Diploma in Information Technology, from a recognized Board of Technical Education.</p>	----	20 to 32 years	By initial recruitment


 ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, CAMP
COURT AT SWAT**

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others

..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT No. 1

RESPECTFULLY SHEWETH:

In continuation to earlier implementation report, filed in the Hon'ble Services Tribunal on 07/10/2020, it is respectfully submitted that Standing Service Rules Committee (SSRC) meeting was held on 15/10/2020 at 11:00 am in the Law Department, Khyber Pakhtunkhwa in order to approve forty (40) percent promotion quota to the class-IV staff for promotion as Junior Clerk. Minutes of the Meeting have been circulated by the Law Department, Khyber Pakhtunkhwa (copy enclosed). However, formal Notification of the approved Service Rules has not yet been issued by the competent forum and still under process.

As soon as the Notification is issued, case of the appellant shall be placed before the Departmental Promotion Committee (DPC) for consideration strictly in accordance with approved Service Rules.

Dated: 01/02/2021

**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)**

Advocate General
Khyber Pakhtunkhwa
Peshawar



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

No. E&A/LD/2-12/2020
Dated, Peshawar, the, 30th November, 2020

To

✓
The Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject:

MINUTES OF STANDING SERVICE RULES COMMITTEE (SSRC)
MEETING REGARDING AMENDMENT IN THE KHYBER
PAKHTUNKHWA OFFICE OF THE ADVOCATE GENERAL
(RECRUITMENT AND TRANSFER) RULES, 1981.

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith minutes of the Standing Service Rules Committee meeting held on 15-10-2020 under the Chairmanship of Secretary, Law, Parliamentary Affairs and Human Rights for information and necessary action, please.

Encl: as above:

Yours faithfully,

SECTION OFFICER (GENERAL)

Endst: Even No. & Date.

Copy is forwarded to the:-

1. Section Officer (Regulation-IV), Establishment Department.
2. Section Officer (FR) Finance Department.
3. PS to Secretary, Law, Parliamentary Affairs and Human Rights Department.

SECTION OFFICER (GENERAL)

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ahes
ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

MINUTES OF THE STANDING SERVICE RULES COMMITTEE (SSRC)
MEETING HELD ON 15/10/2020.

SUBJECT: AMENDMENT IN THE KHYBER PAKHTUNKHWA OFFICE OF THE ADVOCATE GENERAL (RECRUITMENT AND TRANSFER) RULES, 1981.

A meeting of the Standing Service Rules Committee (SSRC) was held on 15/10/2020 at 11:00 am under the Chairmanship of Secretary to Government of Khyber Pakhtunkhwa, Law, Parliamentary Affairs and Human Rights Department, in his office to discuss the subject issue. The following attended the meeting:

S#	Name	Designation	Department
1.	Mr. Shumail Ahmad Butt	Advocate General	Advocate General Office
2.	Mr. Qaisar Khan	Additional Secretary (General)	Law Department.
3.	Mr. Pir Muhammad	Deputy Secretary (Admn)	Law Department
4.	Mr. Tariq Khattak	Section Officer (FR)	Finance Department
5.	Mr. Muhammad Qasim	Section Officer (Reg-IV)	Establishment Department

2. The Chair after welcoming the participants invited the Advocate General to apprise the forum about the proposed amendments in the service rules for the post of Junior Clerk (BPS-11), in the Khyber Pakhtunkhwa Office of the Advocate General (Recruitment and Appointment) Rules, 1981. The Advocate General informed that the subject amendments are being placed before the forum in pursuance of the Judgment, dated 03/09/2019 in Service Appeal No. 652/2016 in the case titled Akhtar Waqas-VS-Govt. of Khyber Pakhtunkhwa etc to set promotion quota to the post of Junior Clerk out of the Class-IV employees of Advocate General office. The Advocate General further informed that at present there was no provision in the existing service rules for the promotion of Class-IV to the post of Junior Clerk.

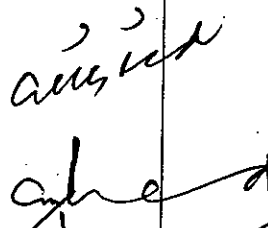
3. The Advocate General, therefore, proposed that forty (40) percent promotion quota may be given to Class-IV staff for promotion to the post of Junior Clerk on the analogy of the service rules of the Establishment Department.

The Chair informed that Establishment Department had given four (04) year grace period to the present matriculate Class-IV incumbents for incumbents for promotion as Junior Clerk in 2019 and suggested that two years grace period may be given to the existing Class-IV staff of the Office of Advocate General, Khyber Pakhtunkhwa. Representative of both the Establishment Department and the Finance Department also agreed with the proposal of the Secretary, Law Department.

5. The Standing Service Rules Committee, after through discussion recommended the following amendments in the Khyber Pakhtunkhwa Office of the Advocate General (Recruitment and Appointment) Rules, 1981.

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

S#	Nomenclature of Post	Qualification	Age	Method of Recruitment
1.	Junior Clerk	<p>(i). FA/F.Sc with second division or equivalent qualification from a recognized Board; and</p> <p>(ii). A speed of thirty (30) words per minute in typing.</p>	18 to 30 years	<p>a) Forty (40) percent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris and Naib Qasids including holders of other equivalent posts of this office with two (02) years service as such, who have passed FA/F.Sc Examination or its equivalent qualification from a recognized Board with a speed of thirty (30) words per minute in typing; and</p> <p>b) Sixty (60) percent by initial recruitment.</p> <p>Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaris and Naib Qasids including holders of other equivalent posts with reference to the dates of their acquiring the FA/F.Sc qualification: the experience of two (02) years shall be counted after acquiring the requisite qualification.</p> <p>Provided that:</p> <p>i. If two (02) or more officials have acquired the FA/F.Sc qualification in the same session, the inter se-seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;</p> <p>ii. Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</p> <p>Provided further that the condition of FA/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) above shall not apply for a period of two (02) years, to be effective from 15/10/2020, to the existing matriculate incumbents of the posts of Daftaries, Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk.”</p>


ADMINISTRATIVE OFFICER
 Advocate General's Office
 Khyber Pakhtunkhwa
 Peshawar

6.

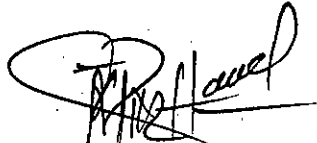
The meeting ended with a vote of thanks from and to the chair.



(Muhammad Qasim)
Section Officer (Reg-IV),
Establishment Department.



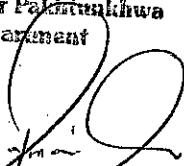
(Tariq Khattak)
Section Officer (FR)
Finance Department.



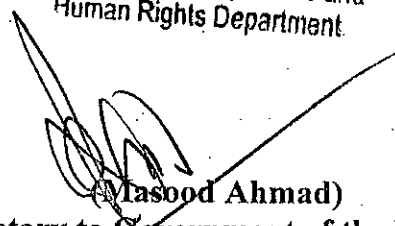
(Pir Muhammad)
Deputy Secretary (Admn)
Law Department,
Dy. Secretary (Admn)
Govt. of Khyber Pakhtunkhwa
Law Department



(Qaisar Khan)
Additional Secretary (General)
Law Department,
Law, Parliamentary Affairs and
Human Rights Department

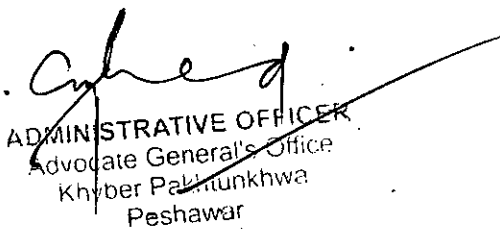


(Shumail Ahmad Butt)
Advocate General
Khyber Pakhtunkhwa



(Masood Ahmad)
Secretary to Government of the Khyber
Pakhtunkhwa, Law Department.

Ahsan



ADMINISTRATIVE OFFICER
Advocate General's Office
Khyber Pakhtunkhwa
Peshawar

OFFICE ORDER

In pursuance to Judgment of the Hon'ble Services Tribunal, Khyber Pakhtunkhwa delivered on 03/09/2019 in Service Appeal No. 652/2016 (Akhtar Waqas vs Govt of Khyber Pakhtunkhwa) and on recommendations of the Departmental Promotion Committee; the Advocate General Khyber Pakhtunkhwa is pleased to promote the following Naib Qasids (BPS-03) to the posts of Junior Clerks (BPS-11) available in main office, Peshawar with the immediate effect.

1. Mr. Akhtar Waqas
2. Mr. Kashif Hameed

On promotion, the above officials shall remain on probation for a period of one (01) year, extendable for another one (01) year as provided in Rule-15(1)(2) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989.

Sd/-
(SHUMAIL AHMAD BUTT)
ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA, PESHAWAR.

Ends No. & date even

Copy to

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Additional Advocate General, Khyber Pakhtunkhwa, Swat.
3. The District Accounts Officer, Swat.
4. The Senior Administrative Officer of this office.
5. The Budget & Accounts Officer of this office.
6. The Advocate General, Khyber Pakhtunkhwa, Peshawar.
7. Information concerned.

(AYAZ KHAN)
ADMINISTRATIVE OFFICER

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
CAMP COURT AT SWAT**

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

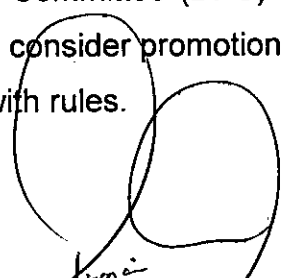
Government of Khyber Pakhtunkhwa and others

..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 1

RESPECTFULLY SHEWETH:

In continuation to earlier implementation report, dated 03/11/2021, it is respectfully submitted that posts of Senior Clerks (BPS-14) have fallen vacant on 20/12/2021 due to promotion (copy attached) which shall be subsequently filled in through promotion out of Junior Clerks (BPS-11) in the near future. As and when posts of Junior Clerks fell vacant, Departmental Promotion Committee (DPC) for promotion of Class-IV as Junior Clerks shall be convened to consider promotion of the Class-IV, including the appellant, strictly in accordance with rules.


**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)**

Dated: 31/12/2021



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 16569-75 /AG

Dated Peshawar, the 20-Dec-2021

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

Exchange No 9213833 (202)
Fax No. 091-9210270

OFFICE ORDER

As recommended by the Departmental Promotion Committee (DPC), held on 17/12/2021, the Competent Authority is pleased to promote the following **Senior Clerks (B-14) to the posts of Assistants (B-16)** on regular basis and post them in main office, Peshawar with immediate effect.

1. Mr. Shah Jehan
2. Mr. Muhammad Hussain
3. Mr. Muhammad Yasir

The Competent Authority is further pleased to place the above promotees under probation for a period of one (01) year in terms of section 6(2) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, read with rule 15(1) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

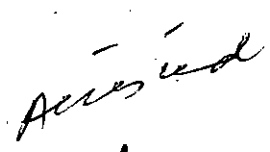
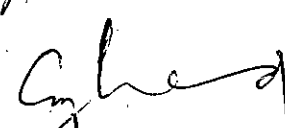
Sd/-
**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA, PESHAWAR.**

Endst. No. & date even

Copy to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Budget & Accounts Officer of this office.
3. PS to the Ld. Advocate General, Khyber Pakhtunkhwa.
4. Officials concerned.
5. Personal Files.
6. Office Order file.


**(AYAZ KHAN)
ADMINISTRATIVE OFFICER**



**Senior Administrative Officer
Advocate General Office
Khyber Pakhtunkhwa Peshawar**

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
CAMP COURT AT SWAT

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others

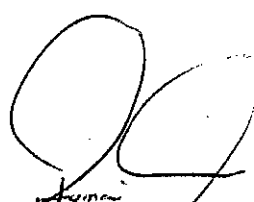
..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 1

RESPECTFULLY SHEWETH:

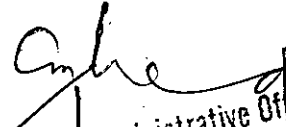
In continuation to earlier implementation report, filed in the Hon'ble Services Tribunal on 06/10/21, it is respectfully submitted that a meeting of the Departmental Promotion Committee (DPC) was convened on 29/10/2021 at 10:00 AM in this office under the Chairmanship of the undersigned to consider promotion of the Appellant. The Committee observed that there was no vacancy of Junior Clerk in this office against which promotion of Class-IV including the appellants can be considered and promoted as promotion are made against clear cut vacancies. However on occurrence/availability of post (s) of Junior Clerks in the near future, the appellant alongwith other Class-IV staff shall be considered according to law in this office for promotion as Junior Clerks.

A copy of the minutes of the DPC is enclosed herewith.


**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)**

Dated: 09/11/2021

Ausied


**Senior Administrative Officer
Advocate General office
Khyber Pakhtunkhwa Peshawar**

Subject: MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE (DPC) HELD ON 29/10/2021 at 10:00 AM IN OFFICE OF THE ADVOCATE GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

In pursuance to the directions of the Khyber Pakhtunkhwa, Services Tribunal contained in its Judgment, dated 03/09/2019 of the Service Appeal No. 652/2016, titled as Akhtar Waqas vs Govt. of Khyber Pakhtunkhwa, a meeting of the Departmental Promotion Committee (DPC) was held on 29/10/2021 at 10:00 AM in office of the Advocate General, Khyber Pakhtunkhwa under his chairmanship. Agenda of the meeting was to consider promotion of Class-IV staff as Junior Clerk (s) in the Advocate General office, Khyber Pakhtunkhwa. The following attended the meeting:-

1. Mr. Shumail Ahmad Butt, Advocate General, KP Chairman
2. Mr. Khaled Rehman, Addl: Avocate General, KP Member
3. Mr. Rahid Ullah, SO (Codification), Law Department, KP Member

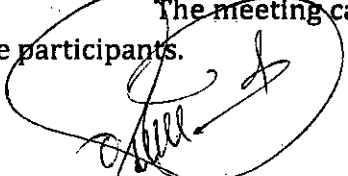
Mr. Jamshed Khan, Deputy Secretary (Reg-III), Establishment Department, Khyber Pakhtunkhwa also attended the meeting on special invitation to assist the DPC.

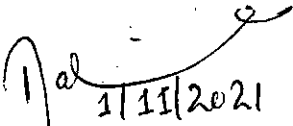
The Chair welcomed all the participants of the meeting and then apprised them about the agenda of the meeting.

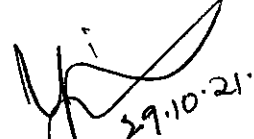
The Committee considered Judgment of the Services Tribunal, dated 03/09/2019 as well as working paper placed before the Committee, unanimously agreed that those Class-IV employees who have already been promoted to the posts of Junior Clerks prior to framing of the new Service Rules will not be disturbed as their promotion is past and closed transaction and the Services Tribunal has not set aside promotion orders of the Junior Clerks.

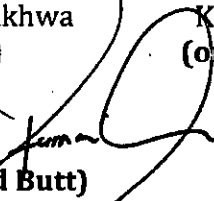
The Committee further unanimously agreed that at the moment there is no vacancy of Junior Clerks against which promotion of Class-IV including the appellants can be considered and promoted as promotion are made against clear-cut vacancies. However, on occurrence / availability of post (s) of Junior Clerks in the near future, the appellants alongwith other Class-IV staff shall be considered according to law in this office for promotion as Junior Clerks.

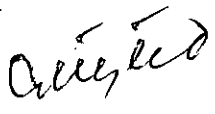
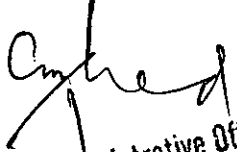
The meeting came to an end with a vote of thanks to and from the Chair to all the participants.


(Khaled Rehman)
Additional Advocate General
Khyber Pakhtunkhwa
Peshawar
(Member)


(Rahid Ullah)
Section Officer (Codi)
Law Department
Khyber Pakhtunkhwa
(Member)


(Jamshed Khan)
Deputy Secretary (Reg-III)
Establishment Department
Khyber Pakhtunkhwa
(on special invitation)


(Shumail Ahmad Butt)
Advocate General
Khyber Pakhtunkhwa
(Chairman)



Senior Administrative Officer
Advocate General Office
Khyber Pakhtunkhwa Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
CAMP COURT AT SWAT

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others

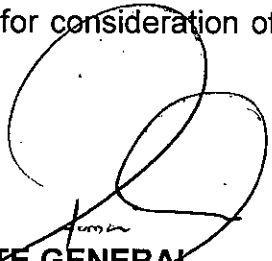
..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 1

RESPECTFULLY SHEWETH:

In continuation to earlier implementation report, dated 28/08/2021 filed in the Hon'ble Services Tribunal, it is respectfully submitted that Service Rules for the post of Junior Clerk have been framed and forty (40%) percent share has been given to the Class-IV staff for promotion as Junior Clerk (Copy of Service Rules is enclosed herewith).

Common Seniority List of Class-IV staff has also been issued for inviting objections on their seniority position. Some of the Class-IV staff have raised objections on their seniority position. These objections are under examination. As soon as undisputed Seniority List becomes final, the case for promotion shall be placed before the Departmental Promotion Committee (DPC) for consideration of promotion on the said post, accordingly.


ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)

Dated: 06/10/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
CAMP COURT AT SWAT

Execution Petition No. 411/2019

IN

Service Appeal No. 652/2016

Akhtar Waqas

..... Appellant

Versus

Government of Khyber Pakhtunkhwa and others

..... Respondents

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 1

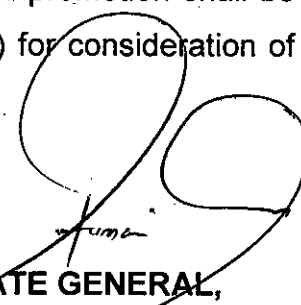
RESPECTFULLY SHEWETH:

Akhtar Waqas

..... Respondent

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**ADVOCATE GENERAL,
KHYBER PAKHTUNKHWA,
PESHAWAR.
(Respondent No.1)**

Dated: 20/08/2021

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

NOTIFICATION

Peshawar dated the 25.02.2021

2425-38-6

No. E&A/LD/2-12/2020.

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

AMENDMENT

In the Appendix, against Serial No. 9, in Columns No. 3 and 6, for the existing entries, the following shall be substituted, namely:

3	6
<p>(i) At least Second Class Intermediate Certificate or equivalent qualification from a recognized Board; and</p> <p>(ii) a speed of thirty (30) words per minute in typing.</p>	<p>(a) Forty percent (40%) by promotion, on the basis of seniority-cum-fitness, from amongst the Daftaris, Naib Qasids and other officials having equivalent posts with two years service as such and having qualification prescribed for initial recruitment; and</p> <p>(b) sixty percent (60%) by initial recruitment.</p> <p>Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaris, Naib Qasids and other officials having equivalent posts with reference to the dates of their acquiring the Intermediate Certificate:</p> <p>Provided that-</p> <p>(i) if two or more officials have acquired Intermediate Certificate in the same session, the inter-se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; and</p> <p>(ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</p>

	<p>Provided further that the condition of Intermediate Certificate or its equivalent qualification from a recognized Board as laid down at clause (a) shall not apply till the expiration period as specified in Column No. 5 against Serial No. 4 of the Establishment Department's amendment Notification No. SOE.IV (E&AD)1-35/2014, dated: 18-07-2019, to the existing matriculate incumbents of the posts of Daftaris, Naib Qasids and official of other equivalent posts for promotion to the post of Junior Clerk (BPS-11).".</p>
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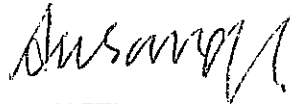
**Secretary to Government of the Khyber Pakhtunkhwa
Law, Parliamentary Affairs and Human
Rights Department**

No.E&A/LD/2-12/2020

Peshawar, dated the 25.02.2021

Copy forwarded for information to the:-

1. All the Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. Accountant General, Khyber Pakhtunkhwa.
3. Director of Archives and Libraries, Khyber Pakhtunkhwa Peshawar.
4. Registrar, Peshawar High Court, Peshawar.
5. Advocate General, Khyber Pakhtunkhwa.
6. Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
7. District Accounts Officers.
8. Manager, Government Printing Press, Khyber Pakhtunkhwa for publication in Government Gazette. He is requested to send ten (10) copies of the same to this Department.
9. Librarian, Establishment/Administration Department, Khyber Pakhtunkhwa.
10. Senior Librarian, Law Department with the request to kindly upload the same in the official website.
11. P.S. to Chief Secretary, Khyber Pakhtunkhwa.
12. P.S. to Minister for Law, Parliamentary Affairs and Human Rights Khyber Pakhtunkhwa.
13. PS to Secretary, Law, Parliamentary Affairs and Human Rights Department.
14. PA to Legal Drafter Law, Parliamentary Affairs and Human Rights Department.



**(AURANGZEB)
SECTION OFFICER (GENERAL)**