- Junior to counsel for appellant present.

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

No. 9150/2020 titled "Hidayat Shah Vs Government of Khyber Pakhtunkhwa" on 25.11.2022 for arguments before D.B.

(Fareena Paul) Member (E) (Rozina Rehman) Member (J)

25.11.2022

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

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

(Fareeha Paul) Member (E) (Rozina Rehman) Member (J) 28.12.2021

Due to Winter Vacations, the case is adjourned to 25.04.2022 for the same as before.

KEADER

25.04.2022

Ş.

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

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

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

18.07.2022

7 44 30 mg

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 Appeall No.9150/2020 titled "Hidayat Shah Vs. Government of Khyber Pakhtunkhwa" on 14.09.2022 for arguments before D.B.

(Fareeha Paul) Member(E) (Rozina Rehman) Member (J) 19.01:2021

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

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

Deposited (17)4s F**er** →

Merhber (1)

19.05.2021

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

Řeader

01.09.2021

Junior to counsel for the appellant present. Mr. Muhammad Butt, Additional Advocate General alongwith 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 MUHAMMÃD) MEMBER (E)

# FORM OF ORDER SHEET

Court of		· 
		i
12911	,,	

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/09/2020	The appeal presented today by Mr. Noor Muhammad Khat
		Advocate may be entered in the Institution Register and put up to t
	<b>'</b> \$.	Learned Member for proper order please.
2-		REGISTRAR,
	,	This case is entrusted to S. Bench for preliminary hearing to be
		up there on 1:11. 2020
•		MEMBER(J)
1.2020	)	Nemo for appellant.
		Since the Members of the High Court as well as of th
	Dist	rict Bar Association, Peshawar, are observing strik
		y, therefore, learned counsel for appellant is no
		lable today. Adjourned to 19.01.2021 on which date t
		e up for preliminary hearing before S.B.
		(Muhammad Jamal Khan) Member (Judicial)
. ]		
	-	

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO		/2020	
<i>:</i>	-		
**			

**ALI ZAMAN** 

V/S

GOVT. OF KP & OTHERS

# **INDEX**

S. NO	DOCUMENTS	ANNEXURE	PAGE
1	MEMO APPEAL		1 - 3.
2	Stay application		4.
3	Appointment order	<b>A</b> ·	5.
4	Old service rules	В	6- 8.
5	Impugned Rules dated 5.4.2018	С	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.

**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. 10247 /2020

Khyber Pakhtukhw Service Tribunal

Diary No. 9705

Mr. Gul Malook, Village Secretary, Village Council Surati Kill, District Karak.

Duted 4-9-2020

# 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

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

# R/SHEWETH: ON FACTS:

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

- That according to the service rules Notified on 26.1.1978 the initial scale of the appellant was in BPS-6 which was later on upgraded to BPS-7. That under the said Rules the prospects of promotion was on up to the post of Deputy Director (BPS-18) but later on vide impugned Notifications dated 5.4.2018, 1.8.2018 and 16.10.2019 the channel of promotion has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Civil Servant Act, 1973 & APT Rules, 1989. Copies rules and impugned rules are attached as annexure ...... B, C, D & E.
- That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.
- 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:**

- 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

THROUGH:

NOOR MOHAMMAD KHATTAK

GUL MALOOK

ADVOCATE

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

	C.M. NO	/2020	
	IN	· .	
	APPEAL NO	/2020	
GUL MALOOK	VS	GOVT: OF KPK & OTHER	S

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

# R.SHEWETH:

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

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

APPELLANT

THROUGH: NOOR MOHAMMAD KHATTAK

ADVOCATE, High Court Peshawar

ការសេ**កុខ** ពេល វ tern' designation of the Head eave on average pay upto (suc Signar re of Signature of the Date of prom four months (or eirned head of the the Held of Nac leave not exceeding 120 termination the object of other Attesting O cer office or other days) to which leave salary 27 or appointdesp Attesting dur of t Attesting officer is debitable to another ment C1. Officer in attestation of columns بنة اوسط تتحوا وكاتعين سی رین سیارین ے ک انعقل ع Period ے و مفازمت 3 report selleted Appended as visa m y (FN) Surclasty Vede DV 1784 26113 4-1982 DKD18-D/4)24 20 3 파 24 - 11 - 1984



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

# NOTIFICATION

Dated: 26th January, 1978.

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

S			Grade-16 or above.		
			Welfare, Planning& Dev: or Forest in		
			Annia rusoandry Educador, Social		_
			Aminant Blandander Edmontion Could		
			<ul> <li>b) Five year experience in Agriculture,</li> </ul>		
such,			or Social Psychology and	_	_
Project Managers & Progress Officers with at least years experience as			Animal Husbandry, Agril: Geography		
Rural Development (including the defunct basis Democracies Deptt.)	years		statistics, social works sociology,		
seniority from amongst the holders of the posts of Assistant Director	and not more than 35		recognized University in Economics,		
i) 25% by initial recruitment, and 75% by on merit with due regards to	Not less than 30 years		a) 2 <sup>nd</sup> Class Master Degree from a	Deputy Director	
6	5	4	٤	2	_
	recruitments	promotion		post	
Method of appointment	Age limit for initial	Qualification for	Qualification for initial recruitment	Nomenclature of	S.No.

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Supervisor D
Degree from recognized University
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and not more than 25 years Not less than 18 years
20 00
i) 25% by initial recruitment and
recruitment and
i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst
25% by initial recruitment and 25% by selection on merit with due regards seniority from amongst.

ATT

17	16	15		· · ·	- 13	. 12	<del>(2)</del> =
Junior Clcrk	Village Secretary	Scnior 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	Matriculation or equivalent     qualification from recognized board     and	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	Degree from recognized University Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts
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 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
s iii) Not less than 80% by inflial recruitment and iv) Not more than 20% by selection on merit from amongst holders of the post Daffaries and Poen in the Deptt: with a least three years service such. Qualification prescribed for initial recruitment	s 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 Recruítment	service such	rs (i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amofigst holders of the post Junior Clerk /Senior Clerk in the Deptt: with a least three years.		Not less than 18 years  i) 50% by initial recruitment and and not more than 25 ii) 50% 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

Sd/-xxx

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

HTESTED

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



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

# NOTIFICATION

Dated Peshawar, the 05th April, 2018.

No. SO(LG-1)2-188/SSRC/2018.— 1881. In exercise of the power conferred by sub-rule (2) of the rule 3-of the Khyber Pakhtunkwha Civil Servants (Appaintment, 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:

# <u>AMENDMENTS</u>

In the Appendix.

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

10	.  :Supervisor -	Atleast Second Class 21 to 30	
1.		Bachelor's Degree from a j years.	promotion, on the basis of
		recognized University.	seniority-cum-filness.
			amongst the Senior Secretary
.] '		la 1 37 K/	Village / Neighborhood Council:
			with atleast five (05) year service
:.:		/ / / / / / / / / / / / / / / / / / /	as such: and
1			ii) Twenty-five (25) per cent by
].		MX M1	initial recruitment:

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

ĺ	154	Senior	-4 · -	•	By promotion on the basis of seniority-
1		Secretary		Ì.	cum-fitness, from amongst the Junior
Ī		Village /		·	Secretary Village / Neighborhood Council, with atleast ten (10) year
		Neighborhood	•		service as such."; and
		Council.		1	

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

16.	Junior	Atleast Second Class	18 10	1)	Twenty (20) per cent by
	Secretary	Intermediate or	30		promotion, on the basis of
		equivalent qualification	years.	ľ	seniority-cum-fitness. from amongst the Naib Oasids and
		from a recognized Board			Chowkidars in the Village A
	Council.	and alleast six (06)	į		Neighborhood Council with
		months Certificate in	j		seniority at tehsil level: having
1.		Computer from a	•	1	Secondary School Certificate in
). 	1	recognized Institute with	Ì	1	second division from a
		experience in MS-	}		recognized. Board or Institute
1 3	Control Marie Control		, ·		with three (03) year service as
1	1000	Internet.		]	such: and
			[	ļ	
7.	i .	[	i	-	

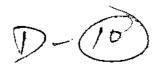


GOVERNMENT



REGISTERED NO. P.III

GAZETTE



# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

# GOVERNMENT OF THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT <u>DEPARTMENT</u>.

# **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.	-	<del>.</del>	_	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.
"1A.	Director.			-	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years service as such or twelve (12) years service as Assistant Director and above.
	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).";

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

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

seniority-cum-fitness, from amongst Deputy Director (Technical) with at least sever (07) years service as such o twelve (12) years service, a Assistant Engineer and Assistant Director (Technical) and above.  1C. Deputy Director (Senior).  1D. Deputy Director (Finance and Accounts).  1E. Deputy Director (Technical).  1E. Deputy Director (Technical).  1E. Deputy Director (Technical).  1F. Deputy Director (Technical) with five (05) years service as such and having a Bachelor's Degree in Civil Engineering.";  1F. Note: For the purpose of Deputy Director (Technical), there shall be maintained a join maintained a join	"lB.	Director				<del></del>
Director/Assistant Director (Senior).  1D. Deputy Director (Finance and Accounts).  1E. Deputy Director (Technical).  1By promotion, on the basis of seniority-cum-fitness, from amongst Accounts Officers with at least five years service as such.  1E. Deputy Director (Technical).  1F. Deputy Director (Technical), there shall be maintained a join			-		•	amongst Deputy Directors (Technical) with at least seven (07) years service as such or twelve (12) years service, as Assistant Engineer and Assistant
(Finance and Accounts).  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.";  Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a join	IC.	Director/Assistant	- - 	-	-	seniority-cum-fitness, from amongst Assistant Directors with at least five (05) years service as
(Technical)  Seniority-cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years service as such and having a Bachelor's Degree in Civil Engineering.";  Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a join	1D.	(Finance and	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Accounts Officers with at least five years service as such.
Engineers and Assistan Directors (Technical).";	1E.					seniority-cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years service as such and having a Bachelor's Degree in Civil Engineering.";  Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant

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

3,	T	6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	(i)	Fifty (50) per cent by promotion, on the basis on the basis of seniority-cumfitness, from amongst the Accountants with at least five (05) years service as such:  Provided that if no suitable officer is available for promotion then by transfer.; and
	(ii)	fifty (50) per cent by initial recruitment.".

# (12)

# KHYBER PAKHTUNKWHA GOVT: GAZÉTTE, EXTRAORDINARY, 12th JUNE, 2019 1427

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

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

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

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

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

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

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

	<u>I.</u>	2.	3.	4.	5.	6.
	"11.	Accountant.	At least Second Class	-	21 to 30	By initial
			Bachelor's Degree in		years.	recruitment:
	ļ · ˈ		Business Administration			•
			or its equivalent			Provided
			qualification, from a			that till the
			recognized University.			appointment
						of a suitable
						person on initial
						recruitment
						the post
gg Wagan t						shall be
Al	够	ED .	,			filled by
·		· .				transfer.";

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

13

KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th. JUNE, 2019 "14. Computer (a) At least Second 21 to 32 By initial Operator, Class Bachelor's years. recruitment."; Degree in Computer Science (BCS)/ Information Technology (BIT) (04-years) or its equivalent qualification from a recognized University; or (b) At least Second Class Bachelor's Degree from recognized University with one year Diploma in Information Technology from a recognized Board of Technical . Education.

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

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

(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, Peshawar.



E. 19

Page NO5



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



# MOTIFICATION

Dated l'eshawar, the 16th October, 2019

No. SO(E)LG/2-188/SSRC/1019. 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,

- 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 Pakhtunkliwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.":
  - ii) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
  - iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";
  - Note: For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.":
- b) against Serial 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-eum-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;
  - ii) Ten per cent by promotion, on the basis of seniority-conn-timess, from amengative Sub-Engineers with at least five years service as such and who possesses Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and
  - iii) Seventy per cent by initial regruitment.";

ATTESTED

- 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 amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Conneil with semority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and
  - Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Conneil. 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 Tebsil."

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

# No. SO(E)LG/Z-138/SSRC/2019.

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Phylor Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar. The PSO to Chief Minister, Khyber Pakhtenkhwa Peshawar,
- The PSO to Chief Secretary, Khyber Pakhtunkhwa Fashawar.
- The Director General, EG.E&RDD, Khyber Pakhtunkhwa Feshawar,
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- 8 All Head of Attached Departments in Khyber Pakhtenkhyva.
- 9. All Deputy Commissioners in Khyber Pakhjunkhwa.
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12-All Assistant Directors: EG&RDD in Khyber Pakhtunkhiva.
- 13. The Manager Government printing press, Peshawar for publication in the next Governmen: Gazettee Notification, 100 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG E&RO Khybor Pakhtrukhwa
- 15. The PS to Secretary LG.E&RDD Peshawar.
- 16. The Office Order file

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



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

T (16)

Dated Lahore the 27th July, 2018

# N'OTIFICATION

NO.SO.Admn-I(LG)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&R.) Service Rules, 1981 and Punjab Government District Service (Town/Tensil Municipal cadre) Rules 2005 w.e.f 01.07.2018:-

:	Sr#	Post	Present Scale	Up gradation	]
	1	Union Secretary (Committee)	85- 07	BS-11	
	2. •	Union Secretary (CD)	BS-11	B5-14	-    •,

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

SECRETARY
LOCAL GOVT. & COMMUNITY DEVELOPMENT
DEPARTMENT

# NO & DATE EVEN

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

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

- 2. The Director General, LG&CD Punjab Lahore with the request 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.
- The Assistant Director (UC), at the PHQ, Lahore.

8. Master file.

(MAGMOOD AHMAD)
DEPUTY SECRETARY (ADMN.)

CC:-

Rana Mahboob Hussain, All Punjab Secretaries UÇs Association Punjab.

ATTESTED

# THE SECRETARY,

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

Subject:

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

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

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

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

Obediently Yours,

Gul Malook

Secretary (VC/NC Council)

uic <u>VC Surati Kill</u>

Cell No: 0331 - 9255648



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# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

-	PESHAW/	<u>AR</u>	. À -
	<u>.                                    </u>	OF	2020
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KHATTAK, Advoc compromise, with my/our Counsel/ without any liabili engage/appoint a I/we authorize the receive on my/ou deposited on my/ou	ncate, Peshave draw or refer Advocate in ity for his defaint other Advocate said Advocate rehalf all suffour account in	war to a to arbitra the abou ult and wi cate Couns ite to dep ims and a	ppear, plead, act, ation for me/us as we noted matter, the authority to sel on my/our cost. osit, withdraw and mounts payable or a noted matter.
Dated/	/2020	CLA	ENT
			<u>ACÉÉPTED</u> DHAMMAD KHATTAK
		SHAHZU	ILLAH YOUSAFZAI
		MIR	ZAMAN SAFI
		AFRAS	IAB KHAN WAZIR ADVOCATES

OFFICE:

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

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10247 12020.

Mr	r. Ali Zaman	.Appellant
	VERSUS	*
2. 3. 4.	The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Peshawar.  The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.  The Secretary Local Government Development Department, Civil Secretariat, Pest The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Pest The Director General, Local Government & Rural Development Department Pakhtunkhwa	shawar hawar

# INDEX

S .#	Description of Documents	Annexure	Page #
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 1st February 2018	Annex-IV	19

Respondents

Through

Deponent

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 102 47/2020.

Mr. Hi Zamein Appellan

### **VERSUS**

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

..Respondents

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

# Respectfully Sheweth!

# **Preliminary Objections:**

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

# ON.FACTS

- 1. Pertains to record.
- 2. Incorrect, The Provincial Government vide Notification bearing No. SO (LG-I)2-188/SSRC/2018 dated 05.4.2018, No. SO (LG-I)2-188/SSRC/2018 dated 01.8.2018 and No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 has allowed the channel of promotion to the appellant upto the post of Director (BPS-19) instead of Deputy Director (BPS-18) previously allowed under Service Rules Vide Notification No. DG (RWP)7(2)/73 dated 26-01-1978. (Annexure as I, II & III).
- 3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service

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

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

In addition to above,

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

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

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

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

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

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

# **REPLY TO GROUNDS:**

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





- 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 LG&RI Khyber Pakhtunkhwa Respondent No.5

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

Secretary Finance Department, Khyber Pakhtunkhwa Respondent No.4

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



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

<u>Appeal</u>	No.	<u>10</u>	24	7	/2020.

Mr. Ali Zaman **VERSUS** 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat 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.

# **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. 10247 " All' Zaman"

are true and correct to the best of my knowledge & belief and nothing has been intentionally

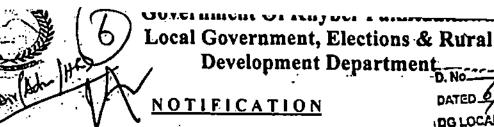
concealed from this Honorable Court.

Deponent

CNIC #. 17301-2416976-9 Cell #.0336-9170959

Identified By

**Advocate General** Khyber Pakhtunkhwa



NOTIFICATION

LOCAL GOVERNMEN

Dated Peshawar, the 05th April, 2018

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

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

hereby directs that in this Department's Notification No.

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.

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:

* <u>1</u> 0.	Supervisor'	Atleast Second Class Bachelor's Degree from a recognized University.		Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness. from
	· ·	e e e e e e e e e e e e e e e e e e e		amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such: and
			ii.	) Twenty-five (25) per cent by initial recruitment.";

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

"15A:	Senior	**************************************	19 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1 8 1	By promotion, on the basis of senlority-
<b>l</b> .	Secretary	• ,		cum-fitness, from amongst the Junior
	Village '/			Secretary Village / Neighborhood
·	Neighborhood			Council, with atleast ten (10) year
	Council	:		service as such."; and

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

Secretary Inter Village / equi Neighborhood from Council. and mon Con reco jexpo	ast Second Class 18 (to mediate or ivalent qualification na recognized Board atleast six (06) oths Certificate in inputer from a ognized Institute with erience in MS-ice. Impage and met:	promotion, on the basis of
--	--	----------------------------

1.12018

Eighty (80) pen cent by initial recruitment;

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

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

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

Dated Peshawar, the QSIA April, 2018

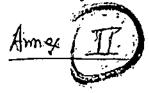
Copy forwarded to:---

- I. All Administrative, Secretaries to Government of Khyber Pukhtunkhwa.
- 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 P50 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, LO&RDD in Khyber Pakhtunkhwa.
  - 13. The Manager Government printing press. Peshawar for publication in the next Oovernment Gazettee Notification, 40 copies of the Notification may be sent to this Department.
  - 14. The PS to Senior Minister for LO,E&RO Khyber Pakhtunkhwa.
  - 15. The PS to Secretary LG.E&RDD Peahuwur.
  - 16. The Office Order file.

SECTION OFFICER (ESTAB Phone # 091-9213224

in the







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

# NOTIFICATION

Dated Peshawar, the 01st August, 2018

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

# **AMENDMENTS**

In the Appendix,-

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

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

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

1.	2,	3.	4.	5.	
"!A.	Director.				By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above.
	:	1			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).";

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

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



	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.";
	:				Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

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

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

Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	seniority-cum-fitness from amount of
--	--------------------------------------

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

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

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

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

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

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

1.	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.";



(f) :-

(g) \_

	(h) six at a set	
	(b) six months Diploma in Civil AutoCAD	;
	from a recognized	
,.·	Technical Institute;	
1 1	(c) at least two years'	
`\ <b>.</b> .	experience in relevant field.	,
	*	

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

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

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

1.	2,	3.	4.	5.	6.
·"14.	Computer	(a) At least Second Class	-	21 to 32	By initial
l .	Operator.	Bachelor's Degree in		years.	recruitment.";
1	1	Computer Science		\	'
		(BCS)/ Information	•		
		Technology (BIT)			
-	١	(04-years) or its			
ŀ	•	equivalent		•	
l l		qualification from a			
:	1	recognized		)	1
· · · :	1	University; or		ŀ	1
1.	ļ	(b) At least Second Class	ŀ		
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1.	1	Information	Į	1	
Ì		Technology from a			
1	1	recognized Board of	ı	1	
ļ		Technical Education.	1		
		reclinical Education.	<u> </u>		

(l) 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.	<u>.</u>	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 01" August, 2018

Copy forwarded to:-

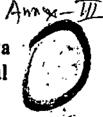
- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa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

15. The Office Order file,

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



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



# **NOTIFICATION**

Dated Peshawar, the 16th October, 2019

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

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

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

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

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

Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73

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

🚌 ln the Appendix,-

- a) if Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
  - i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public 2 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
  - iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.":

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

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

seventy per cent by initial recruitment.";

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

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

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

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

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

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

27

11

Dated Peshawar, the 16th October, 2019

430

# Copy forwarded to:-

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

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



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

# NOTIFICATION

Peshawar, dated the 26th January, 1978

others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix. Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social 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 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

# io.DG(RWP)7/(2)73

Copy of the above forwarded to the:-

- 1. All Administrative Secretaries to Government of NWFP
- All Divisional Commissioners in NWFP.
- Secretary to Governor, NWFP, Peshawar.
- 4. Secretary, Public Service Commission, NWFP, Peshawar.
- All Heads of Attached Department in NWFP.
- All Deputy Commissioner/Political Agent in NWFP.
- All District and Session Judge in NWFP.
- Registrar, Peshawar High Court Peshawar
- Deputy Secretary-II, I S&GAD
- 0. All Section Officer in S&GAD.
- Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978
- Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th
- 13. Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department
- 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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ii) 25% by initial recruitment and		-	Engineering or	۳.	-
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# GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

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

Dated Peshawar, the 01-02-2018

To

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

Subject: -

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:-

Village / Neibourhood	Council Secretarie	llage/Neibourhood es upgraded from 9 liaving less than e.	BPS-11 and re-designated as Ser	iior icil					
3501	26	51	850						
Total Sanctioned Strength of Sup	ervisor (BPS-09)	Number of po- nomenclature of the	osts upgraded to BPS-14 with san	16					
89		89							

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

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

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

Copy is forwarded to: -

Yours faithfully

SECTION OFFICER (FR)

SECTION OFFICER (FR)