14.09.2022

Junior to counsel for appellant present.

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

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





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.

×, READER

25.04:2022

1 1 -

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

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

(Rozina Rehman) Member (J)

(Salah-Ud-Din) Member (J)

18.07.2022

Appellant present through counsel.

-3.1 - N Muhammad Adeel Butt, learned Additional Advocate General alongwith Aizazul Hassan Superintendent for respondents present.

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

(Rozina Rehman) Member (J)

(Fareeha Paul) Member(E)

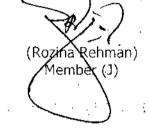
19.01.2021

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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.



Reader

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.

01.09.2021

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

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

(MIAN MUHAMMAD) MEMBER (E)

Form-A

FORM OF ORDER SHEET

Court of_ 2020 Case No.-Order or other proceedings with signature of judge Date of order S.No. proceedings 3 2 1 The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the 07/08/2020 1-Learned Member for proper order please. <u>د</u> • REGISTRAR 2-This case is entrusted to S. Bench for preliminary flearing to be put up there on ______ MEMBER()) 02.11.2020 Nemo for appellant. Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come ψp for preliminary hearing before S.B. (Muhammad Jamal Khan) Member (Judicial)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 10267 /2020

GOHAR BADSHAH

V/S

GOVT. OF KP & OTHERS

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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 Khyber Pakhtukhwa Service Tribunat

APPEAL NO. 10267 /2020 Diary No.

Mr. Gohar Badshah, Village Secretary,

Village Council Shagai, U/C Kahi, District Nowshera.

...... APPELLANT

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



4.5

PRAYER: That on acceptance of this appeal the impugned 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

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- **3-** That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post of Development (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.
- 4- The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota. Copy of the impugned rules is already attached.
- 6- That appellant feeling aggrieved filed Departmental appeal but no reply has been received so for. Hence the present

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

GROUNDS:

- 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.

AR BADSHAH THROUGH: NOOR MOH MMAD KHATTAK **ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M. NO.____/2020 IN

APPEAL NO. _____ /2020

VS

GOHAR BADSHAH

GOVT: OF KPK & OTHERS

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

R.SHEWETH:

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

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

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK ADVOCATE, High Court Peshawar



Office of the Assistant Director, Local Govt. & Rural Dev. Department, Nowshera.

No. 501-10 /AD(LG&RDD)/NSR/2016

OFFICE ORDER

Having been cleared/recommended by the District Selection / Recruitment Committee in its meeting held on 21-1-2016, the competent authority has been pleased to appoint Mr. Gohar Badshah s/o Sultan Badshah r/o Shagai Tehsil Jehangira District Nowshera as Secretary BPS-07 (7490-415-19940) in Village-Council Shagai District Nowshera purely on temporary basis with all usual allowances admissible under the rules with immediate effect on the following terms and conditions:-

- 1. Your services shall be governed under the Khyber Pakhtunkhwa Civil Servants Act 1973 and the laws/rules made there-under applicable to a Civil Servants.
- 2. You shall be on probation for a period of one year which shall be extendable for further period of one year and if no notification is issued at the end of extended period of probation, the probation period shall deem to be extended for another period of one year.
- 3. Your appointment is liable to be terminated at any time without assigning any reason before the expiry of the probation/extended period of probation if your performance during this period is not found satisfactory.
- 4. Your retention in service shall be subject to verification of your domicile and other academic documents/testimonials from the concerned authorities / offices.
- 5. In case you wish to resign at any time, fourteen days notice shall be necessary or in fieu thereof fourteen days your pay shall be forfeited.

Assistant Director.

Local Govt. & Rural Dev. Deptt. Nowshera.

Endst: No. & date even.

- Copy forwarded for information to:-
- 1. The Director General, LG&RDD, Govt. of Khyber Pakhtunkhwa, Peshawar.
- 2. The District Nazim, Nowshera.
- 3: The Deputy Commissioner, Nowshera.
- 4. The District Accounts Officer, Nowshera.
- 5. The Medical Superintendent, DHQ Hospital, Nowshera.
- 6. The Tehsil Municipal Officer, Nowshera.
- 7. The Supervisor, AD LG&RDD Office, Nowshera for necessary action.
- 8. The Office Assistant, AD LG&RDD Office, Nowshera for necessary action.
- 9. Mr. Gohar Badshah s/o Sultan Badshah r/o Shagai Tehsil Jehangira District Nowshera with
- direction that if the above terms and conditions are acceptable to you, you are directed to submit your medical fitness certificate from DHQ Hospital, Nowshera and arrival report to the office of undersigned within fifteen days positively after the issuance of this appointment order otherwise your appointment order will stand cancel / withdrawn.
- 10. Office copy.

Assistant Director, Local Govt. & Rural Dev, Deptt. Nowshera. 🖓 ę

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| | TED | | | b) Five year experience in Agriculture, Animal Husbandry Education, Social Welfare, Planning& Dev: or Forest in Grade-16 or above. | | |
| | 25% by initial recruitment, and 75% by on merit with due regards to seniority from amongst the holders of the posts of Assistant Director Rural Development (including the defunct basis Democracies Deptt:) Project Managers & Progress Officers with at least years experience as such. | Not less then 30 years and not more than 35 years | | a) 2^m Class Master Degree from a recognized University in Economics, statistics, social works sociology, Animal Husbandry, Agril: Geography or Social Psychology and | Deputy Director | |
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| | 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 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 and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix | nule (2) of the rule 3 of th on Department and the Fin- ion and others conditions s opendix | wers conferred by sub- d General Administratic appointment, qualificati | No. Section Officer(LC-1) 2-188/93-Vol-II: in exercise of the powers conferred by sub-rule (2) Transfer) Rules, 1975 and in consultation with the information services and General Administration Deparand Rural Development Department is pleased to lay down the method of appointment, qualification and applicable to posts borne on the Rural Development Department Specified in column 2 of the said appendix | No. Section Officer) Rules, 1975 and in al Development Dep le to posts borne on t | Transfer and Rur applicab |
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Sd/-xxx ATTAUR REHMAN KHAN Secretary to Govt: of N.W.F.P. Local Govt:, Cooperation, Social Welfare, Tourism & Rural Development Department.

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| | . 16 | 15 | 14 | 5 | 12 | = |
| Junior Clerk | Village Secretary | Senior Clerk | Junior Auditor | Steno Typist | Stenographer (Junior Scale) | Senior Auditor |
| Matriculation or equivalent qualification from recognized board | Intermediate from recognized Board | , | Matriculation or equivalent qualification from recognized board | a) Matriculation or equivalent qualification from recognized board and b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing | a) Matriculation or equivalent qualification from recognized board and b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing | KHYBER PAKHTUNKWHA GOVE 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 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 | KHYBER PAKHTUNKWHA GOVERNMENT GAZETTE, EXTRAORDINARY, 12 th JUNE, 2019 Degree from recognized University Not less than 18 years i) 50% by initial recruitment an and not more than 25 Note: Preference will be given to persons and not more than 25 ii) 50% by selection on merit with oblding Degree with Commerce as one of the subjects or equivalent qualification in Accounts |
| iii) Not less than 80% by initial recruitment and iv) Not more than 20% by selection on merit from amongst holders of the post Daftaries and Poen in the Deptt: with a least three years service such. Qualification prescribed for initial recruitment | By Initial Recruitment | by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment | By Initial Recruitment | i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amongst holders of the post Junior Clerk /Senior Clerk in the Deptt: with a least three years service such. | By Initial Recruitment | INARY, 12^w JUNE, 2019 1431. i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptr: with a least three years service such, who have minimum qualification prescribed for initial recruitment |

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| | · 1 | Dated | I Peshawar, the 05th April, 2018 | |
| No. SO(1.C-1)2-188/SS | BC/2018 . 1981 In exe | reise of th | he power conferred by sub-rule (2) | |
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| of the rule 3 of the Khy | ber Pakhtunkwha Civii Ser | vants (Ap) | pointment, Promotion and Transfer) | |
| | | | Development Dependent Khuba | |
| Rules, 1989. The Loca | l Government, Elections a | and Kurai | Development Department Khyber | |
| Pakhunkhwa, in consi | ditation with the Establish | ment & A | Administration Department and the | |
| | | | | |
| Finance Department. | is hereby directs that | in this | Department's Notification No. | |
| | | | | |
| DG(RWP)7(2)/73. date | d 26.01.1978, the following | forther ar | mendments shall be made namely | |
| | AMENDM | FNTS . | | |
| | MULTIN | <u></u> | د از ماه می از این می داد. این می از می از این می داد. می این می می این می این این می این این می این می این می می | |
| In the Appendix. | | • | | |
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| for serial No. 10 the fol | lowing shall be substituted. | in the res | pective columns namely | |
| 10. Supervisor At | least Second Class 2 | <u>1 ю 30 іі</u> |) Seventy-five (75), per Cent, by- | |
| | chefor's Degree from a jo | 1 | promotion, on the basis of | |
| | ognized University. | | seniority-cum-filness. | |
| | | | amongst the Senior Secretary | |
| | | | Village / Neighborhood Council: | |
| | | | with atleast five (05) year service | |
| | | | as such: and | |
| · V, | \mathcal{M} $($ $),$ $/$ | í li | i) Twenty-live (25) per. cent by | |
| | X MA | | initial recruitment."? | |
| | the following one entries | shall be i | nserted, in the respectively columns. | |
| | the following new coures | and of the | | |
| namely. | | , | | 1 |
| 15A. Senior | | | By promotion on the basis of seniority - cum-fitness, from amongst the Junior | |
| Secretary | | | Secretary Village / Neighborhood | |
| Village | | | Council, with alleast ten, (10) year | |
| Neighborhood | | | service as such.7: and | |
| Council. | | <u></u> | | |
| (c) for serial No. 16. Il | e following shall be substit | luted, in th | e respective columns, namely: | |
| | Atleast Second Class | | i) Twenty (20) per cent by |] 🕅 |
| "16: Juniār | Intermediate or | 1 | promotion, on the basis of | |
| Secretary Village / | equivalent qualification | 1 E | seniority-cum-fitness. from | |
| Neighborhood | from a recognized Board | | amonyst the Naib Dasids and | |
| Council | and atleast six (06) | } ! | Chowkidars in the Village A | |
| | months Certificate in | | Neighborhood Council with | |
| | Computer from a | 1 | seniority at tehsil level having | |
| and the second second | recognized Institute with | ! | Secondary, School Certificate in | |
| | experience in MS- | | second division. from a | |
| and the second | Office. Impage and | . | recognized Board or Institute | |
| | Internet. | | with three (03) year service as | |
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(ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preterably a bonafide resident of the same Village ? Neighborhood Council. If such candidate is not available in the same Village. Neighborhood Council then the candidates. adjacent Village 7 from Neighborhood Council:

Provided further that in case of non-availability of candidate Village adjacent from Neighborhood Council then from Village - 14 other anv Neighborhood Council in that Tehsil Council.

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

Dated Peshawar, the 05th April, 2018.

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

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- All Administrative Secretaries to Government of Khyber Pakhtonkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to-Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar,
- The Director General, LG,E&RDD, Khyber Pakhtunkhwa Peshawar,
- The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar, 6.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- . 9. All Depity Commissioners in Khyber Pakhtukhwa 10. The Registrar, Peshawar High Court, Peshawar,
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.

 - 12:All Assistant Directors. LG&RDD in Khyber Pakhtunkhwa
 - 13. The Manager Government printing press. Peshawar for publication in the next, Government Gazettee Notification. 40 copies of the Notification may be sent to this
 - Department.
 - 14. The PS to Senior Minister for LG.E&RD Khyber Pakhtunkhwa:
 - 15. The PS to Secretary LG.E&RDD Peshawar.
 - 16. The Office Order file.

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

ATJESTED

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION

Peshawar, dated the 1st August 2018.

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

AMENDMENTS

In the Appendix,-

(a)

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

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

(b)

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

| | 1. [| 2. | 3 | 4 | 5. | 6. |
|-----|------|-----------|---|---|----|--|
| | "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. |
| ATT | EST | ED | | | | <u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior)."; |

1425

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

<u>1426</u> (c)

(d)

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

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

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

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

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

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

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

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

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. | |
|------|-----------------------|---|----|--------------------|------------------------------------|
| "9B. | Auto CAD Operator. | (a) At least Second Class Bachelor's Degree from a recognized University; | - | 18 to 30 years. | 6. 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:

| 1. | 2. | 3. | 4. | 5. | 6. |
|-------|-------------|--|----|--------------------|--|
| ATTES | 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:

(h)

| | | | <u> </u> | <u>GOVT: GAZETTE, EX</u> 3. | 4. | 5. | 6. |
|---|------|-----------|----------|-------------------------------------|-----|---|---------------|
| | "14. | Computer | (a) | At least Second | | 21 to 32 | By initial |
| | | Operator. | | Class Bachelor's | | years. | recruitment." |
| | | | | Degree in | | , | reeruittient. |
| | ļ | - | | Computer | | - | |
| | | | | Science (BCS)/ | | | |
| | | ; | | Information | | ļ | |
| | | | | Technology | | | · · |
| | 1 | | | (BIT) (04-years) | | | |
| | ĺ | | | or its equivalent | 1 | | |
| | | ļ | | qualification | | | |
| | | | | from a | | | |
| | | | | recognized | · . | | |
| | | | | University; or | | | |
| | | | (b) | At loast Coursel | | | |
| | | | (0) | At least Second Class Bachelor's | | | |
| | 1 | | | | | | |
| | | | | Degree from recognized | | | |
| | | | | University with | | | |
| | | | | one year | | | |
| | | | | Diploma in | _ | | |
| | 5 | | | Information | | 1 | · · |
| | | | | Technology from | | | |
| | | | | a recognized | | | |
| | | | | Board of | - | | |
| | | | | Technical | | | |
| | | | | Education. | • • | Ì | · . |
| • | | | . | Equivality. | | 1 | 1 I |

3

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 |

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, itaty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawa



(j)

(l)



Page NO5

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

NOTIFICATION

Dated Feshawar, the 16th October, 2019

11

1

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

AMENDMENTS ·

In the Appendix,-

ii)

°a)

- Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - Ffifty per cent by initial recruitment through Khyber Pakhtunkhwa Public.
 Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.":
 - Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";
 - <u>Nate:</u> For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.":

against 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-cum-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 cem by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
- Ten per cent by promotion, on the basis of seniority-com-fitness, from amongst, -V. Sub-Engineers with at least five years service as such and who possess -Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and

iii) Seventy per cent by initial recruitment.":

against Serial No. 6, in column No.6, for the words, "Assistants/Accountants/Senior Seale Stenographer", the word "Accountants" shall be substituted:

against Serial No. 15A, in column No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (057" shall be substituted; and

ogainst 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 Oasids and Chowkidars in the Village Council/Neighborhood Conneil with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and

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

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 Tehsil."

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

> > Dated Peshawar, the 16th October, 2019

No. SO(E)LG/2-138/SSRC/2019 .-

c)

f)-

i)

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: +.
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar,

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

6. The Director Coneral, EG.E&RDD, Khyber Pakhtunkhwa Peshawar,

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

- 8. All Head of Attached Departments in Klyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa. 10. The Registrar, Peshawar High Court, Feshawar,

11. All District and Session Judges in Khyber Pakhtunkhwa,

12-All-Assistant Directors: LCR 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 in Senior Minister for Life E&RC Khyber Pakhtuukhwa

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

The Office Order file

1

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





GOVERNMENT OF THE PUNJAB LOCAL GOVT. & COMMUNITY DEVELOPMENT DEPARTMENT

Dated Lahore the 27th July, 2018

NOTIFICATION

NO.SO.Admn-I.(LG)1-4/15: The Competent Authority is pleased to approve up-gradiation 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 cadro) Rules 2005 w.e.f 01.07.2018:-

| ſ | Sr# | Post G | Present Scale | Up gradation | • • |
|---|-----|-----------------------------|---------------|--------------|--------|
| | i. | Union Secretary (Committee) | BS- 07 | BS-11 | 12 |
| | 2. | Union Secretary (CD) | BS-11 | BS-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.
- 5.1 All the Deputy Directors, LG&CD in the Punjab
 - 6. All Chairmen of Union Councils, in the Punjab
 - 7. The Assistant Director (UC), at the PHQ, Labore.

NTUSTED

8. Master file.

(MASMOOD AHMAD) DEPUTY SECRETARY (ADMN.)

-:DD

Rana Mahboob Hussain. All Puniab Secretaries UCs Association Punjab.

nofin ER

LOOMESTIC

THE SECRETARY,

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

1910 01830

DEPARTMENTAL APPEAL AGAINST THE NOTIFICTIONS DATED 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/RESTORATION THE OLD SERVICE STRUCTURE NOTIFIED ON 26.01.1978

Sir,

Subject:

-`TO

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 (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. 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.

0300500**5U**

Dated: 08 105 /2020

Dediently Yours,

Secretary (VC/NH Council) u/c Kahi v/c Jugai Cell No.0302-8869473 17201-7462623-5

VAKALATNAMA Before the pp Service Tribuna, Perhawan OF 2020 (APPELLANT) Jadshah (PLAINTIFF) (PETITIONER) VERSUS Jout: of UP & Mus (RESPONDENT) Jout: of UP & Mus (DEFENDANT) Giohar Badshahslo Sultan Badshah I/We Do hereby appoint and constitute NOOR MOHAMMAD KHATTAK, Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. Dated. 18 / 07 /2020 CLIENT ACCE NOOR MOHAMMAD KHATTAK SHAHZULLAH YOUSAFZAI MIR ZAMAH Jah \mathbf{S}_{1} AFRASIYAB KHAN **ADVOCATES** OFFICE: Flat No.3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar City.

Phone: 091-2211391 Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 0267 /2020. Mr. Gohar Badshah

7

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.

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Respondents

Through

2ag/assans

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

10267/2020. Appeal No. RodshaAppellant

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.

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.

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

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

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

In addition to above,

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

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

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

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

5. Irrelevant, hence denied.

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

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

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 S&RI Khyber Pakhtunkhwa Respondent No.5

Secretary LG, E&RDD,

Khyber Pakhtunkhwa Respondent No.3

Secreta

Secretary Tinance Department, Khyber Pakhtunkhwa Respondent No.4

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10267 12020. Mr. Gohar BadshalAppellant

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.

<u>AFFIDAVIT</u>

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. 10267 (shar Baas Baas) and the set of my knowledge & belief and nothing has been intentionally

concealed from this Honorable Court.

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

Identified By

Advocate General Khyber Pakhtunkhwa



| bovernment, Elections & Rural Development Department |
|--|
| Dated Peshawar, the 05 th April, 2018 |
| No. SO(LG-1)2-188/SSRC/2018,- In exercise of the power conferred by sub-rule (2) |
| of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber |
| Pakhtunkhwa, in consultation with the Establishment & Administration Department and the |
| 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,- for serial No. 10 the following shall be substituted, in the respective columns, namely: |
| "10. Supervisor' Atleast Second Class 21 to 30 i) Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior. Secretary Village / Neighborhood Council, with atleast five (05) year service as such: and ii) Two the senior is per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior. Secretary Village / Neighborhood Council, with atleast five (05) year service is such: and ii) Two the senior is per cent by promotion, is the following new entries shall be inserted, in the respectively columns, is the following new entries shall be inserted, in the respectively columns, is the following new entries shall be inserted, in the respectively columns, is the following new entries shall be inserted, in the respectively columns, is the following new entries shall be inserted. |
| "ISA: Senior By promotion, on the basis of seniority- Secretary Village Village Neighborhood Council. Council. Secretary Village |
| (c) for serial No. 16, the following shall be substituted, in the respective columns, namely: ["16. Junior- Atleast Second, Class 18 (to i), Twenty (20) ner cent by [] |
| 16. Junior Secretary Village / Neighborhood Council. Atleast Second. Class 18 (to intermediate or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS- Office. Impage and Intermet; |
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ii) Eighty (80) per cent by initial recruitment;

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

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

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

Dated Peshawar, the 05th April, 2018

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

Copy forwarded to:---

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

2. All Divisional Commissioners in Khyber Pakhtunkhwa,

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

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

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

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

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

8: All Head of Attached Departments in 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 Oovernment Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Senior Minister for LO, E&RD Khyber Pakhtunkhwa.

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

16. The Office Order file,

SECTION OFFICER TESTAB Phone # 091-9213224

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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

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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,-

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

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

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

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

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

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

| <u>1D.</u> | Deputy Director (Finance and | | (((| By promotion, on the basis of seniority- | 1. B. C. |
|------------|---------------------------------|------|-----|--|----------|
| 1.0 | Accounts). | | | cum-fitness, from amongst Accounts Officers with at least five years' service as such. | |
| 1E. | Deputy Director (Technical). | - | • | By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years' service as such and having a Bachelor's Degree in Civil Engineering."; | • |
| | | | | <u>Note:</u> For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical)."; | |

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

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

| Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University. | sepiority-cum-fitness from another 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:

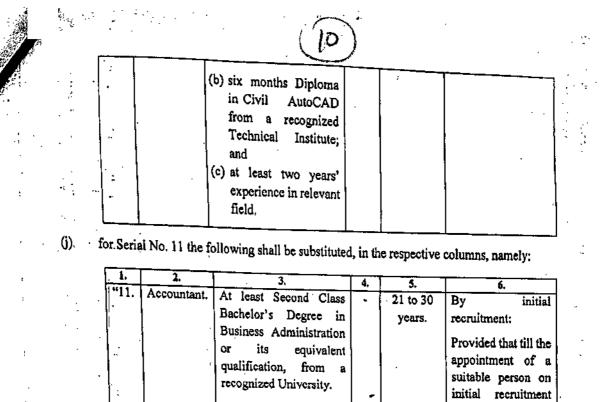
| "Assistant. | (i) Seventy-five per cent by promotion, on the basis of |
|-------------|--|
| | (i) Second in the period of the period of the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and (ii) twenty-five percent by initial recruitment.";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

(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."; |



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

the post shall be filled by transfer,";

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

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

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

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

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

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

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

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1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

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

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

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

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

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

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

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

13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.

14. The PS to Secretary LG,E&RDD Peshawar.

15. The Office Order file,

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

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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 T dated 26.01.1978, the following further amendments shall be made, namely: AMENDMENTS in the Appendix,a) ([Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely: "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public i) 2 Services Commission on the pattern of syllabus prescribed for the Officers in . Provincial Management Service."; į) - E 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 ċ. Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst lii) the Senior Scale Stenographers and Assistants with at least three years service as such.": ļ Note: For purpose of promotion to the post of Assistant Director against ten percent ۳÷ 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: ł 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."; ii) against Serial No.5, in column No. 6, for the existing entries, the following shall be C) đ fulbs ituted, 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 ang and the second Seventy per cent by initial recruitment,";

against Serial No. 6, in column No.6, for the words, colon and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall be substituted; .. 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 f) substituted, namely: Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in: Second Division from a recognized Board or Institute and six months Diploma 26 in IT from recognized Board / Institute with three (03) years service as such: and ii) Eighty (80) per cent by initial recruitment: **3**] 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 hđ Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council; â Provided further that in case of non-availability of candidate from adjacent? Village Council / Neighborhood Council then from any other Village Council / ŧ, Neighborhood Council in that Tehsil.". £ à, SECRETARY TO GOVERNMENT OF KHYBER Hì PAKHTUNKHWA LG,E&RD DEPARTMENT 11 SO(E) 88/SSRC/2019.-Dated Peshawar, the 16th October, 2019 1 Copy forwarded to:-े ने द्वि 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa. 4 2.* All Divisional Commissioners in Khyber Pakhtunkhwa. 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar, 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar. ۶į۶ 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar. aî, 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. 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 LG, E&RDD Peshawar. 216. The Office Order file. ¥ •••• 1 E. (HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 091-9213224 ۲. در که

Better Copy

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

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

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

Rural Development Department

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

Copy of the above forwarded to the:-

All Administrative Secretaries to Government of NWFP.

All Divisional Commissioners in NWFP.

Secretary to Governor, NWFP, Peshawar.

Secretary, Public Service Commission, NWFP, Peshawar.

All Heads of Attached Department in NWFP

Deputy Commissioner/Political Agent in NWFP

All District and Session Judge in NWFP.

Registrar, Peshawar High Court Peshawar

Deputy Secretary-II, I S&GAD

5 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

2 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

Ξ. of the Notification may be sent to this Department. Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies

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

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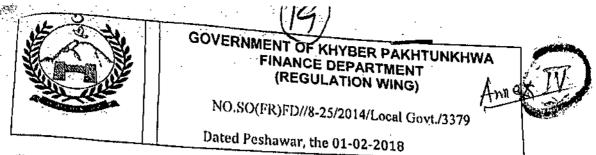
| the post of Senior Clerks, Junior Auditors with atleast five years service. | 25 years | | | | · · | `_ · _ |
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| | | | | | | - | | | or Clerk | | | Secretary | age | | | | or Clerk | 1 | | | or Auditor | | | | | | | | | <u>.</u> | | Typist | | | |
| - | | | - | | | recognized board | | equivalent | Matriculation or | | | recognized Board | Intermediate from | | | | 1 | recognized board | qualification from | equivalent | Matriculation or | typing | words per minute in | English and 35 | shorthand in | minutes in | b) Speed 60 words per | and | recognized board | qualification from | equivalent | a) Matriculation or | g | words per minute in | |
| | - | | | | | | | | - | | | | 1 | | | | 1 | | | | * | | | | - - | | | | | | - | | (| | 5) |
| | | | - | - | | 25 years | not more than | 18 years and | Not less than | 25 years | not more than | 18 years and | Not less than | | - | | • | 25 years | not more than | 18 years and | Not less than | | | | | | | | vears | t more | 18 years and | Not less than | | | *** |
| | | recruitment | Qualification prescribed for initial | with a least three years service such. | Daftaries and Peon in the Department | merit from amongst holders of the post | ii) Not more than 20% by selection on | recruitment and | i) Not less than 80% by initial | | | | By Initial Recruitment | three years service such. | Junior Clerk in the Department with a least | seniority from amongst holders of the post | | | | | By Initial Recruitment | | | | cribed for initial recruitment. | the minimum qualificat | three vears service such. Wh | Clerk in the Department with | merit from amongst holders of the pos | ii) Not more than 50% by selection c | t and | i) Not less than 50% by initial | | | |

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To

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

Subject: -

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

Dear Sir,

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

| a | BPS-07 to BPS-09 having less than | Number of Posts upgraded from BPS-07 to BPS-11 and re-designated as Senior Secretaries Village/Neibourhood/Council having at least 10 years or more service. |
|------|-----------------------------------|---|
| 3501 | 2651 | 850 |

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

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

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

Copy is forwarded to: -

GotEr

Yours faithfully

SECTION OFFICER (FR)

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

SECTION OFFICER (FR)