

Junior of learned counsel for the appellant present. Mr. Naseerud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Last opportunity is granted to argue the case on the next date failing which the case will be decided on the available record without arguments. Adjourned. To

come up for arguments on 28.02.2023.before D.B.

(Muhammad Akbar Khan) Member (E) (Kalim Arshad Khan) Chairman 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.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

25.11.2022

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

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

(Farceha Kaul)-Member (E)

15

(Rozina Rehman) Member (J)

28.12.2021

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 25.04.2022 for the same as before.

Reader

25.04.2022

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

File to come up alongwith connected Service Appeal No.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

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Appellant present through counsel.

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

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

(Fareeha Paul) Member(E)

(Rozina Rehma)) Member (J)

19.01.2021

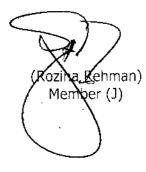
neoosited

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 Security & Process Feereply/comments. To come up for written reply/comments on

19.05.2021 before S.B.

Wallach .



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 X as before.

Réader

01.09.2021

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

الأفريك بالمؤارط وأربلا فالتقاية

Form- A

FORM OF ORDER SHEET

Court of

Case No.-/2020 S.No. Date of order Order or other proceedings with signature of judge proceedings 4 1 2 3 The appeal presented today by Mr. Noor Muhammad Khattak 1-10/08/2020 Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please. -2-This case is entrusted to S. Bench for preliminary hearing to be put up there on _____ 20 20 MÈMBER(J) 02.11.2020 Nemo for appellant. Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for preliminary hearing before S.B. (Muhammad Jamal Khan) Member (Judicial)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 9182 /2020

ROHIDAD KHAN

V/S

NDEY

GOVT. OF KP & OTHERS

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| DOCUMENTS | ANNEXURE | PAGE |
|-------------------------------|--|---|
| MEMO APPEAL | | 1 – 3. |
| Stay application | | 4, |
| Appointment order | A . | 5. |
| Old service rules | В | 6-8. |
| Impugned Rules dated 5.4.2018 | С | 9. |
| Impugned rules dt: 1.8.2018 | D | 10- 13. |
| Impugned rules dt: 16.10.2019 | . E | 14- 15. |
| Notification | F | 16. |
| Departmental appeal | G | 17- 18. |
| Vakalat nama | | 19. |
| | DOCUMENTS MEMO APPEAL Stay application Appointment order Old service rules Impugned Rules dated 5.4.2018 Impugned rules dt: 1.8.2018 Impugned rules dt: 16.10.2019 Notification Departmental appeal | DOCUMENTSANNEXUREMEMO APPEALStay applicationAppointment orderAOld service rulesBImpugned Rules dated 5.4.2018CImpugned rules dt: 1.8.2018DImpugned rules dt: 16.10.2019ENotificationFDepartmental appealG |

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. 9182 /2020

Mr. Rohidad Khan, Village Secretary, Village Council Bagh Kalay, U/C Sarko, District Upper Dir.

...... APPELLANT

Khyber Pakhtukhwä Service Tribunal

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 service rules Notified on 5.04.2018, 1.8.2018 & 16.10.2019 may kindly be set aside and the old service itedto-dayRules 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

- 2- 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.
- **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 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: 10.8.2020

hidad Khan

THROUGH:

NOOR MOHAMMAD KHATTAK

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

C.M. NO.____/2020

APPEAL NO. _____/2020

ROHIDAD KHAN

VS

GOVT: OF KPK & OTHERS

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

R.SHEWETH:

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

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

APPELLANT

THROUGH: NOOR MOHÄMMAD KHATTAK

AdVOCATE, High Court Peshawar



OFFICE OF THE ASSISTANT DIRECTOR EG & RDD DIR UPPER Dated: <u>J S</u>/S72019

Contact No. 0944-880959

Subject:

OFFICE ORDER.

No:AD/LG&RDD/Dir(U)/Office Order <u>950-5</u> / Consequent upon the Provincial Government LG&RDD Khyber Pakhtunkhwa letter No Director (LG) 3-1/Establishment/2017/13434 dated 14-12-2018, the meeting of Departmental Promotion/Recruitment Committee held on 09-04-2019 in the office of the undersigned for the promotion of Naib Qasids/Chowkidars of VCs/NCs District Dir Upper.

Reference to the recommendations of the Departmental Promotion/Recruitment Committee Dir Upper, Mr. Rohidad Khan Naib Qasid VC is hereby promoted on acting charge basis to the vacant post of Junior Secretary (BPS-09) at VC Baghkalay/Sarko Tehsil Dir subject to the following terms and conditions with immediate effect.

Terms & Conditions.

- 1- The promoter will be on probation for the period of one year, which will be extended for further one year if needed.
- Strict action under the rules will be taken in case the documents of the promoter found fake or bogus and will be reverted to his previous position.
- 3- The documents will be verified by the expenses of promoter.
- 4- In case of resignation from services, 30 days prior notice shall be necessary or in lieu of 30 days pay shall be forfeited.
- 5- The promoter will be governed by all rules/regulations applicable to the Govt: employees falling in the same category.
- 6- The order may be withdrawn any time, without assigning any reason.
- 7- In case of any litigation, the whole responsibility will be laid upon the promoter concerned.

ATTESTED

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Assistant Director, LG & RDD Dir Upper.

Even No. & Dated above: Copy forwarded to:-

1- The Director General LG&RDD Khyber Pakhtunkhwa, Peshawar.

- 2- The District Nazim Dir Upper.
 - 3- The Deputy Commissioner Dir Upper.
 - 4- The District Accounts Officer Dir Upper.
 - 5- The Section Officer (Estab) LG&RDD Khyber Pakhtunkhwa; Peshawar.
 - 6- The Accountant LG&RDD Dir Upper.
 - 7- The Official concerned.

Assistant Director,

LG & RDD Dir Upper.

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION Dated: 26th January, 1978.

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

| S.No. | Nomenclature of post | Qualification for initial recruitment | Qualification for promotion | Age limit for initial recruitments | Method of appointment |
|-------|----------------------|--|-----------------------------|---|--|
| l t | 2 | 3 | 4 | 5 | 6 |
| | Deputy Director | a) 2nd Class Master Degree from a recognized University in Economics, statistics, social works sociology, Animal Husbandry, Agril: Geography or Social Psychology and b) Five year experience in Agriculture, Animal Husbandry Education, Social Welfbre, Planning& Dev: or Forest in Grade-16 or above. | | Not less than 30 years and not more than 35 years | i) 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. |

1429

| | Assistant Director/ Project Manager /Progress Officer | a) 2nd Class Master Degree from a recognized University in Economics, statistics, social works sociology, Animal Husbandry, Agril: Political Science, Public Administration, Geography or Social Psychology, Physics, Chemistry, Mathematics | | Not less than 21 years and not more than 30 years | i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post Development Officers and Sub-Divisional (Assistant Director Engineer) |
|-----|---|---|-------|---|--|
| 3 | Accounts Officer | 2 nd class Master's Degree in Commence / Business Administration, or G.A.S qualified persons of Pakistan Audit Deptt: or Provincial Local Audit Department. | | Not less than 21 years and not more than 30 years | i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post Superintendent the Depit; with a least three years service such. |
| 4 | Development Officer | 2 nd Class Master Degree from a recognized University in Economics, - statistics, social works/ sociology, Animal Husbandry, Agriculture, Public Admn: Political Science Geography or Social Psychology | · · · | Not less than 21 years and not more than 30 years | i) 50% by initial recruitment and ii) 50% by selection on merit with due regards seniority from amongst holders of the post supervisor, RD in the deptt: with at least. Note: Service in defunct vill: Deptt and the purpose of service under this |
| 5 | Sub Divisional Officer /Assistant Director Engineer | Degree in Engineering or equivalent qualification from a recognized University | | Not less than 21 years and not more than 30 years | i) 75% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post the overseers |
| 6 | Superintendent | - | - | | By the selection on merit with due regards to seniority from amongst holders of the Assitts:/Accountants/ Senior Stenographer /Senior Auditors with least five years experience as such. |
| 7 | Assistant 7 Accountant | Degree from recognized University | | Not less than 21 years and not more than 30 years | i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post Village Secy: in the Deptt: with at least years experience as such. |
| 8 | Stenographer (Senior Scale) | a) Matriculation or equivalent qualification from recognized board and b) Speed 100 words per minutes in shorthand in English and 40 words per minute in typing | | Not less than 18 years and not more than 25 years | i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongst holders of the post Stenographer (Junior Clerk). |
| 9 | Overseer | Diploma from recognized Institute | • | Not less than 21 years and not more than 25 years | By Initial Recruitment |
| 10. | Supervisor | Degree from recognized University | | Not less than 18 years and not more than 25 years | i) 25% by initial recruitment and ii) 75% by selection on merit with due regards seniority from amongs holders of the post Village Secy: in Deptt with least years experience as such. |

KHYBER PAKHTUNKWHA GOVERNMENT GAZETTE, EXTRAORDINARY, 12th JUNE, 2019 1431

| | Senior Auditor | 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 | 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 Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment |
|------|--------------------------------|---|-------|---|--|
| . 12 | Stepographer (Junior Scale) | 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 | | Not less than 18 years and not more than 25 years | By Initial Recruitment |
| | Steno Typist | 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 | | Not less than 18 years and not more than 25 years | 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. |
| 14 | Junior Auditor | Matriculation or equivalent qualification from recognized board | | Not less than 18 years and not more than 25 years | By Initial Recruitment |
| [5 | Senior Clerk | - | - | | by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment |
| 16 | Village Scoretary | Intermediate from recognized Board | • | Not less than 18 years - and not more than 25 years | By Initial Recruitment |
| 17 | Junior Clerk | Matriculation or equivalent qualification from recognized board | | Not less than 18 years and not more than 25 years | iii) Not less than 80% by initial recruitment and iv) Not more than 20% by selection on merit from amongst holders of the post Daftaries and Poen in the Deptt: with a least three years service such. Qualification prescribed for initial recruitment |

Sd/-xxx

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

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

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|---|---|----------------------------|--|------------------------------|
| | Page No | 04 | | |
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| /· | 皆 i i i Gov | ernment Of Kl | hyber Pakhtunkhwa | |
| | Loc | al Government | t, Elections & Rural | |
| The second se | Mar Aller | | t Department | |
| | | 200 000 p | | /9 |
| | NC | TIFI <u>CATIO</u> | N | ~(二) 協会 |
| | <u></u> | · · · · · | | |
| | | Dated | Peshawar, the 05 th April, 2018 | |
| 1 | | SI in monimulated | he power conferred by sub-rule (2) | |
| Π | No. SO(LC-1)2-188/SSRC/2018 | 101 in exercise of a | le priver contened of sub-toto at | |
| / | of the rule 3 of the Khyber Pakhtunk | wha/Civil Servants (Ap | pointment, Promotion and Transfer) | |
| | Rules 1989, the Local Governmen | i. Elections and Rurat | Development Department Khyber | |
| | Pakhninkhwa, in consultation with | the Establishment & A | 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 a | mendments shall be made namely: | |
| · · · · · · · | | | | |
| | | <u>AMENDMENTS</u> | | |
| | In the Apparent | | | |
| | In the Appendix. | | | |
| | for serial No. 10 the following shall I | ne substituted, in the res | pective columns namely | |
| | "10. Supervisor Atleast Secon | d Class 21 to 30 ji |) Seventy-five (75), per cent by- | |
| | | ree from a j years. | promotion, on the basis of | |
| | recognized Univ | | seniority-cum-filness. from | |
| | 3 | | amongst the Senior Secretary | |
| | | (. / | Village / Neighborhood Council: with atleast five (05) year service | |
| | | | as such: and | |
| • • | R I | | ii) Twenty-five (25) per icent by | |
| • | $ M \chi$ | MA | initial recruitment." | |
| · · · | (b) after cerial No. 15, the following | v new entries shall be | inserted, in the respectively columns. | |
| | namely. | E | | |
| | · · · · · · · · · · · · · · · · · · · | | By promotion on the basis of seniority- | |
| | -15A Senior | | cum-fitness, from amongst- the Junior | |
| • | Village / | ···. | Secretary Village -/ Neighborhood | |
| | Neighborhood | | Council, with atleast ten (10) year service as such."; and | |
| | Council. | | Service as such a sing | |
| | (c) for serial No. 16, the following | shall be substituted, in t | he respective columns, namely: | |
| | | cond. Class 18 10 | (i) Twenty (20) per cent by | |
| • | Secretary Intermediate | e . or 30 | promotion on the basis of | |
| • | Village . 7. equivalent | qualification years. | seniority-cum-fitness. from amongst the Naib Dasids; and | |
| | | gnized Board | Chowkidars in the Village / | |
| | | a six (06) | Neighborhood Council with | 113 日本市 |
| | | ertificate in | seniority al tensil level, having | |
| | Computer | from a Institute with | Secondary, School, Certificate in | |
| | experience | in MS- | second division. from a | |
| and the second second | | mpage and | recognized Board or Institute | |
| | Internet. | | with three (03) year service as | |
| | | | such: and | |
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ii) Eighty (80) per cent by initial recruitment:

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

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

Dated Peshawar, the 05th April, 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, Knyber 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 Pakhukhwa.

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 bext

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.

ATTESTED

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

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION

Peshawar, dated the 1st August 2018.

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

AMENDMENTS

In the Appendix,-

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

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

(b)

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

| ATTESTEDNote: For the purpose the purpose | 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. <u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy |

1425

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

(c)

(e)

1.

126

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

| "1B. 1C. | 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. |
|-------------|--|---|---|---|--|
| | 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)."; |

(d) 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:

| (50) per cent by promotion, on the |
|--|
| on the basis of seniority-cum- ss, from amongst the Accountants at least five (05) years service as |
| Provided that if no suitable er is available for promotion then ansfer.; and (50) per cent by initial |
| Г: 7 |

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

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

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

(h)

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

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

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

| 1. | 2. | 3, | 4. | 5. | 6 |
|------|-----------------------|---|----|--------------------|------------------------------------|
| "9B. | Auto CAD Operator, | (a) At least Second Class Bachelor's Degree from a recognized University; | - | 18 to 30 years. | 6. By initial recruitment."; |
| | | (b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and | | 1 . | - - - |
| | | (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> </u> | 2. | | · 4. | 5. | 6. |
|----------|-------------|--|------|--------------------|---|
| "11. | Accountant. | At least Second Class Bachelor's Degree in Business Administration or its equivalent qualification, from a | - | 21 to 30 years. | By initial recruitment: Provided |
| | | recognized University. | | | that till the appointment of a suitable person on initial |
| AT | TESTED | | | | recruitment the post shall be filled by transfer."; |

(k)

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

| <u> </u> | <u>2.</u> | | GOVT: GAZETTE, EX | 4, | 5. | 6. |
|----------|-----------|-----|--------------------|-----|----------|----------------|
| "14. | Computer | (a) | At least Second | | 21 to 32 | By initial |
| | Operator. | | . Class Bachelor's | | years. | recruitment."; |
| | 1 : | | Degree in | 1 | • | |
| | | | Computer | | | |
| | | 1 | Science (BCS)/ | | | |
| | | | Information | | | |
| | | | Technology | | | |
| | | | (BIT) (04-years) | | | |
| | | | or its equivalent | | | - |
| - | | | qualification | | • | |
| | | | from a | | | |
| | | F | 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 | | ·- | |
| | 1 | | Education. | | | |

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

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

(1)

(j)

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. DeptL, Khyber Pakhtunkhwa, Peshawa





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

In timbre

NOTIFICATION

Dated Peshawar, the 16th October, 2019 <u>No. SO(E)LG/2-188/SSRC/2019.</u> In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.04, 1978, doi:10.1078, doi:10.1

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

AMENDMENTS

In the Appendix,2

ii)

iii)

- 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 Nhyber 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 soniority-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-functs, from amongst the Senior Scole Stenographers and Assistants with at least three years service as such.";
- <u>Note:</u> For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale Stenographers and Assistants.":
- against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - Pitty (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 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;

Seventy per cent by initial recruitment,":

- against Serial No. 6. in column Nu.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 substituted, namely:

i) 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 Council with seniority at Tehsil level, having Secondary School Certificate In Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and

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

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

Provided further that in case of non-availability of condidate 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

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

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

c)

Copy forwarded to:-

All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
 All Divisional Commissioners (2014)

- 2. All Divisional Commissioners in Khyber Pakhumkhwa,
 - 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 Pakhunkhwa Public Service Commission, Peshawar,
- 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 Pakhtunkhiva.

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

ATTESTED

16. The Office Order file,

5



THE CAPTER AND A TO THE A

GOVERNMENT OF THE PUNJAB LOCAL GOVT, & COMMUNITY DEVELOPMENT DEPARTMENT

16

Dated Lahore the 27th July, 2018

NOTIFICATION

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

| Post | Present Scale | Up gradation | |
|-----------------------------|-----------------------------|------------------------------------|--|
| Union Secretary (Committee) | BS- 07 | 85-11 | |
| Union Secrétary (CD) | BS-11 | BS-14 | 1 |
| | Union Secretary (Committee) | Union Secretary (Committee) BS- 07 | Union Secretary (Committee) BS- 07 BS-11 |

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

SECRETARY OCAL 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.

Rana Mahboob Hussain, All Punjab Secretarics UCs Association Punjab.

ATTESTED

- 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, Labore. 7.
- 8. Master file.

(DAMHA GOOD Y SECRETARY (ADMN.)

CC:-

THE SECRETARY,

Subject:

ΞĒΓ.



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

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

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 quote to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (SPS-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% guota.

Astonishingly the old service structure was further amended through impugned notification dated 15-10-2019 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 cacre of ViPage 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.

RH TH Obediently Yours, Khan Secretary (VC/NH Council) U/C .

Cell No.

18)

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VAKALATNAMA

Before the KD Service Tribuna, Perhanar

OF 2020

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(APPELLANT) _(PLAINTIFF) (PETITIONER)

<u>VERS</u>US

Gowto of IRP & others (RESPONDENT) (DEFENDANT) Robiolad Ilban ·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.____/___/2020

CLIENT Rouhidad khar_

ACCEPTED NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

MIR ZAMAN SAFI

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. 9182 /2020.

Mr. Rohidad Khan

VERSUS

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

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| 4 | Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018 | Annex-II | 8-11 |
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| 6 | No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1 st February 2018 | Annex-IV | 19 |

Respondents

......Appellant

Through

malloan

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

| <u>Appeal No. 9182 /2020.</u> |
|--|
| Mr. Rohidad KhanAppellant |
| VERSUS |
| The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar. The Secretary Local Government Development Department, Civil Secretariat, Peshawar. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa. |
| |
| JOINT PARA WISE REPLY ON BEHALF OF RESPONDENTS No. 1 to 5 |

Respectfully Sheweth!

Preliminary Objections;

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

<u>ON FACTS</u>

1. Pertains to record.

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

3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service Rules thus wrongly pointed out by the petitioners. However, channel of promotion of the Village Secretary upto the post of Director (BPS-19) still exists.

- 4. The Provincial Government vide letter No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:
 - a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
 - b. 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and redesignated as Junior Village Secretary having less than 10 years' service.
 - /In addition to above,
 - c. 89 posts of Supervisor upgraded from BPS-09 to BPS-14.

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

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

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

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

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

<u>REPLY TO GROUNDS:</u>

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

X

- 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&RD. Khyber Pakhtunkhya Respondent No.5

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

Secretary Hikance Department, Khyber Pakhtunkhwa Respondent No.4

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9182 /2020. Rohidad 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. <u>9182</u> "Rohidod Kham"

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



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

Identified By

Advocate General Khyber Pakhtunkhwa

| bovernment, Elections & Rural Development Department DATED OF HILL NOTIFICATION Dated Peshawar, the 05 th April, 2018 |
|---|
| No. SO(LG-I)2-188/SSRC/2018 In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the |
| 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: <u>AMENDMENTS</u> 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 Bachelor's Degree from a recognized University. Note: 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) 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. TISA: Senior- Secretary Village / Neighborhood Council. Secretary Village / Neighborhood Council, with atleast ten (10) year service as such."; and |
| (c) for serial No. 16 the following shall be substituted, in the respective columns, namely: "16 Junior Secretary Village / Neighborhood Council. Atleast Second. Class 18 to 10. Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village / Neighborhood Council with computer from a recognized Institute with experience in MS- Office, Impage und Internet: ************************************ |

ii) Eighty (80) per cent by Initial recruitment;

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

to. SO(LG-1)2-188/SSRC/2018.-

Copy forwarded to:----

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

ţ

2. All Divisional Commissioners in Khyber Pakhtunkhwa,

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

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

Si The PSO to Chief Secretary, Khyber Pakhunkhwa Peshawar,

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

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

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar. Peshawar High Court. Poshawar.

11. All District and Session Judges in 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 LQ.E&RDD Reshawar.

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1

16. The Office Order file.

s, SECTION OFFICER (EST Phone # 091-9213224



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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

Amg

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:

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



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

| 1, | 2. | З, | 4. | 5. | |
|---------------|-----------|----|----------|----|--|
| " 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. <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:

| | 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 | | | <u> </u> | |
|--|---------------------------------|---|---|----------|--|
| •••••••••••••••••••••••••••••••••••••• | (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)."; |

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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. | seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service as such: Provided that if no suitable officer is available for promotion then by transfer.; and |
|---|--|
| | (ii) fifty (50) per cent by initial recruitment.". |

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:

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

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

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

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

| 1. | 2. | 3. | 4, | 5. | 6 |
|-------------|-----------------------|---|----|--------------------|------------------------------|
| "9B. | Auto CAD Operator. | (a) At least Second Class Bachelor's Degree from a recognized University; | • | 18 to 30 years, | By initial recruitment."; |
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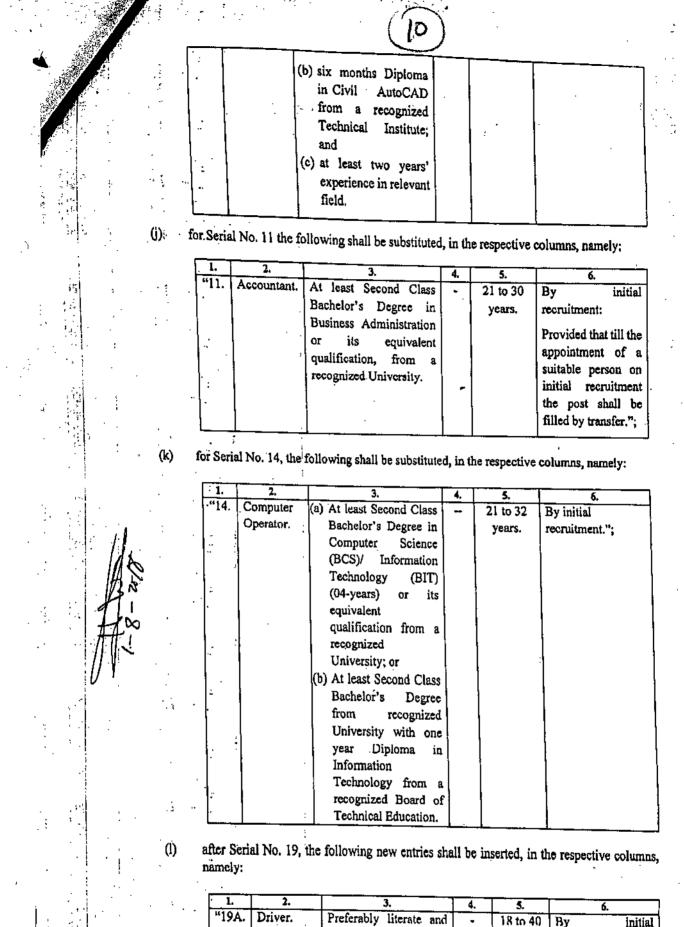
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| 1. | 2. | 3. | 4. | 5. | 6 |
|-------|---------|--|----|--------------------|-------------------------------|
| "19A. | Driver. | Preferably literate and holding a valid Driving License. | • | 18 to 40 years. | By initial recruitment."; and |
| • | | | | | |

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

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

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

(m)

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.

2. All Divisional Commissioners in Khyber Pakhtunkhwa.

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

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

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

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

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

8. All Head of Attached Departments in Khyber Pakhtunkhwa.

9. All Deputy Commissioners in Khyber Pakhtukhwa.

10. The Registrar, Peshawar High Court, Peshawar.

11. All District and Session Judges in Khyber Pakhtunkhwa.

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

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

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

15. The Office Order file.

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

-11 h7 80-Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural ... Development Department NOTIFICATION Dated Peshawar, the 16th October, 2019 in i - 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)/7. dated 26.01.1978, the following further amendments shall be made, namely: AMENDMENTS 12219 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 i۱ 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 iii) 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 °i.. 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."; ii) against Serial No.5, in column No. 6, for the existing entries, the following shall be ç) pubsituted, 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 eventy per cent by initial recruitment.";

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| (13) | |
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| against Serial No. 6, in column No.6, for the words, col | lon and slash |
| "Assistants/Accountants/Senior Scale Stenographer", the word "Acc be substituted; | countants" shall |
| (e) against Serial No. 15A, in column No.6, for the word, figure and brack the word, figure and brackets "five (05)" shall be substituted; and | kets "ten (10)", |
| f) against Serial No. 16, in column No.6 for the existing entry, the foll substituted, namely: | owing shall be |
| iv (i) Twenty (20) per cent by promotion, on the basis of seniority-cur amongst the Naib Qasids and Chowkidars in the Village Council / Council with seniority of Tabril loval brains Secondary School | Neighborhood |
| Council with seniority at Tehsil level, having Secondary Schoo Second Division from a recognized Board or Institute and six minin IT from recognized Board / Institute with three (03) years service | onths Diploma |
| ii) Eighty (80) per cent by initial recruitment: | |
| Provided that the candidate shall be preferably a bonafide r same Village / Neighborhood Council. If such candidate is not availab Village Council / Neighborhood Council then the candidate from ad Council / Neighborhood Council; | ole in the same |
| Provided further that in case of non-availability of candidate Village Council / Neighborhood Council then from any other Vill Neighborhood Council in that Tehsil.". | |
| | |
| SECRETARY TO GOVERNMENT O PAKHTUNKHWA LG,E&RD DEP | |
| No. SO(E)LG/2-188/SSRC/2019,- Dated Peshawar, the 16th Oct | ober, 2019 |
| Copy forwarded to:- | en e |
| 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa. | |
| 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar, 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar, | |
| 3. 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. | n e e G |
| 9. All Deputy Commissioners in Khyber Pakhtunkhwa. | |
| 11. All District and Session Judges in Khyber Pakhtunkhwa. | 1 |
| 12. All Assistant Directors, LO&RDD in Khyber Pakhtunkhwa. 13. The Manager Government printing press, Peshawar for publication in the net | |
| Gazettee Notification. 100 copies of the Notification may be sent to this De | partment. |
| 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. | |
| (HAJI MUHAM | MAD |
| SECTION OFFICER Phone # 091-921 | (ESTAB) 🐪 🕴 |
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GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 26th January, 1978

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

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

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

Copy of the above forwarded to the:-

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

| | | · | | (12) | |
|-------|-----------|-----------------------------------|---------------|---------------|--|
| S.No. | | Qualification for | Qualification | Age_limit for | Method of appointment |
| | of post | initial recruitment | for promotion | initial | |
| | | | | recruitments | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | Deputy . | a) 2 nd Class Master's | | Not less than | i) 25% by initial recruitment and 75% by |
| | Directors | Degree from a | | 30 years and | merit with due regard to seniority from |
| | | recognized | | not more than | amongst the holders of the posts of |
| | | University in | | 35 years | Assistant Director Rural Development |
| | | Economics, | | - | (including the defunct basis Democracies |
| | | Statistics, Social | | | Department) Project Managers & Progress |
| | | Works/ Sociology, | | | Officers with at least years experience |
| | | Animal Husbandry, | | | as such. |
| | | Agril: Political | | | |
| | [. | Science, Public | | | |
| | | Admn: Geography or | | | |
| | | Social Psychology; | | | |
| | | and | | | |
| | , | b) Five year | | | |
| | | experience in | | | |
| | | Agriculture, Animal | | | |
| | | Husbandry Education, | | | |
| | | Social Welfare, | | 1 | |
| | | Planning & Dev: or | | | |
| | | Forest in Grade-16 | | | |
| | | or above. | | | |
| 2 | Assistant | a) 2 nd Class Master's | | Not less than | i) 50% by initial recruitment and |
| | Director/ | Degree from a | ł | 21 years and | ii) 50% by selection on merit with due |
| | Project | recognized | | not more than | regard seniority from amongst holders of |
| | Manager | University in | | 30 years | the post Development Officers and Sub- |
| | /Progress | Economics, | | 1 | Divisional (Assistant Engineers) |
| | Officer | Statistics, Social | | 2 | |
| | • | Works/ Sociology, | | | |
| | | Animal Husbandry, | | | |
| | | Agril: Political | f | | |
| | - | Science, Public | ~ | ĺ | |
| | · · | Administration, | · . [| | |
| | | Geography or Social | | · | |
| | | Psychology, Physics, | | | |
| | | Chemistry, | | | |
| - | , , | Mathematics. | | • . | |

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|-----|----------------|--|---------------------------------------|-------------------------|--|
| 3 | | ond 1 to 1 | · · | | |
| د | meeeumee | 2 nd class Master's | | Not less than | |
| ļ | Officer | Degree in Commence / | | 21 years and | ii) 50% by selection on merit with due |
| | | Business | | not more than | |
| | | Administration, or | | 30 years | of the post Superintendent the Department |
| | | G.A.S qualified | | | with a least three years service such. |
| Į | - | persons of Pakistan | | | |
| | | Audit Department or | | | |
| | | Provincial Local | | | |
| | | Audit Department. | | | |
| 4 | Development | 2 nd Class Master | | Not less than | i) 50% by initial recruitment and |
| | Officer | Degree from a | | 21 years and | ii) 50% by selection on merit with due |
| | | recognized | | not more than | regard seniority from amongst holders of |
| | | University in | | 30 years | the post Supervisor, RD in the Departmen |
| | ļ | Economics, | | | with at least 10 years service. |
| * [| | statistics, social | | | "ich de iedse iv years service. |
| | * | works/ sociology, | | | Note:Service in defunct Vill:Aid Department |
| | | Animal Husbandry, | 1 | | and the purpose of source in defunct |
| | · . | Agriculture, Public | | | and the purpose of service under this |
| Í | | Admn: Political | | | clause be treated as service in the |
| | | Science Geography | | | deptt. |
| 1 | | or Social Psychology | | | |
| 5 | Sub Divisional | Degree in | | | |
| | Officer | Engineering or | | Not less than | i) 75% by initial recruitment and |
| | /Assistant | | | 21 years and | ii) 25% by selection on merit with due |
| | Director | equivalent | | not more than | |
| | 1 | qualification from a | | 30 years | of the post the Overseers. |
| | Engineer | recognized | | | |
| | | University | ļ | | , |
| 6 | Superintendent | - | (- · | | By the selection on merit with due regard |
| | | | | | to seniority from amongst holders of the |
| | - | | | | Assistant/Accountants/ Senior Stenographer |
| | | | | | /Senior Auditors with least five years |
| | | | | ļ | experience as such. |
| 7 | Assistant / | Degree from | | Not less than | i) 25% by initial recruitment and |
| · · | Accountant | recognized | · | 21 years and | ii) 75% by selection on merit with due |
| | | University | | not more than | regard seniority from amongst holders of |
| | | | | 25 years | the post of Senior Clerks, Junior |
| | | | | | <u>Auditors with atleast five years service.</u> |
| | ······· | ······································ | · · · · · · · · · · · · · · · · · · · | <mark>ا ہے۔۔۔۔ ا</mark> | |
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| 8 | Stenographer | a) Matriculation or | 1 (17 | Not less than | i) 25% by initial recruitment and |
|----|----------------|------------------------|-------|---------------|--|
| | (Senior Scale) | equivalent | | 18 years and | i) 23° by inicial recruitment and |
| | | qualification | | not more than | ii) 75% by selection on merit with due |
| | | from recognized | | 25 years | I service and the service of the ser |
| | | board and | | | of the post Stenographer (Junior Scale) |
| | | b) Speed 100 words | | ĺ | |
| | | per minutes in | | | |
| | | shorthand in | | | |
| | | English and 40 | | | |
| | | words per minute | | | |
| | | in typing. | | | |
| 9 | Overseer | Diploma in Engineering | | Not less than | By Initial Recruitment |
| | | from a recognized | | 21 years and | by inicial Recruitment |
| | | institute | | not more than | · · · |
| | | | | 25 years | |
| 10 | Supervisor, | Degree from recognized | | Not less than | i) 25% by initial recruitment and |
| | Rural Dev: | University | | 21 years and | ii) 75% by selection on merit with due |
| | | - | | not more than | regard to seniority from amongst |
| i | | | | 25 years | holders of the post Village Secy: in |
| | | | 1 | , | Department with least years |
| | | | | } | experience as such. |
| | | | | | enperience as such. |
| 11 | Senior Auditor | Degree from recognized | | Not less than | i) 50% by initial recruitment and |
| | | University | | 18 years and | ii) 50% by selection on merit with d |
| | | Note: Preference will | | not more than | regard to seniority from among |
| | | be given to persons | | 25 years | holders of the post Juni |
| | | holding Degree with | | - | Auditor/Snr.Clerks in the Departme |
| | | Commerce as one of the | | | with a least three years service such |
| | | subjects or equivalent | | | |
| | | qualification in | | | |
| | | Accounts | | | |
| .2 | Stenographer | a) Matriculation or | | Not less than | i) 50% by initial recruitment and |
| | (Junior Scale) | equivalent | | | ii) 50% by selection on merit with di |
| | · . | qualification from | | not more than | regard to seniority from among: |
| Ì | | recognized board | | 25 years | holders of the post of Steno-typis |
| | | and | | - | in the Deptt. |
| ŀ | | b) Speed 80 words per | | · . | |
| | | minutes in | · . | | |
| 4 | | shorthand in | | | |
| - | | English and 35 | ĺ |] | |

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| | | | 10 | | |
|----|----------------------|---|-----|--|--|
| | | words per minute in typing | 0 | | |
| 13 | Steno Typist | a) Matriculation or equivalent qualification from recognized board and b) Speed 60 words per minutes in shorthand in English and 35 words per minute in typing | | Not less than 18 years and not more than 25 years | recruitment and ii) Not more than 50% by selection on merit from amongst holders of the post Junior Clerk in the Department with a least three years service such. Who have the minimum qualification prescribed for initial recruitment. |
| 14 | Junior Auditor | Matriculation or equivalent qualification from recognized board | * . | Not less than 18 years and not more than 25 years | By Initial Recruitment |
| 15 | Senior Clerk | | - | | By selection on merit with due regard to seniority from amongst holders of the post Junior Clerk in the Department with a least three years service such. |
| 16 | Village Secretary | Intermediate from recognized Board | - | Not less than 18 years and not more than 25 years | By Initial Recruitment |
| 17 | Junior Clerk | Matriculation or equivalent qualification from recognized board | | Not less than 18 years and not more than 25 years | i) Not less than 80% by initial recruitment and ii) Not more than 20% by selection on merit from amongst holders of the post Daftaries and Peon in the Department with a least three years service such. Qualification prescribed for initial recruitment |



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:-

| winage / Nelbourhood | Number of Village/Neibourhood Council Secretarics upgraded from BPS-07 to BPS-09 having less than 10 years of service. | BPS-11 and re-designated as Paulas |
|----------------------------------|---|--|
| 3501 | 2651 | 850 |
| Total Sanctioned Strength of Sur | | ······································ |

| rotal 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.

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

Yours faithfully

Copy is forwarded to: -

SECTION OFFICER (FR)

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

SECTION OFFICER (FR)