30<sup>th</sup> Jan, 2023

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

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)

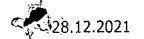
25.11.2022

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.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)



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

FEADER .

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 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.

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

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

(Fareeha Paul) Member(E) (Rozina Rehman) Member (J) 19.01.2021

Mant Deposited

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.

(Rozina Rehman) Member (J)

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.

Reader

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

| <br>02-19 | /2020 |  |
|-----------|-------|--|

Court of\_\_\_\_\_

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge  |
|-------|---------------------------|---|
| 1     | 2                         | 3   |
| 1-    | 10/08/2020                | The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please. |
| 2-    |                           | REGISTRAR.  This case is entrusted to S. Bench for preliminary hearing to be pu   |
|       |                           | up there on   |
|       |                           | MEMBER(J)   |
| 11.20 | 20                        | Nemo for appellant.   |
|       |                           | Since the Members of the High Court as well as of the   |
|       |                           | District Bar Association, Peshawar, are observing strik   |
|       |                           | today, therefore, learned counsel for appellant is no   |
|       |                           | available today. Adjourned to 19.01.2021 on which date to   |
|       |                           | come up for preliminary hearing before S.B.   |
|       |                           |   |
|       |                           | (Muhammad Jamal Khan)<br>Member (Judicial)  |
|       |                           |   |

### **BEFORE THE KHYBER PAKHTUNKHWA SERVICE** TRIBUNAL, PESHAWAR

| APPEAL NO | /2020 |
|-----------|-------|
|-----------|-------|

**UMAR AYAZ** 

V/S

**GOVT. OF KP** & OTHERS

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|-------|-------------------------------|----------|---------|
| 1     | MEMO APPEAL                   |          | 1 ~ 3.  |
| 2     | Stay application              |          | 4.      |
| 3     | Appointment order             | Α        | 5.      |
| 4     | Old service rules             | В        | . 6- 8. |
| 5     | Impugned Rules dated 5.4.2018 | С        | 9.      |
| 6     | Impugned rules dt: 1.8.2018   | D        | 10- 13. |
| 7     | Impugned rules dt: 16.10.2019 | E        | 14- 15. |
| 8     | Notification                  | F        | 16.     |
| 9     | Departmental appeal           | G        | 17- 18. |
| 10    | Vakalat nama                  |          | 19.     |

**APPELLANT** 

THROUGH:

NOOR MOHAMMAD KHATTAK, ADVOCATE

ROOM NO. 3, UPPER FLOOR, NEW ISLAMIA CLUB BUILDING, KHYBER BAZAR, PESHAWAR CITY

0345-9383141

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 10249 /2020 Khyha

Mr. Umar Ayaz, Village Secretary,
Village Council Gur Guri, District Karak.

**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

Fledto-daySTAUTTORY 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 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:

<u>egistrar</u>

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

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

Same of the same

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

### **GROUNDS:**

- A- That the impugned service rules dated 5.4.2018, 1.8.2018 and 16.10.2019 framed by the respondents whereby ignoring the appellant from promotion to the next higher scales is against the Law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- **B-** That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That, the treatment meted out to the appellant is clear violation of the Fundamental Rights of the appellant as enshrined in the Constitution of Pakistan, 1973.
- **D-** That according to Article 37 of the Constitution the state is bound to promote social justice and eradication of social evils and accordingly the action and inaction of the respondents squarely falls in violation of the said Article.
- E- That, inspite of all the requisites available with the appellant the respondents acted in a malafide and arbitrary manner by issuing the impugned service rules dated 5.4.2018 & 16.10.2019.
- **F-** That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- **G-** That, the ignoring the appellant from promotion to the next higher scales is violative of Article-38 (e) of the Constitution of Pakistan, 1973.
- **H-** That the appellant seek permission to advance other grounds and proofs at the time of hearing.

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

Dated: 25.08.2020

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

| C.M. NO   | /2020 |       |  |
|-----------|-------|-------|--|
|           | IN    |       |  |
| APPEAL NO |       | /2020 |  |

**UMAR AYAZ** 

**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</u> & <u>16.10.2019</u> whereby the 75% promotion quota have been done/washed away.
- 3. That, all the three ingredients required for grant of stay are in favor of the appellant.
- 4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

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

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE, High Court Peshawar

A O

### OFFICE OF THE ASSISTANT DIRECTOR LOCAL GO-LENMENT & RURAL DEVELOPMENT DEPARTMENT DISTRICT KARAK

Phone No.09, 7-201204

Gunail address (adl. wakaigmail.com)

Dated.30.05.2016

### OFFICE ORDER:

No. 266-7/ (AD) (I.C. Posting/Recruitment/2015-16) The following caudidates before on the waiting list are hereby appointed as Secretary Village Council against the vacant posts noted against their names. These posts have fallen vacant due to resignations of Village Council Secretaries.

| S.No | Nince with father along with mid address       | Name of VC against which appears | Remarks                         |
|------|--|----------------------------------|---------------------------------|
| •    | odin Hafeez S.O Abdul<br>(Mbar R#) Palosa Sar  | Palose, Fr.                      | Home VC                         |
| 2 -  | And en lah S/O Jany Bud<br>Seri & O Kando Khel | Charl; hel                       | From Adjacent VC<br>Kando shei  |
| 3    | Umer Avaz S/O Asham Khan T<br>R/O Dunsh Khel   | Gurguri                          | From Adjacent VC<br>Darish Khel |
| 4.   | Product StO Budshah Mur-<br>less last Panes    | Aine de Danda                    | From Adjacent VC<br>Nuci Pacos  |

Capy forwarded for information to the:-

- 1 Der : . commissioner Kurak
- 2. District Accounts Officer Karak
- 3. Officials Concerned

Assistant Director.

Assistant Director



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE

# KHYBER PAKHTUNKHWA

**Published by Authority** 

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

### NOTIFICATION

Dated: 26th January, 1978.

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 Transfer) Rules, 1975 and in consultation with the information services and General Administration Department and the Finance Department, the Local Government Cooperation, Social affairs, Tourism No. Section Officer(LG-1) 2-188/93-Vol-II: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and

|  | 1410                   | _                 | -                                       |                  |          |
|--|------------------------|-------------------|---|------------------|----------|
|  |                        |                   | Grade-16 or above.                      |                  |          |
|  |                        |                   | . Welfare, Planning& Dev: or Forest in  |                  |          |
| 0  |                        |                   | Animal Husbandry Education, Social      |                  | <u> </u> |
|  |                        |                   | b) Five year experience in Agriculture, | •                |          |
| such.  | •                      |                   | or Social Psychology and                | •                | _        |
| Project Managers & Progress Officers with at least years experience a  | -                      |                   | Arbinal Husbandry, Agril: Geography     |                  | _        |
| Rural Development (including the defunct basis Democracies Deptt.)     | years                  |                   | statistics, social works sociology,     | -                |          |
| seniority from amongst the holders of the posts of Assistant Director  | and not more than 35   |                   | -recognized University in Economics,    |                  | _        |
| i) 25% by initial recruitment, and 75% by on merit with due regards to | Not less than 30 years |                   | a) 2 de Class Master Degree from a      | Deputy Director  | <u>-</u> |
| 6  | 5                      | 4                 | 3                                       | 2                |          |
|  | recruitments           | promotion         |   | ISOC             |          |
| Method of appointment  | Age limit for initial  | Qualification for | Qualification for initial recruitment   | Nomencial are of | S.No.    |

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| Such.  |                        |   |  |               |
|--|------------------------|---|--|---------------|
| holders of the post Village Secv. in Deptt with least years experience as  | years                  | · · · · · · · · · · · · · · · · · · ·       |  |               |
| 75% by selection on merit with due regards seniority from amongst          | and not more than 25   |   |  |               |
| i) 25% by initial recruitment and  | Not less than 18 years | Degree from recognized University           | Supervisor                                     |               |
|  | years                  |   |  |               |
|  | and not more than 25   |   |  | •             |
| By Initial Recruitment   | Not less than 21 years | Diploma from recognized Institute           | Overseer                                       | <del>-</del>  |
|  |                        | words per minute in typing                  |  |               |
|  |                        | shorthand in English and 40                 |  |               |
|  | _                      | b) speed 100 words per minutes in           |  | <u>-</u>      |
| holders of the post Stenographer (Junior Clerk).                           | years                  |   |  | <u> </u>      |
|  | and not more than 25   | rearry and recognized                       | (Semon Demo)                                   |               |
| i) 25% by initial recruitment and  | Not less than 18 years | a) Principle of equipment                   | (Senior Scale)                                 |               |
| experience as such.  |                        |   | Clangaranhar                                   | ×0            |
| holders of the post Village Secy; in the Deptt: with at least years        | years                  |   |  |               |
|  | and not more than 30   |   | Cocominant                                     |               |
| i) 25% by initial recruitment and  | Not less than 21 years | Degree from recognized University           | Assistant /                                    | _             |
| with least five years experience as such.                                  |                        |   | *  | 1             |
| holders of the Assitts://Accountants/ Senior Stenographer /Senior Auditors |                        | -   |  | _             |
| By the selection on merit with due regards to seniority from amongst       |                        | 1   | Superimenaem                                   |               |
| holders of the post the overseers  | усагѕ                  | CHIVEISILY                                  | Supplied and and a                             | 7             |
|  | and not more than 30   | quantication from a recognized              | Director Engineer                              | - •           |
| i) 75% by initial recruitment and  | Not less than 21 years | Degree in Engineering or equivalent         | Officer / Accietant                            | ,             |
|  |                        | Ocograpay or social respectivity            | Sul Divisional                                 | ^             |
| •  |                        | Generathy of Social Beach Long              | <u>.                                      </u> |               |
| Note: Service in defunct vill: Deptt and the purpose of service under this |                        | Public Admin Policinal Colombia             | -  |               |
| holders of the post supervisor, RD in the deptt: with at least.            | years                  | A nimed Unchanger Aminustra                 |  |               |
|  | and not more than 30   | statistics apple 1 man 1 monages.           | ()   | <del></del> . |
| 1) 50% by initial recruitment and  | Not less than 21 years | z Class Master Degree Ironi a               | Officer  |               |
|  |                        | L'opartificit.                              | Davolonment                                    |               |
| service such.  | _                      | Audit Deptt: or Provincial Local Audit      |  |               |
| holders of the post Superintendent the Deptt: with a least three years     | years                  | or G.A.S qualified persons of Pakistan      |  |               |
|  | and not more than 30   | Commence / Business Administration,         |  | -             |
| i) 50% by initial recruitment and  | Not less than 21 years | 2" class Master's Degree in                 | Accounts Officer                               | L.            |
| •  | -                      | Physics, Chemistry, Mathematics .           |  | ,             |
|  |                        | Geography or Social Psychology,             |  | -(            |
|  | -                      | Science, Public Administration,             | •  | <u></u>       |
| (Assistant Director Engineer)  |                        | Animal Husbandry, Agril: Political          | -  | 7             |
|  | years                  | statistics, social works sociology,         | /Progress Officer                              | レフ            |
|  | and not more than 30   | recognized University in Economics,         | Project Manager                                | 1             |
| =  | Not less than 21 years | a) 2 <sup></sup> Class Master Degree from a | Wasieruri Duecton                              | ,             |

|  | 16  | 15  | -   | 13  |   | <b>(2)</b>   |
|--|---|---|---|---|---|--|
| Junfor Clerk   | Village Secretary                                 | Senior Clerk  | Junior Auditor  | Siono Typist  | Stenographer<br>(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  | <ul> <li>a) Matriculation or equivalent qualification from recognized board and</li> <li>b) Speed 80 words per minutes in shorthand in English and 35 words per minute in typing</li> </ul> | 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   | 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   |  |
| (iii) Not less than 80% by initial recruitment and               | 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  | <ul> <li>i) Not less than 50% by initial recruitment and</li> <li>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.</li> </ul> | By Initial Recruitment  | Not less than 18 years  i) 50% by initial recruitment and and not more than 25 ii) 50% by selection on merit with due regards seniority from amongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment |

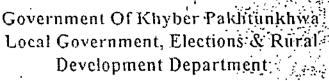
Sd/xxx

ATTAUR REHMAN KHAN

Secretary to Gavt: of N.W.F.P.

Local Govt:, Cooperation, Social Welfare, Tourism & Rural Development Department.

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



### NOTIFICATION

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018.- Oh. In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyher 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 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 ju | Seventy-live (75), per cent by-     |
|----------------|------------|--------------------------|-------------|-------------------------------------|
| , .            |            | Bachelor's Degree from a | years.      | promotion, on the basis of          |
|                |            | recognized University.   | .           | seniority-cum-fitness. Prom         |
| ,              |            |                          |             | amongst the Senior Secretary        |
| -              |            | # . N/ N/                | /           | Village / Neighborhood Council:     |
| -              |            | $X \longrightarrow X$    |             | with atleast five (05) year service |
| ļ*. * <i>*</i> |            | \ \ \\ \ \\              |             | as such: and                        |
| ļ. <b>-</b>    | }.         | , V Yu                   | / jiii      | Twenty-five (25) per cent by        |
|                |            | $M \times M$             | [           | initial recruitment.                |

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

| Ì | 15A. | Senior                                 |   |   | By promution on the basis of seniority -   |
|---|------|--|---|---|--|
| - |      | Secretary<br>Village /<br>Neighborhond | • | · | cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such."; and |
|   |      | tal nuncii i                           | • |   |  |

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

| • .     |              | ·                         |        | _   |                                   |
|---------|--------------|---------------------------|--------|-----|-----------------------------------|
| "16.    | Junior       | Atleast Second Class      | 18 10  | (i) | Twenty (20) per cent by           |
|         | Secretary    | Intérmediate or           | 50     |     | promotion, on the basis of        |
| Acres 1 |              | equivalent qualification  | years. | ١.  | seniarity-cum-fitness, from       |
| 1.      |              | from a recognized Board   |        |     | amongst, the Naib Oasids and      |
|         | Committee    | and atleast six (06).     |        | 1   | Chowkidars in the Village         |
| [:      | liconnen.    | and ancast and took       | !      |     | Neighborhood Council with         |
| i i     |              | months Certificate in     | •      | ĺ   | seniority at tehsil level; having |
| 1.      | 1            | Computer from u           | 1      |     | Secondary School Certificate in   |
| · ·     |              | recognized Institute with |        |     | second division from a.           |
| 1- 1    |              | experience in MS-         |        |     | recognized Board or Institute     |
| 4 - 4   | minar is see | Office, Impage and        |        |     | with three (03) year service as   |
|         |              | Internet.                 |        | ١.  |                                   |
| 1       |              | !                         |        |     | such: and                         |
|         |              |                           | ļ      |     |                                   |
| ÷ +     | 4            | !                         | 1      | 1   |                                   |

ATTATED

ii) Eighty (80) per cent by initial 1 recruitment:

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

Provided further that in case of non-availability of candidate Village from adjacent Neighborhood Council then from Village - 1/ other any Neighborhood Council in that Tehsil Council.

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

Dated Peshawar, the 05th April, 2018

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

### Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa
- All Divisional Commissioners in Khyber Pakhtunkhwa
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar,
- The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar,
- The Director General, L.G.E&RDD, Khyber Pakhtunkhwa Peshawar.
- The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- All Head of Attached Departments in Khyber Pakhtunkhwa
- All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Peshawar,
- [1. 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.

(HAW MUNATUM WAH) SECTION OFFICER (ESTAB) Phone # 091-9213224.

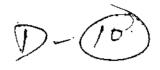
### **EXTRAORDINARY**

### GOVERNMENT



REGISTERED NO. P.III

GAZETTE



### KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

### GOVERNMENT OF THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT 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<br>General. | •  | <u>-</u> | -  | 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. |
| La Succession of the Control of the | 4    | Sign Sign Sign Sign Sign Sign Sign Sign |    |    |    | Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";   |

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

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

| "1B. | Director                                     |   | <del></del> |   |  |
|------|--|---|-------------|---|--|
|      | Director<br>(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.";  Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical)."; |

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

| 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-cumfitness, from amongst the Accountants with at least five (05) years service as such:  Provided that if no suitable officer is available for promotion then by transfer.; and |
| 4.   | (ii) | fifty (50) per cent by initial recruitment.".  |

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### 12

### 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<br>seniority-cum-fitness, from amongst the Senior Clerks<br>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.              |                              |
|------|--------------------|--|----|-----------------|------------------------------|
| "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.                               |    | 1 .             |                              |

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

| 5.              | 4. | 3.  | <del></del> | 11   |
|-----------------|----|---|-------------|------|
| 21 to 30 years. | -  | At least Second Class Bachelor's Degree in Business Administration or its equivalent qualification, from a recognized University. | Accountant  | "11. |

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

(13)

KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019 <del>"</del>14. Computer At least Second 21 to 32 By initial Operator. Class Bachelor's years. recruitment."; Degree in Computer Science (BCS)/ Information Technology (BIT) (04-years) or its equivalent

(b) At least Second
Class Bachelor's
Degree from
recognized
University with

qualification from a recognized University; or

one year
Diploma in
Information
Technology from
a recognized

Board of Technical

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

| $\overline{1}$ . | 2.      | 2  |           | <del></del>              |                           |
|------------------|---------|--|-----------|--------------------------|---------------------------|
| "19A.            | Driver. | Preferably literate and holding a valid Driving License. | <u>4.</u> | 5.<br>18 to 40<br>years. | By initial recruitment."; |

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

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA LOCAL
GOVERNMENT ELECTIONS AND RURAL DEVELOPMENT
DEPARTMENT.

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

AFFESTED

(j)

E- (14)

Page NO5



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



### NOTIFICATION

Dated Feshawar, 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 Pakhtankhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government. Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

### AMENDMENTS

In the Appendix.

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

ATTISTED

- against Serial No. 6, in column No.6, for the words, colonic and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall -
- against Serial No. 15A, in column No.6 for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and
- 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 Qasids and Chowkidars in the Village Council / Neighborhood Conneil with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
  - Eighty (80) per cent by initial recruitment:

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

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

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

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

Dated Peshawar, the 16th October, 2019

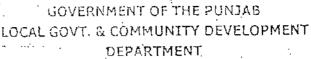
Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Elhyber Pakhtunkhon.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar,
- 5. The PSO to Clauf Secretary, Khyber Pakhtunkhwa-Peshawar.
- The Director General, LG, E&RDD, Khyber Pakhunkhwa Peshawar.
- The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- 8. All Head of Attached Departments in Klayber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa
- 10. The Registrar, Peshawar High Court, Peshawar
- 11. All District and Session Judges in Khyber Pakhtunkhiva.
- -P2:-All-Assistant-Directors: LCC2:kDD in Khyber Pakhnunkhiva
- 13. The Manager Government printing press, Poshawar for publication in the next Governmen: Gazettee Notification, 100 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG E&RD Khyher Pakhtunkhwa
- 15. The PS to Secretary LG.E&RDD Peshawar.
- 16. The Office Order file

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 001-0213224

TESTED





Dated Lahore the 27th July, 2018

### NOTIFICATION

NO.SO.Admn-I(LG)1-4/15: The Competent Authority is pleased to approve up-gradation of the following posts of Secretary Union Councils appointed under the Punjab LG&RD Service Rules, 1981 and Punjab Government District Service (Town/Tehsil Municipal cadm) Rules 2005 w.e.f 01.07.2018:-

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

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 reduest to amend the service rules accordingly.
- 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 Uniori Councils, in the Punjab.
- 7. The Assistant Director (UC), at the PHQ, Lahore.
- 8. Master file.

(MABMOOD AHMAD) DEPUTY SECRETARY (ADMN.)

CC:-Rana Mahboob Hussein, All Punjab Secretarics UCs Association Punjab.

ATTOSTED

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THE SECRETARY,

Local Government, Elections & Rural Development Department,

Khyber Pakhtunkhwa, Peshawar

Subject:

DEPARTMENTAL APPEAL AGAINST THE NOTIFICATIONS DATED 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/ RESTORATION

THE OLD SERVICE STRUCTURE NOTIFIED ON 26,011978.

Sir,

Most respectfully, it is stated that I am working as Village Secretary under your kind control. I am qualified and performing my duties with my full devotion. According to the service structure notified on 26.01.1978, the prospects of promotion for Village Secretaries were in line. That according to the said rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor and Assistant Accountant (BPS-14), 50% quota was reserved from Supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of Village Secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-13) with 75% quota.

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

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

Obediently Yours,

U/C GURGURA

Cell No: 0345-9712652

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### <u>VAKALATNAMA</u>

| BEFORE THE  | KHYBER PAKHTUI<br>PESHA   | WAR   |
|---|---|---|
|   | <u> </u>  | OF 2020   |
|   |   | 01 2020   |
| Une a   | x Ayaz  | (APPELLANT)<br>(PLAINTIFF)<br>(PETITIONER)  |
|   |   | (12111011211)   |
|   | VERS  | <u>sus</u>  |
| Gout:   | of bp & O   | (RESPONDENT)  (DEFENDANT)   |
| •   | ar Ayang  |   |
| Do hereby   | appoint and cons  | stitute NOOR MOHAMMAD awar to appear, plead, act,   |
| my/our Cou<br>without any<br>engage/appo<br>I/we author<br>receive on r | insel/Advocate in<br>liability for his def<br>pint any other Adv<br>ize the said Advoc<br>ny/our behalf all s | er to arbitration for me/us as the above noted matter, fault and with the authority to ocate Counsel on my/our cost. cate to deposit, withdraw and sums and amounts payable or in the above noted matter. |
| Dated   | _//2020   | -ll-  |
|   |   | CLIENT  |
| · ·   |   | <u>ACCEPTED</u><br>NOOR MOHAMMAD KHATTAI  |
|   |   | SHAHZULLAH YOUSAFZAI  |
|   |   | MIR ZAMAN SAFI  |
|   |   | AFRASIAB KHAN WAZIR<br>ADVOCATES  |
| OFFICE:   | o <sup>nd</sup> Floor Juma Kh   | an  |

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



### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10 249 12020.

| Mr. Omar | Ayaz_ | Appellan |
|----------|-------|----------|
| -        | / 1   |          |

### **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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| 2    | Affidavit  |           | 5      |
| .3   | Notification No. SO(LG-I)2-188/SSRC/2018 dated 05.4.2018                               | Annex-I   | 6-7    |
| 4    | Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018                              | Annex-II  | 8-11   |
| 5    | Notification No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 alongwith 1978 Service Rules | Annex-III | 12-18  |
| 6    | No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018                       | Annex-IV  | 19     |

Respondents

Through

Deponent



### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

### Appeal No. 10249 12020.

Mr. Omar Ayaz

Appellant

### **VERSUS**

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

..Respondents

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

### Respectfully Sheweth!

### **Preliminary Objections:**

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

### ON FACTS

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





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

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

In addition to above,

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

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

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

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

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

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

### **REPLY TO GROUNDS:**

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



- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.
- C. Incorrect, Already explained above.
- D. Incorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director (BPS-19) LG&RDD on his turn as per Law/Rules/Policy.
- F. Incorrect, already explained in Para 3, 4 and 6 of the facts.
- G. Incorrect. Promotions take place as per Law/Rules/Policy in vogue.
- H. The Respondents seek permission to produce further record and relevant arguments during the tribunal proceedings.

It is, therefore, humbly prayed that the instant Service Appeals being devoid of merits may be dismissed with cost please.

Khyber Pakhunkhw Respondent No.5

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

inance Department. Khyber Pakhtunkhwa

Respondent No.4

Secretary Establishment Department.

Khyber Pakhtunkh Va Respondent No.1 & 2



### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

| Appeal No. | 10249 | <u>/2020.</u> |
|------------|-------|---------------|
|            |       |               |

### **AFFIDAVIT**

I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government & Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 10249 (I) may Ayaz'' are true and correct to the best of my knowledge & belief and nothing has been intentionally

concealed from this Honorable Court.

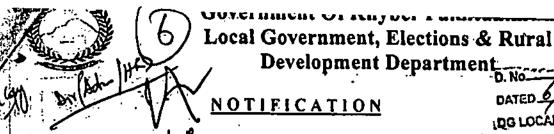
Deponent

CNIC #. <u>17301-2416976-9</u> Cell #.<u>0336-917</u>0959

Identified By

Advocate General Khyber Pakhtunkhwa





IDG LOCAL GOVERNMEN

Dated Peshawar, the 05th April, 2018

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

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

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:

| <b>-10</b> . | Supervisor' | Atleast Second Class<br>Bachelor's Degree from a<br>recognized University. |    | Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness. from   |
|--------------|-------------|--|----|--|
|              | •           | o mete   | ii | amongst the Senior Secretary<br>Village / Neighborhood Council,<br>with atleast five (05) year service<br>as such::and<br>Twenty-five (25) per cent by<br>initial recruitment.": |

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

| "ISA: | Senior-      | <del></del> | <br>By promotion, on the basis of seniority- |
|-------|--------------|-------------|--|
|       | Secretary    | •           | cum-fitness, from amongst the Junior         |
|       | Village /    |             | <br>Secretary Village / Neighborhood         |
|       | Neighborhood |             | <br>Council, with atleast ten (10) year      |
|       | Council.     | ; ·         | service as such."; and                       |

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

| *16: | Secretary Village / Neighborhood Council, | Atleast Second Class 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. | 30.<br>years. | i) 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 seniority at tehsil level, having Secondary School Certificate in second division; from a recognized Board or Institute with three (03) year service as such; and |
|------|---|---|---------------|---|
|------|---|---|---------------|---|

17/2016

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. adjacent Village Neighborhood Council:

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

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

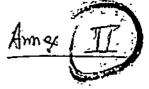
Dated Peshawar, the 05th April, 2018

### 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 Covernment Gazettes Notification. 40 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LO, E&RO Khyber Pakhtunkhwa.
- 15. The PS to Secretary LQ.E&RDD Peshawar.
- 16. The Office Order file.

Phone # 091-9213224







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

### NOTIFICATION

Dated Peshawar, the 01st August, 2018

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

### AMENDMENTS

In the Appendix -

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

|     | <u> </u>             | 3. | 4. | <b>5.</b> 1 | 6.  |
|-----|----------------------|----|----|-------------|---|
| "1. | Director<br>General. | -  | -  | -           | By transfer from amongst PAS, PCS and PMS officers in BPS-20.". |

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

1. 2. 3. 4. 5. 6.

"IA. Director. - By promotion, on the basis of senioritycum-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.

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

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

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

|               | _         |
|---------------|-----------|
|               | $\vec{z}$ |
|               | O         |
| $\overline{}$ | _         |

|  |   |  | •                            |   |  |
|--|---|--|------------------------------|---|--|
| • •  |   |  | Ħ                            | ,   | ŢŢ,                                      |
|  |   |  | Deputy Director (Technical). | Accounts).  | Deputy Director<br>(Finance and          |
|  | _   |  | _•                           |   | •  |
|  |   |  |                              |   | •  |
|  |   |  |                              |   | $\overline{\cdot}$                       |
| 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)." | such and having a Bachelor's Degree in Civil Engineering."; | Engineers and Assistant Directors (Technical) with five (05) years' service as | , on th                      | Officers with at least five years' service as such. | By promotion, on the basis of seniority- |

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

. . . .

9

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

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

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

9

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

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

₽ "Provided that if no suitable officer is available for promotion then by transfer."; , in column No. 6, in clause (iii), the full-stop, appearing at the by colon and thereafter the following proviso shall be added, namely:

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

| <br>        |            |               |                  | <u>'</u>            | ,- |
|-------------|------------|---------------|------------------|---------------------|----|
|             | ٠.         | -             |                  | "9B.                | -  |
|             |            |               | Operator,        | "9B. Auto CAD       | 2. |
| University; | recognized | Degree from a | Class Bachelor's | (a) At least Second | 3, |
|             |            |               |                  | •                   | •  |
|             |            |               | years.           | 18 to 30            | Ç. |
|             |            |               | recruitment.     | By initial          | ٠  |

| 2 | (b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and (c) at least two years' | 1 |
|---|--|---|
|   | experience in relevant<br>field,   |   |

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

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

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

| - 1. | 2,         | 3.                        | 4.    | 5.       | 6.             |
|------|------------|---------------------------|-------|----------|----------------|
| "14. | Computer   | (a) At least Second Class |       | 21 to 32 | By initial     |
|      | Operator,  | Bachelor's Degree in      |       | years.   | recruitment."; |
|      | 1          | Computer Science          |       | 1        |                |
| - ,  | :<br>      | (BCS)/ Information        |       |          |                |
|      |            | Technology (BIT)          |       | 1        | <b>)</b>       |
| ÷    | 1          | (04-years) or its         |       |          |                |
|      | 1          | equivalent                |       | 1        |                |
|      |            | qualification from a      |       | ļ        |                |
|      | :∮         | recognized                |       |          |                |
| •    |            | University; or            |       |          | ;              |
|      |            | (b) At least Second Class |       |          | 1              |
| :    |            | Bachelor's Degree         | İ     |          | ļ              |
|      | <u>,</u>   | from recognized           |       |          | 1              |
|      | 1          | University with one       |       | 1        |                |
|      | ; <b> </b> | year Diploma in           | !<br> |          | <b>\</b>       |
|      |            | Information               | }     |          |                |
|      | i          | 1                         |       | İ        |                |
|      | 1          | Technology from a         | 1     |          |                |
| ,    | }          | recognized Board of       |       | 1        |                |
|      | _1         | Technical Education.      |       | 1        | İ              |

(i) 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<br>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:-

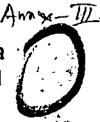
- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa 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.

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



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



### NOTIFICATION

Dated Peshawar, the 16th October, 2019

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

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

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

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

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

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

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

### <u>AMENDMENTS</u>

In the Appendix,

a) y ¿Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:

- i) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.";
- ii) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
- iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";

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

- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
  - 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
  - ii) Fifty (50) per cent by initial recruitment.";

c) against Serial No.5, in column No. 6, for the existing entries, the following shall be

"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

Seventy per cent by initial recruitment.";

1

The same of the sa

A. Care

"be substituted; 1.1 Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall gaginat Serial No. 6, in column No.6, for the words, colon and slash

the word, figure and brackets "five (05)" shall be substituted; and againat Serial No. 15A, in column No.6, for the word, figure and prackets "ten (10)",

substituted, namely: against Serial No. 16, in column No.6 for the existing entry, the following shall be

in IT from recognized Board / Institute with three (03) years service as such; and Second Division from a recognized Board or Institute and six months Diploma Council with seniority at Tehsil level, having Secondary School Certificate inamongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from

Eighty (80) per cent by initial recruitment:

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

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

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

Dated Peshawar, the 16th October, 2019

No. SO(E)L.G.Z-188/SSRC/2019.-

Copy forwarded to:-

🛚 👫 🕮 Ali Divisional Commissioners in Khyber Pakhtunkhwa. 1. All Administrative Secretaries to Covernment of Klyyber Pakhtunkhwa.

The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.

- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.

5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawat, "

The Director General, LO, E&RDD, Khyber Pakhtunkhwa Peshawar.

The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar

All Head of Attached Departments in Khyber Pakhiunkhwa.

10. The Registrar, Peshawar High Court, Peshawar. All Deputy Commissioners in Khyber Pakhtunkhwa.

II. All District and Session Judges in Khyber Pakhtunkhwa.

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

Gazettee Notification. 100 copies of the Notification may be sent to this Department. 13. The Manager Government printing press, Peshawar for publication in the next Government

14. The PS to Seniot Minister for LG, E&RD Khyber Pakhtunkhwa.

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

16. The Office Order file.

Pone # 091-9213224 SECTION OFFICER (ESTAB) <u>(дамман</u>им Кан)



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

## NOTIFICATION

Peshawar, dated the 26th January, 1978

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

-sd-

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

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

Copy of the above forwarded to the:-

- All Administrative Secretaries to Government of NWFP
- All Divisional Commissioners in NWFP.
- 3. Secretary to Governor, NWFP, Peshawar
- 4. Secretary, Public Service Commission, NWFP, Peshawar.
- All Heads of Attached Department in NWFP.
- All Deputy Commissioner/Political Agent in NWFP.

All District and Session Judge in NWFP

- 3. Registrar, Peshawar High Court Peshawar
- Deputy Secretary-II, I S&GAD
- All Section Officer in S&GAD.
- Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978
- Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th
- Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department.
- Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III(S&GAD)4-6/75 dated 21st January, 1978.

|  |               |               | Mathematics.                      |           |             |
|--|---------------|---------------|-----------------------------------|-----------|-------------|
|  |               |               |                                   | -         |             |
|  | •             |               | ₩.                                | -         | \           |
|  |               |               | Geography or social               |           | <b>-</b> 5  |
|  |               |               | Didministration                   |           | <del></del> |
|  |               |               | D                                 |           |             |
|  |               |               |                                   |           |             |
|  | -             |               | Animal Husbandry,                 | ,         |             |
|  |               |               | Works/ Sociology,                 | ,         | ,           |
|  |               |               | Statistics, Social                | Officer   |             |
| Divisional (Assistant Engineers)         | ٠,            |               | Economics,                        | /Progress |             |
| the post Development Officers and Sub-   | 30 years      |               | University in                     | Manager   |             |
| eniority from amongst hol                | not more than |               | recognized                        | Project . |             |
| .) 50% by selection on merit             | 21 years and  | ,             | Degree from a                     | Director/ |             |
| i) 50% by initial recruitment and        | Not less than | -             | a) 2 <sup>nd</sup> Class Master's | Assistant | 2           |
|  |               |               | or above.                         |           |             |
|  |               |               | Forest in Grade-16                |           |             |
|  |               |               | Planning & Dev: or                |           |             |
|  |               |               | social Wellare,                   |           |             |
|  |               |               | Husbandry Education,              |           |             |
|  |               |               |                                   |           | ,           |
|  |               |               | experience in                     |           |             |
|  |               |               |                                   | 1         | <u>.</u>    |
|  |               |               | מונט                              |           |             |
|  |               |               | ļ<br>ļ                            |           |             |
|  |               |               | l Psychology                      |           |             |
|  |               |               | Ò                                 | -         |             |
|  |               |               | ወ                                 | -         |             |
|  |               |               | Agril: Political                  |           | -           |
| ı  |               |               | Animal Husbandry,                 |           |             |
| th at least vears ex                     |               |               | Works/ Sociology,                 |           |             |
| ) Project Managers                       |               |               | Statistics, Social                |           |             |
| (including the defunct basis Democracies |               |               | Economics,                        |           |             |
| Assistant Director Rural Development     | 35 years      |               | University in                     | ,         | -           |
| ne posts of                              | not more than |               | recognized                        |           |             |
| merit with due regard to seniority from  | 30 years and  |               | Degree from a                     | Directors | -           |
| i) 25% by initial recruitment and 75% by | Not less than |               | _                                 | Deputy    | <b>j</b>    |
| 6  | 5             | .42           | ω                                 | 2         | <b>J</b>    |
|  | recruitments  |               |                                   | •         |             |
|  | initial       | for promotion | initial recruitment               | of post   | -           |
| Method of appointment                    | Age_limit for | Qualification | Qualification for                 | N Q       | S.No.       |
|  | \ <u>\</u>    |               |                                   |           |             |
|  | ころし           | :             |                                   |           | :           |

|    | ,   |  |   | (T)  | - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1  |
|----|---|--|---|--|--|
|    |   |  |   | 16)  |  |
| 3  | Accounts<br>Officer                                 | 2 <sup>nd</sup> class Master's Degree in Commence / Business Administration, or G.A.S qualified persons of Pakistan Audit Department or Provincial Local Audit Department.                                       |   | Not less than<br>21 years and<br>not more than<br>30 years | ii) 50% by selection on merit with due   |
| 4  | Development<br>Officer                              | 2 <sup>nd</sup> Class Master Degree from a recognized University in Economics, statistics, social works/ sociology, Animal Husbandry, Agriculture, Public Admn: Political Science Geography or Social Psychology |   | 21 years and<br>not more than<br>30 years                  | <ul> <li>i) 50% by initial recruitment and</li> <li>ii) 50% by selection on merit with due regard seniority from amongst holders of the post Supervisor, RD in the Department with at least 10 years service.</li> <li>Note:Service in defunct Vill:Aid Department and the purpose of service under this clause be treated as service in the deptt.</li> </ul> |
| 5  | Sub Divisional Officer /Assistant Director Engineer | Degree in Engineering or equivalent qualification from a recognized University   |   |  | <ul> <li>i) 75% by initial recruitment and</li> <li>ii) 25% by selection on merit with due regard to seniority from amongst holders of the post the Overseers.</li> </ul>  |
| 6  | Superintendent                                      | <u>-</u>   | _ |  | 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 experience as such.   |
| 7. | Assistant /<br>Accountant                           | Degree from<br>recognized<br>University  |   | Not less than<br>21 years and<br>not more than<br>25 years | i) 25% by initial recruitment and ii) 75% by selection on merit with due regard seniority from amongst holders of the post of Senior Clerks, Junior Auditors with atleast five years service.  |

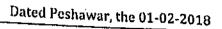
| <u>_</u> , |                                  |  | ·   | -  |   | ·<br>                          |  |
|------------|----------------------------------|--|---|--|---|--------------------------------|--|
|            | <u> </u>                         |  |   | <b>⊢</b>   |   | ی ور                           | ω  |
|            |                                  | (Junior Scale)   | <del>-</del>  | Senior Auditor   | Rural Dev:  | Overseer                       | Stenographer (Senior Scale)  |
|            | b) Speed 80 words per minutes in | a) Matriculation or equivalent qualification from recognized board and | be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts | Degree from recognized University Note: Preference will  | University  | recogute                       | tric<br>lalid<br>lalid<br>lalid<br>lard<br>lard<br>leed<br>leed<br>r mi<br>orth<br>orth<br>orth<br>orth  |
|            | -                                |  |   |  |   |                                |  |
|            | -                                | Not less than<br>18 years and<br>not more than<br>25 years             | 25 years  | Not less than<br>18 years and<br>not more than   | not less than 21 years and not more than 25 years   | less<br>years<br>more<br>years | Not less than<br>18 years and<br>not more than<br>25 years   |
|            | ти сме рерсс.                    | by by by gard  | s of the post<br>r/Snr.Clerks in the Dep<br>least three years service   | <ul> <li>i) 50% by initial recruitment and</li> <li>ii) 50% by selection on merit with due regard to seniority from amongst</li> </ul> | ii) 25% by initial recruitment and ii) 75% by selection on merit with due regard to seniority from amongst holders of the post Village Secy: in Department with least years experience as such. | וח                             | i) 25% by initial recruitment and ii) 75% by selection on merit with due regard to seniority from amongst holders of the post Stenographer (Junior Scale). |

|  |               |     |                       | -              |    |
|--|---------------|-----|-----------------------|----------------|----|
| recruitment                            |               |     | · .                   |                |    |
| Qualification prescribed               |               |     |                       |                |    |
| with a least three years service such. | •             |     |                       | -              |    |
| Daftaries and Peon in the Department   |               |     |                       |                |    |
| merit from amongst holders of the post | 25 years      |     | recognized board      |                |    |
| ii)                                    | not more than |     | ₽.                    |                |    |
| recruitment and                        | 18 years and  |     |                       |                | •  |
| n i) Not less than 80%                 |               |     | Matriculation or      | Junior Clerk   | 1  |
|  | 25 years      |     | 14                    |                | 1  |
| <u> </u>                               | not more than |     | ,                     |                |    |
| 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1  | years         |     | 0                     | Secretary      |    |
| Ry Initial R                           | Not less than | 1   | Intermediate from     | Village        | 16 |
| three years service such.              |               |     |                       |                |    |
| Junior Clerk in the Department         |               |     |                       |                |    |
| seniority from amongst holders         |               |     |                       |                |    |
| By selection on merit with             |               | 1   | ı                     | benior Clerk   | CT |
|  | 25 years      |     | recognized board      |                | 1  |
| in .                                   | not more than |     | qualification from    |                |    |
|  | 18 years and  |     | equivalent            |                | •  |
| n By Initial Recruitment               | Not less than | P   | Matriculation or      | Junior Auditor | 14 |
|  |               |     | typing                |                |    |
|  |               |     | words per minute in   |                |    |
|  | -             |     | English and 35        |                |    |
| prescribed for initial                 |               |     | shorthand in          |                |    |
| have the minimum                       |               |     | minutes in            |                |    |
| least three years service such. Who    |               |     | b) Speed 60 words per |                |    |
| Junior Clerk in the                    |               |     | and                   |                |    |
| merit from amongst holders             | 25 years      |     | recognized board      |                | -  |
| an ii) Not more than 50%               | not more than |     | qualification from    |                | ·  |
| d recruitment and                      | 18 years and  |     |                       |                |    |
| an i) Not less than                    | Not less than |     | a) Matriculation or   | Steno Typist   | 13 |
|  |               |     | typing                |                |    |
|  |               | (// | words per minute in   |                |    |
|  | _             | 5)  |                       |                |    |
|  |               |     |                       |                |    |



### GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

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



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 SECRETAIRES</u> and 89 posts of Supervisor in Local Government Department in the following manner:-

| Total Sanctioned Strength of Village / Neibourhood Council Secretaries (BPS-07) | Council Secretaries upgraded from<br>BPS-07 to BPS-09 having less than |                                      | BPS-11 and re-designated on Sonio            |  |  |
|---|--|--------------------------------------|--|--|--|
| 3501  | 26   | 51                                   | 850  |  |  |
| Total Sanctioned Strength of Sup  | pervisor (BPS-09)  | Number of pos<br>nomenclature of the | sts upgraded to BPS-14 with same<br>ne 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.

The state of the s

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

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

SECTION OFFICER (FR)