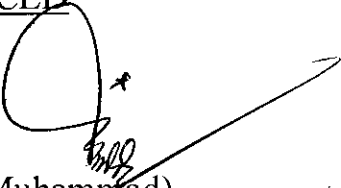



ORDER
10.01.2023

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

The appeal in hand was called on for hearing after various
intervals, however none appeared on behalf of the appellant till the
closing time, therefore, the appeal in hand stands dismissed in default.
Parties are left to bear their own costs. File be consigned to the record
room.

ANNOUNCED
10.01.2023


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

SCANNED
KFST
PESHAWAR

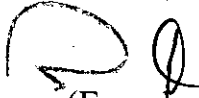
16.11.2022


Counsel for the appellant present.

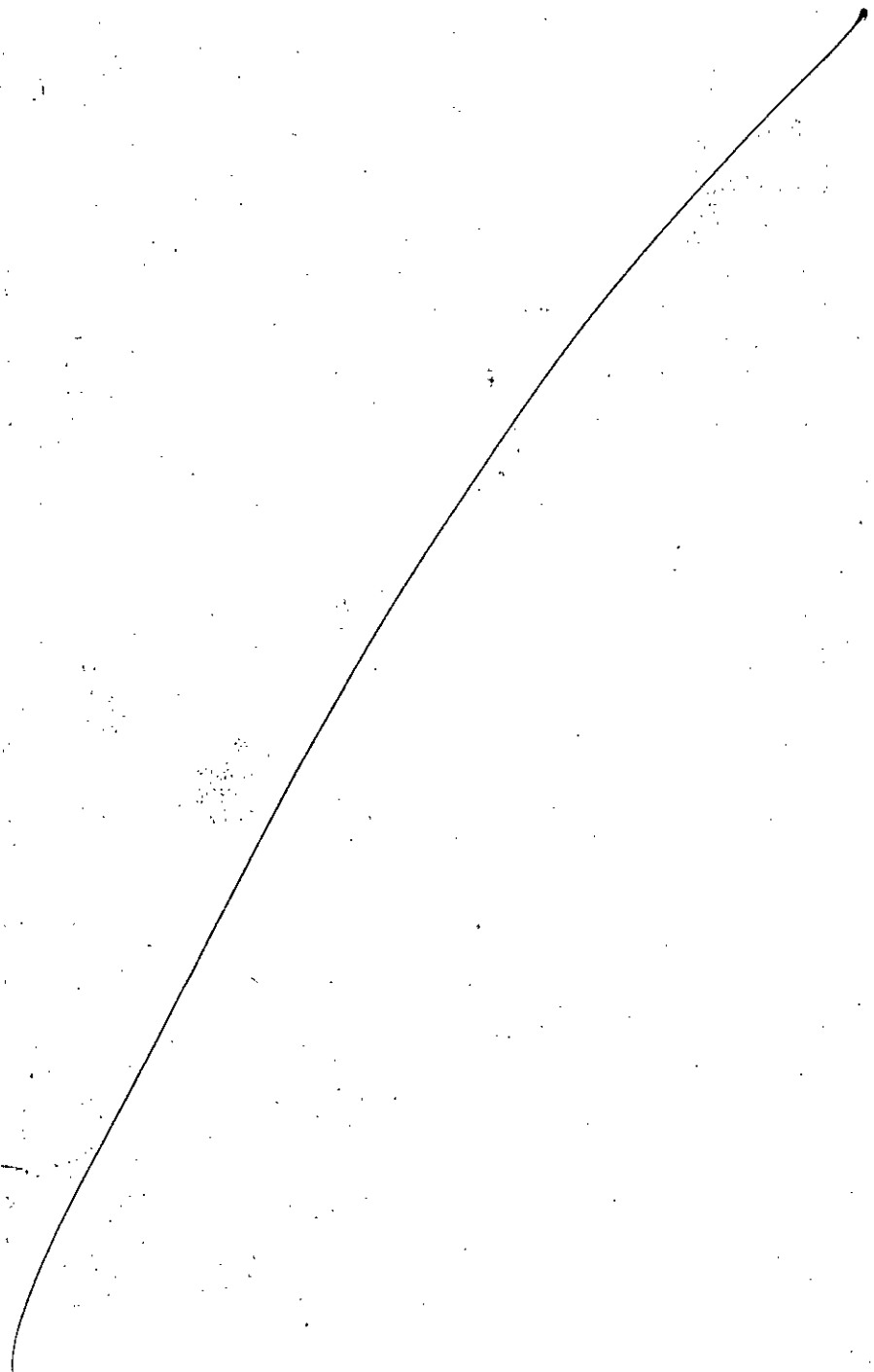
Muhammad Jan learned District Attorney for respondents present.

Former requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 10.01.2023 before D.B.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)



06.04.2022

Appellant in person present. Mr. Kabirullah Khattak
Adl. AG present for respondents present.

Counsel are at strike. Therefore the case is
adjourned to 13.06.2022 before D.B.



Chairman

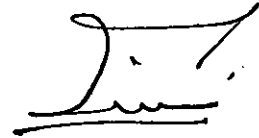
13.06.2022

Clerk of counsel for the appellant present. Mr. Asif Masood Ali
Shah, Deputy District Attorney for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for
the appellant is unable to attend the Tribunal today due to strike of
Lawyers. Adjourned. To come up for remaining arguments before the
D.B on 07.09.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

07.09.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak,
Additional Advocate General for respondents present.

Learned counsel for the appellant seeks some time to file
some documents. He may do it within a week. Failing which the
case will be decided on the available record. To come up for
arguments on 16.11.2022 before D.B.



(Fareeha Paul)
Member (F)



(Kalim Arshad Khan)
Chairman

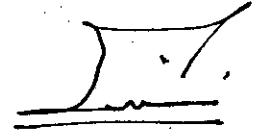
28.06.2021

Appellant alongwith his counsel present. Mr. Naeem Gul, Assistant Director (Litigation) alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought adjournment for submission of rejoinder. Adjourned. To come up for submission of rejoinder as well as arguments before the D.B on 04.10.2021.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

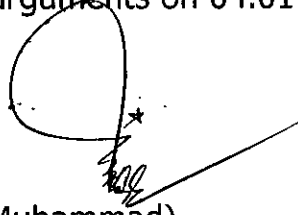


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

04.10.2021

Learned counsel for the appellant present. Mr. Javedullah, Assistant Advocate General for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Granted. To come up for arguments on 04.01.2022 before the D.B.



(Mian Muhammad)
Member(E)



Chairman

04.01.2022

Counsel for the appellant and Mr. Javidullah, Asstt. AG alongwith Naeem Gul, A.D for the respondents present.

Former seeks adjournment in order to further prepare the brief. Request accorded. To come up for arguments on 06.04.2022 before the D.B.



(Atiq-ur-Rehman Wazir)
Member(E)



Chairman

29.12.2020

Junior to counsel for the appellant and Muhammad Rasheed DDA
alongwith Naeem Gul AD for respondents present.

Representative of respondents seeks time to submit
reply/comments. Granted. To come up for reply/comments on
15.02.2021 before S.B.

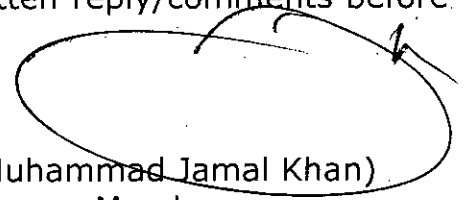


(Atiq-Ur-Rehman Wazir)
Member (E)

15.02.2021

Counsel for appellant is present. Mr. Kabirullah Khattak,
Additional Advocate General and Mr. Naeem Gul, Assistant
Director, for the respondents are also present.

Written reply on behalf of respondents not submitted.
Representative of the department is seeking further time for
submission of written reply/comments. Adjourned to 12.03.2021
on which date file to come up for written reply/comments before
S.B.



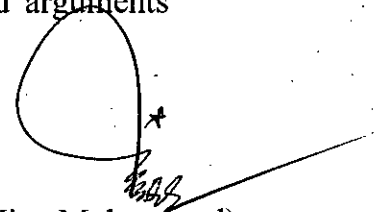
(Muhammad Jamal Khan)
Member

12.03.2021

Appellant in person present. Addl: AG alongwith Mr.
Naeem Gul, AD for respondents present.

Representative of the respondents has submitted written
reply/comments which is placed on file. A copy of the same is
also handed over to the appellant.

Adjourned to 28.06.2021 for rejoinder and arguments
before D.B.



(Mian Muhammad)
Member (E)

20.11.2020

Counsel for the appellant present.

SCANNED
KPST
Peshawar

Presenting the case of appellant, learned counsel contended that the appellant was appointed as Naib Qasid on 17.12.2012 under the rules provided in notification dated 06.12.2012. The rules were amended through notification dated 18.07.2019, whereby, the qualification for Junior Clerk was enhanced from Matric to F.A/F.Sc. second division or equivalent. It was clearly provided in the subsequent notification that the requirement of enhanced qualification was to be done away with for four years from the date of commencement of the notification in favour of existing matriculate incumbents of the posts of Daftaris, Gestetner Operators, Qasids and Naib Qasids. This exemption clearly included the case of appellant who is matriculate and working as Naib Qasid. His name was, however, not included in the final seniority list of Class-IV employees, as stood on 31.08.2020. Due to unjustified omission by the respondents in respect of seniority list, the appellant is deprived of valuable service rights including that of promotion, it was added.

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing but subject to all exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 29.12.2020 before S.B.

Appellant Deposited
Security Process Fee

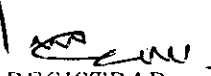

Alongwith the appeal, there is an application for grant of interim relief in favour of appellant. Notice of the application be also given to the respondents for the date fixed.


Chairman

FORM OF ORDER SHEET

Court of _____

Case No. - 13295 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/11/2020	<p>The appeal of Mr. Jehanzeb presented today by Mr. Samiullah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>20/11/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

SCANNED
KPST
Peshawar

Service Appeal No _____/2020.

Jehanzeb Khan

VERSUS

Secretary Tourism, Sports and others

INDEX

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1.	Grounds of Appeal alongwith affidavit	-	1-7
2.	Application for temporary injunction with Affidavit	-	8-10
3.	Addresses of the parties	-	11
4.	Copy of appointment letter	'A'	12
5.	Copy of the appointment letter	'B'	13-14
6.	Copy of the notification	'B/1'	15-18
7.	Copy of notification o. SOE.IV(E&AD)/135/ 2014 dated 18-06-2019	'C'	19-21
8.	Copy of working paper seniority cum post vacancy and post as per quota	'D'	22
9.	Copy of representation dated 01-03-2020	'E'	23
10.	Copy of final seniority	'F'	24-26
11.	Copies of letters	'G'	27-28
12.	Wakalat Nama (in original)	-	29

Appellant
(Jehanzeb Khan)

Through:

(SAMI ULLAH JAN)
&

(MUFARIQ SHAH)
Advocates

High Court, Peshawar
Office# 15, Hazrat Shah Plaza,
Shoba Bazar, Peshawar
Cell # 0314-9175656

Dated:-09-11-2020

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No 13295 /2020

Diary No. 14289

Dated 09/11/2020

Jehanzeb Khan S/O Saif ud Din R/O Mohallah Terai Payan,
District Peshawar.....(Appellant)

VERSUS

1. Secretary Tourism, Sports, Archaeology, Museums, Culture
Youth Affairs Department, Khyber Pukhtunkhwa, Peshawar
2. Director Youth Affairs, Khyber Pukhtunkhwa, Peshawar
3. Chief Secretary Khyber Pukhtunkhwa.....(Respondents)

Appeal U/S 4 of the Khyber Pakhtunkhwa Services
Tribunal Act 1974 for considering the Appellant for
promotion against the available vacant posts Junior
Clerk (BPS-11) as per rules, the Appellant being senior
most on the seniority list is entitled to be promoted

Filed to-day

Registrar

09/11/2020
PRAYER:

On acceptance of the instant Service Appeal in hand, the
Respondents be directed to consider the Appellant for
promotion to the post of Junior Clerk (BPS-11) under the
rules.

Respectfully Sheweth:-

The facts giving rise to the instant appeal:

ON FACTS:

1. That the Appellant was appointed as Chowkidar in BPS-1 on dated 01-03-2008 in the Respondents' department. (Copy of appointment letter is attached as Annex 'A').
2. That on dated: 17-12-2012, the Appellant was appointed on the newly created posts of Naib Qasid by the Departmental Selection Committee Sports and Youth Affairs KPK. (Copy of appointment letter is as Annex 'B').
3. That as per the old recruitment criteria for the promotion of Junior Clerk is matric, as mentioned in the Government Khyber Pakhtunkhwa Establishment and Administration Department (Establishment Wing) vide notification dated 06-12-2012. (Copy of the notification is attached as Annex 'B/1').
4. That as per the recruitment criteria for the appointment of Naib Qasid, the qualification was matric but after the amendments 2019 in the Civil Servants (Appointment, Promotion and Transfer) Rules 1989, the qualification for such post is F.A/FSc, but in the notification through which the said amendments was brought in to the said rules, it is also mentioned that "Provided further that the condition of FA/FSc or its equivalent qualification from recognized board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of

the post of Daftaris, Gestetner Operators, Qasids, and Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11). (Copy of notification o. SOE.IV(E&AD)/135/2014 dated 18-06-2019 is attached as Annex 'C').

5. That as per the working paper for promotion to the posts of Class-IV (BPS-3), the Appellant is the senior most and is on serial no. 1 and there is vacancy in the department against which the quota for promotion is specified therein and being the senior most on the list, the Appellant shall be promoted. (Copy of working paper seniority cum post vacancy and post as per quota is attached as Annex 'D')
6. That the Appellant filed a representation before the Respondents that he shall be so considered for promotion but the same has not been answered. (Copy of representation dated 01-03-2020 is attached as Annex 'E').
7. That a final seniority list for the promotion of Naib Qasid to Junior Clerk is prepared by the Respondents on dated 06-11-2020 whereby only those who have acquired the F.A, F.Sc qualification have been shown in the impugned list hence violating the fundamental civil right of the Appellant and also the amendments 2019 made therein in the Civil Servants (Appointment, Promotion and Transfer) rules 1989 that promotion criteria would not be apply to those for a period of four years who had already appointed as Naib

(4)

Qasid on the basis of Matric Qualification, hence impugning the newly prepared final seniority list, hence this appeal. (Copy of final seniority list is as Annex 'F').

8. That feeling aggrieved by the nonprofessional behavior of the Respondents towards the Appellant and being silent on the promotion of the Appellant and having the apprehension that the amendments in the above-mentioned rules will come an obstruction in the Appellant's way, furthermore, no order or plausible explanation has been made on the departmental appeal filed by the Appellant, hence the instant appeal on the following grounds amongst others:-

GROUND:

- A. That a Request for the revision of service rules for promotion of Naib Qasid to the Post of Junior Clerk had already been made by the Deputy Director and consequently by the Assistant Director (admin) Youth Affairs KPK to the secretary sports Tourism and Youth Affairs KPK to consider the old qualification of Matriculate for the promotion of Naib Qasid to Junior clerk. (Copies of letters is attached as Annex 'G').
- B. That as per the recruitment criteria for the appointment of Naib Qasid, the qualification was matric but after the amendments in the Civil Servants (Appointment, Promotion and Transfer) Rules 1989, the qualification for such post is

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F.A/FSc, but in the notification through which the said amendments was brought in to the said rules, it is also mentioned that "Provided further that the condition of FA/FSc or its equivalent qualification from recognized board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Daftaris, Gestetner Operators, Qasids, and Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11).

- C. The illegal and mala-fide act of the respondent no. 2, loudly speaks that he treats the Appellant as according to his ill will, in a very discriminating manner, which is not warranted in the eyes of law, also the constitution doesn't permit such discrimination.
- D. That the Appellant has not been treated at par with the rest of the candidates as envisaged in article 4 of the constitution, hence the respondent no. 2 knowingly and willfully abrogated the constitution.
- E. That as per Article 25 of the constitution of 1973 of Islamic republic of Pakistan, there shall not be any discrimination in between the citizen of Pakistan but in here the whole process was done partially and according to the will of the Respondents.

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- F. That the Respondents have not treated the Appellant in accordance with Law, rules, and policy on subject and acted in violation of the article 4 of the constitution of 1973 of the Islamic republic of Pakistan.
- G. That the Appellant would like to seek the permission of the honorable Tribunal to add more grounds at the time of arguments, while considering the above submission the appeal in hand may please be accepted/allowed and the deducted salary of the Appellants may kindly be reimbursed.

PRAYER:-

It is, therefore, humbly prayed that on acceptance of this Appeal, the Respondents be directed to consider the Appellant for promotion and if he is so entitled, he shall be promoted accordingly as per rules

Appellant
(Jehanzeb Khan)

Through:

(SAMI ULLAH JAN)

&

(MUFARIQ SHAH)

Advocates

High Court, Peshawar

Office# 15, Hazrat Shah Plaza,

Shoba Bazar, Peshawar

Cell # 0314-9175656

Dated:-09-11-2020

Note:-

No such appeal has earlier been filed by the Appellant before this Honourable Tribunal on the subject matter.

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Jehanzeb Khan.....(Appellant)

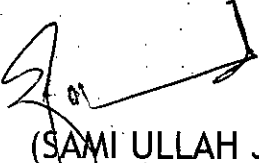
VERSUS

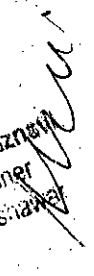
Secretary Tourism and others.....(Respondents)

AFFIDAVIT

I, Jehanzeb Khan S/O Saif ud Din R/O Mohallah Terai Payan, District Peshawar, do hereby solemnly affirm and declare on oath that all the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.

DEPONENT Jehanzeb
CNIC # _____
Cell # 0346-9069456

Identified by:-

(SAMI ULLAH JAN)
Advocate
High Court, Peshawar

ATTESTED
Mukhtar Ahmed Ghaznavi
Deputy Commissioner
District Peshawar

20-11-20

8

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Misc Application No _____/2020

Jehanzeb Khan.....(Applicant)

V E R S U S

Secretary Tourism and others.....(Respondents)

Application for granting of the interim order
for staying of the impugned final seniority list
for the promotion from the Naib Qasid to
Junior Clerk till the decision of the main appeal

Respectfully Sheweth:-

1. That the Applicant/Appellant has filed an appeal in which no date is yet fixed.
2. That the Applicant/Appellant requests for the staying of the impugned final seniority list on the following grounds:

GROUND:-

- A. That the Applicant/Appellant is eligible being the senior and fit person for the promotion to the post of junior clerk; thus is having a prima facie case.
- B. That as per the amendments 2019 in the Civil Servants (Appointment, Promotion and Transfer) rules 1989, the civil servants appointed on the basis of matriculation shall be consider for promotion for a period of 4 years and the as per the new amendments of such posts, the qualification is

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FA, FSc; hence the balance of convenience also leans in favor of the Applicant/Appellant.

C. That the Applicant/Appellant would suffer irreparable loss if the impugn final seniority list is not stayed.

PRAYER:-

It is, therefore, humbly prayed that on acceptance of this, the prayer mentioned in the heading of application may kindly be granted in favour Applicant/Appellant till the final disposal of the instant appeal.

Through:

Applicant/Appellant ✓ *Jehanzeb*
(Jehanzeb Khan)

Sami Ullah Jan
(SAMI ULLAH JAN)

&

Mufariq Shah
(MUFARIQ SHAH)
Advocates

High Court, Peshawar
Office# 15, Hazrat Shah Plaza,
Shoba Bazar, Peshawar
Cell # 0314-9175656

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Jehanzeb Khan.....(Appellant)

VERSUS

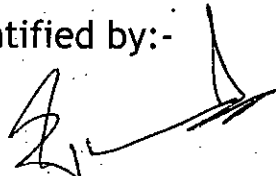
Secretary Tourism and others.....(Respondents)

AFFIDAVIT

I, Jehanzeb Khan S/O Saif ud Din R/O Mohallah Terai Payan, District Peshawar, do hereby solemnly affirm and declare on oath that all the contents of accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.

DEPONENT Jehanzeb
CNIC # _____
Cell # 0346-9069456

Identified by:-



(SAMI ULLAH JAN)
Advocate
High Court, Peshawar

Muhtar Ahmad
Distt. Commissioner
Peshawar
10/10/20

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Jehanzeb Khan.....(Appellant)

VERSUS

Secretary Tourism and others.....(Respondents)

MEMO OF ADDRESSES

APPELLANT

Jehanzeb Khan S/O Saif ud Din R/O Mohallah Terai Payan,
District Peshawar

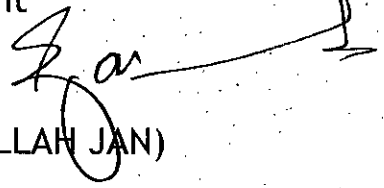
RESPONDENTS

1. Secretary Tourism, Sports, Archaeology, Museums, Culture
Youth Affairs Department, Khyber Pukhtunkhwa, Peshawar
2. Director Youth Affairs, Khyber Pukhtunkhwa, Peshawar
3. Chief Secretary Khyber Pukhtunkhwa

Through:

Appellant

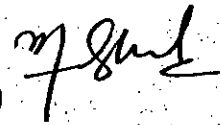
Jehanzeb



(SAMI ULLAH JAN)

&

(MUFRIQ SHAH)



Advocates,

High Court, Peshawar

Dated: -09-11-2020

(12)

DIRECTORATE OF SPORTS NWFP
PESHAWAR SPORTS COMPLEX, PESHAWAR CANTT.
Ph. # 9212767, Fax # 9212766

OFFICE ORDER

No. 17/QSC/07 On the recommendation of Departmental Selection Committee Mr. Jehanzeb Khan S/O Saif Uddin, Moh: Terai Payan, District Peshawar is hereby appointed as Chowkidar in BPS-1 (2475-75-4725) in the Directorate of Sports NWFP Peshawar with immediate effect on the terms and conditions mentioned below: -

- (1) His service is liable to be terminated without assigning any reason. In case, he wishes to resign from service, 15-days advance notice will be necessary or in lieu thereof, 15-days pay shall be forfeited.
- (2) He will be governed by such rules and orders relating to pay, allowances, leave, T.A., Medical attendance, etc as applicable to government servants of the same category as may be issued by the government from time to time.
- (3) He will not be entitled for pension or gratuity. However, in lieu of pension or gratuity, he shall be entitled to receive Contributory Provident fund in terms of NWFP Civil Servants Amendment Act 2005 (NWFP Act No. IX of 2005)
- (4) The selectee should join his post within 30 (thirty) days of the issuance of this Order.

If the above offer of appointment is acceptable to him on the above terms and conditions, he is advised to report to the undersigned for duty after Medical examination from the Medical Superintendent / Civil Surgeon Peshawar.

(MAZULLAH KHAN)
DIRECTOR GENERAL

Endst: No. 17QSC/07

Dated Peshawar the, 1st March 2008

Copy forwarded to: -

- i) Secretary to Govt of NWFP, Sports Department.
- ii) Accountant General, NWFP, Peshawar.
- iii) Manager, Employment Exchange, Peshawar w/r to his letter No. EEP/ Vac:/1-8/A/49, dated 22-02-2008.
- iv) Accounts Section of the Directorate of Sports NWFP.
- v) Establishment Section of the Directorate of Sports NWFP.
- ✓ vi) Mr. Jehanzeb Khan S/O Saif Uddin, Moh: Terai Payan, District Peshawar.

(MAZULLAH KHAN)
DIRECTOR GENERAL

Attested
[Signature]

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TERMS AND CONDITIONS.

- i- Their services are liable to be terminated without assigning any reason. In case, they wish to resign from service, 30-days advance notice will be necessary or in lieu thereof, 30-days pay shall be forfeited.
- ii- Their services will be on one year probation period as provided under Rule-6 (2) of Civil servant Act, 1973.
- iii- They will be governed by such rules and orders relating to pay, allowances, leave, T.A., Medical attendance, etc as applicable to government servants of the same category as may be issued by the government from time to time.
- iv- They will not be entitled for pension or gratuity. However, in lieu of pension or gratuity, they shall be entitled to receive Contributory Provident Fund in terms of Khyber Pakhtunkhwa Civil Servants Amendment Act 2005 (Khyber Pakhtunkhwa Act No. IX of 2005).
- v- The selectee should join their duties within 15 (fifteen) days of the issuance of this order.
- vi- They will produce fitness certificate from the Medical Superintendent / Civil Surgeon.
- vii- Their age should not exceed 45 years or below 18 years.

(Signature)
 (ALTAF UMERZAI)
 DIRECTOR GENERAL

Endst: No. 17OSC/07

Date: 17-12-2012

Copy forwarded to: -

- i- Secretary, Sports and Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar.
- ii- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- iii- Private Secretary to Minister for Sports and Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar for the perusal of Minister Sports.
- iv- Budget and Accounts Officer, o/o D.G Sports & Youth Affairs Department, Khyber Pakhtunkhwa, Peshawar.
- v- All Officials.

(Signature)
 DIRECTOR GENERAL

Attested by



GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ESTABLISHMENT AND ADMINISTRATION DEPARTMENT
(ESTABLISHMENT WING)

15

NOTIFICATION

Peshawar, dated the 6th December 2012.

No SOE.IV(E&AD)/1-35/2012:- In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all previous rules, issued in this behalf, the Establishment and Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the Khyber Pakhtunkhwa Civil Secretariat, specified in column 2 of the said Appendix.

APPENDIX

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
1.	Superintendent.		-	By promotion, on the basis of seniority-cum-fitness, from amongst the holders of the post of Assistant with atleast five years service as such.

Attested
[Signature]

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
2.	Assistant.	Second Class Bachelor's Degree from a recognized University.	20 to 32 years.	(a) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks with atleast five years service as Junior and Senior Clerk. (b) twenty-five per cent by initial recruitment.
3.	Senior Clerk.			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerk with atleast two years service as such.
4.	Junior Clerk.	(i) Matriculation with second division or equivalent qualification from a recognized Board; and (ii) a speed of 30 words per minute in typing.	18 to 30 years	(a) Thirty-three per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C Examination; and (b) sixty-seven per cent by initial recruitment. Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc., with reference to the dates of their acquiring the Secondary School Certificate:

Attested
[Signature]

S.No.	Nomenclature of posts.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment. (17)
1.	2.	3.	4.	5.
				<p>Provided that-</p> <p>(a) if two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;</p> <p>(b) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.</p>

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA.

Attest
[Signature]

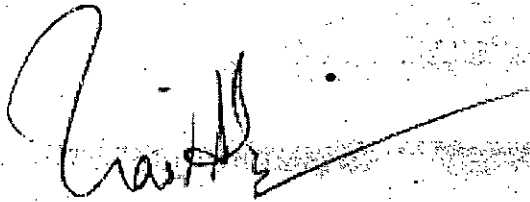
Endst: No. SOE-IV(E&AD)/1-35/2012, dated 6th December, 2012

18

Copy forwarded for information and necessary action to :-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Addl: Chief Secretary (FATA), Khyber Pakhtunkhwa.
3. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
4. The Senior Member of Board of Revenue.
5. Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
8. The Chairman to Khyber Pakhtunkhwa Service Tribunal Peshawar.
9. The Private Secretary to Chief Secretary Khyber Pakhtunkhwa.
10. The Private Secretary to Secretary Establishment Department,
11. The P.A to Special Secretary (Estt), Establishment Department.
12. The P.A to Addl: Secretary (Estt/ Reg), Establishment Department.
13. The PA to Addl: Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette.

Amir
3


(NASIR AMAN)
SECTION OFFICER (E.IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

19

Dated Peshawar, the 18th July, 2019

NOTIFICATION

No.SOE.IV(E&AD)/1-35/2014:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Establishment and Administration Department, in consultation with the Finance Department, is hereby directs that in this Department's Notification No.SOE.IV (E&AD)/1-35/2012 dated 6th December, 2012, the following amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, for Serial No.4, the following shall be substituted, namely:

1.	2.	3.	4.	5.
4.	Junior Clerk.	(i) FA/ F.Sc with second division or equivalent qualification from a recognized Board; and (ii) a speed of thirty (30) words per minute in typing. <u>A-3</u>	18 to 30 years.	(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed FA/F.Sc Examination or its equivalent qualification from a recognized Board; and (b) sixty per cent by initial recruitment <u>Note:</u> For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc with reference to the dates of their acquiring the FA/ F.Sc qualification:

Q

22/7/19

Attested

1.	2.	3.	4.	5.
				<p>Provided that-</p> <ul style="list-style-type: none"> (i) if two or more officials have acquired the FA/F.Sc qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post; (ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials: <p>Provided further that The condition of FA/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11)."</p>

02/

Attested
[Signature]

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

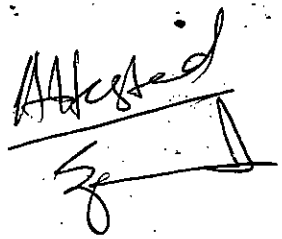
21

Order No. SOE-IV(E&AD)/1-35/2018, dated 18th July, 2019

Copy forwarded for information and necessary action to:-

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Senior Member of Board of Revenue.
3. The Principal Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
7. Deputy Director (IT), Establishment & Administration Department with the request to upload on the official website.
8. PS to Chief Secretary Khyber Pakhtunkhwa.
9. PS to to Secretary Establishment Department,
10. PS to Special Secretary (Estt), Establishment Department.
11. PS to Special Secretary (Reg), Establishment Department.
12. PA to Addl. Secretary (Est/ Reg), Establishment Department.
13. PA to Addl. Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager, Government Printing Press for publication in the Extra Ordinary Gazette with the request to provide 50 copies of Gazette.


(HAZRAT JAMAL)
SECTION OFFICER (E-IV)





22

DIRECTORATE OF YOUTH AFFAIRS
KHYBER PAKHTUNKHWA
PLOT # 28 SECTOR-8 PHASE-7 HAYATABAD PESHAWAR
PH# 9219072

Subject: - WORKING PAPER FOR PROMOTION TO THE POSTS OF CLASS-IV (BPS-03)

1. Consequent upon promotion of Seven (7) Class-IV (BPS-03) to the posts of Junior Clerks (BPS-11) Seven (7) posts of C have become vacant in this Directorate. There are total 29 posts of Junior Clerks out of which eight (7) posts fall to the share of promotion quota and twenty-two (22) posts fall to the share of initial quota. At present, out of 7 posts meant for promotion quota.
2. According to Clause-7 of the Departmental Service Rules, 2017 (**Annex-I**) the following method of recruitment has been prescribed for appointment/promotion to the post of Class-IV (BPS-03).
 - i. 25% by Promotion, on the basis of Seniority-cum-fitness from amongst Mali, Naib Qasid, Chowkidars and other equivalent posts who have passed S.S.C. Examination with two years' Service as such; and
 - ii. 75% by initial recruitment.
3. The present position of the all Class-IV seniority Directorate of Youth Affairs list attached :
4. As mentioned above there are 6 posts of Class-IV falling to the share of promotion quota which are need to be filled by promotion from amongst Mali, Naib Qasid, Chowkidars
5. According to the seniority list (**Annex-II**), the following are the Senior most Mali, Naib Qasid, Chowkidars (BPS-03) who are due for promotion to the posts of Junior Clerk (BPS-11) as mentioned in the panel below:-

S. NO.	NAME	DESIGNATION	DATE OF REGULAR APPOINTMENT TO THE PRESENT POST	WHETHER ELIGIBLE FOR PROMOTION
1	JEHANZEB KHAN S/O SAIF U DEEN	NAIB QASID	03/03/2008 ✓	YES ✓
2	MR. LIAQAT ALI S/O UMER NIAZ KHAN	CHOWKIDAR	18/08/2015	YES
3	MR. ZAHID UL HAQ S/O SHAMS UL ABDEN	MALI	18/08/2015	YES
4	MR. Asif ULLAH KHAN S/O NASIR ULLAH	MALI	10/08/2017	YES
5	ISLAM ZADA S/O SAHIB ZADA	CHOWKIDAR	17/08/2017	YES
6	FAIZ ULLAH S/O HAQ DALI KHAN	MALI	21/08/2017	YES
7	Hidayat Ullah S/O Muhammad Bashir	CHOWKIDAR	28/08/2017	YES

6. All documents are attached (**Annex-IV**).

It is certified that:-

- i. All the officials included in the panel are regular members of the service/cadre and are neither on Ex-Pakistan leave nor on deputation and actually serving in their respective service/cadre.
 - ii. They have completed the prescribed length of service for promotion.
 - iii. No Disciplinary action/Department Proceeding/Anti-corruption cases/Judicial inquiries are pending against any one of the officials included in the panel and no penalty has been imposed on any one of them during last five years.
7. The Departmental Promotion Committee is requested to determine the suitability of six (07) Class-IV (BPS-03) included in the panel for promotion to the posts of Junior Clerk (BPS-11) on regular basis.

Attested

Director
Youth Affairs

بخدمت جناب سیکرٹری سپورٹس آف یوتھ انفیر زخمیر پختونخواہ

عنوان: درخواست برائے نظر ثانی (سروس رولز نائب قاصد)

تاریخ: 2/3/2020

جناب عالی!

مودبانہ گزارش ہے کہ میں نائب قاصد آپ صاحبان سے عرض گزار ہیں کہ میں عرصہ دراز سے آپ صاحبان کے زیر سایہ نائب قاصد کی ڈیوٹی سرانجام دے رہے ہیں میرا تعلیمی قابلیت میٹرک ہے جبکہ پرانے سروس رولز میں بھی نئی بھرتی اور پروموشن کیلئے تعلیمی قابلیت میٹرک رکھی گئی تھی۔ اب جبکہ نئے سروس رولز میں نئے بھرتی اور پروموشن کیلئے FA تعلیم رکھی گئی ہے۔ جو کہ میرے ساتھ زیادتی ہے اس سے میری سینارٹی متاثر ہو رہی ہے اور میں نائب قاصد پروموشن کوٹہ سے باہر ہو رہا ہوں میری آپ سے التجا ہے کہ نئے سروس رولز پہ نظر ثانی کرتے ہوئے میری پروموشن میں اہم کردار ادا کریں تاکہ میری سینارٹی متاثر نہ ہو اور میری پروموشن کیلئے پرانے سروس رولز کو زیر غور لیا جائے اور میٹرک ہی تعلیمی قابلیت مقرر کی جائے۔ اُمید ہے آپ صاحبان اس التجا پر ضرور غور فرمائیں گے۔ اور ہمارے مستقبل کو تار یک ہونے سے بچائیں گے۔ آپ کی عین نوازش ہوگی۔

العارض

آپ کے لئے دعا گو

جہانزیب خان (نائب قاصد)

ڈائریکٹوریٹ یوتھ انفیر ز

صدمہ 3-2020-1

نوٹ: جس کے باوجود چیف سیکرٹری اسٹیبلشمنٹ ڈیپارٹمنٹ نے میٹرک والوں کے لئے نوٹیفیکیشن جاری کئے ہیں جو درخواست کے ساتھ منسلک ہے۔

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DIRECTORATE OF YOUTH AFFAIRS,
KHYBER PAKHTUNKHWA
PLOT # 28 SECTOR E-8 PHASE -7 HAYATABAD PESHAWAR
PH# 091-9219071-73

24

No.YA Seniority /ADMN.2020/1605

Dated 06/11/2020

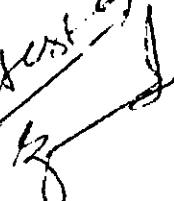
To

The District Youth Officer, Peshawar, Mardan, Nowshera, Charsadda, Kohat, Swat, Abbottabad, Munshehra, Battagram, Lower Dir, Upper Dir, Chitral, Buner, Bannu, Tor Ghar, Haripur, D I Khan, Malakand, Lakki Marwal, Tank, Battagram, Hangu, Swabi, Shangla, Karak.

Subject: **FINAL SENIORITY LIST OF NAIB QASID, MALI, CHOWKIDAR**

I am directed to refer to the subject noted above and to enclose herewith Final Seniority list of Naib Qasid, Mali, Chowkidar BPS-03 (Joined Cadre) in the Directorate of Youth Affairs Khyber Pakhtunkhwa as stood on 31-08-2020 for information and circulation amongst the concerned staff.


Deputy Director
Youth Affairs

Attest of


o/c


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FINA SENIORITY LIST OF CLASS IV EMPLOYEES AS STOOD ON 31-12-2029
 DIRECTORATE OF YOUTH AFFAIRS, KHYBER PAKHTUNKHWA

S.No	Name of Employee	Father Name	Designation	D.O.B	Domicile	Date of Entry into Govt Service	Date of Regular Appointment/Promotion to the Present Post	BPS	Promotion to the Present Date	Method of Appointment	Qualification
1	Aeil Uch Khan	Nasrullah	Msi	1-May-85	Tank	10-Aug-17	10-Aug-17	03	10-Aug-17	do	M.sc
2	Fazl Uch	Haji Dadi Khan	M.S	2-Aug-80	Kerak	21-Aug-17	21-Aug-17	03	21-Aug-17	do	B.A
3	Hidayat Uch	Muhammad Bashir	Chowkidar	10-Jun-90	Lalaki Marwal	28-Aug-17	28-Aug-17	03	28-Aug-17	do	F.A
4	Naveed Alam	Musa Khan	M.S	6-Nov-82	Lalaki Marwal	28-Aug-17	28-Aug-17	03	28-Aug-17	do	M.A
5	Umair Khan	Saleem Khan	M.S	7-Apr-97	Charsadda	7-Sep-17	07-Sep-17	03	07-Sep-17	do	B.A
6	Qadoc Khan	Muhammad Shahr Khan	Nail Dast	21-Apr-87	Nowshera	21-Sep-17	21-Sep-17	03	21-Sep-17	do	F.A
7	Nazil Yousef	Gulim Yousef	Chowkidar	11-Aug-85	Cheral	27-Sep-17	27-Sep-17	03	27-Sep-17	do	F.A
8	Zafar Uch	Abdul Wahab	Chowkidar	10-Jun-77	Swat	5-Oct-17	5-Oct-17	03	5-Oct-17	do	B.A
9	Sayed Saad Ali	Sayed Bano	M.S	25-Feb-99	Swat	5-Oct-17	05-Oct-17	03	05-Oct-17	do	F.Sc
10	Naveed Ahmad	Sayed Uch	Chowkidar	1-Apr-95	Mechak	9-Oct-17	9-Oct-17	03	9-Oct-17	do	F.A
11	Noor Zeb Shah	Nimroz	M.S	2-Mar-90	Buner	10-Oct-17	10-Oct-17	03	10-Oct-17	do	F.A
12	Ibrahim	Fazil Hadd	Chowkidar	1-Aug-92	Buner	10-Oct-17	10-Oct-17	03	10-Oct-17	do	F.A
13	Azgem Khan	Abbar Khan	Chowkidar	25-Mar-86	Nowshera	19-Oct-17	19-Oct-17	03	19-Oct-17	do	F.A
14	Nagesh Karam	Coyam Ud Din	M.S	5-Mar-98	Swat	20-Oct-17	20-Oct-17	03	20-Oct-17	do	F.A
15	Umair Uch	Muhammad Rafiq Uch	Chowkidar	5-Jan-94	Dir Upper	20-Dec-17	20-Dec-17	03	20-Dec-17	do	F.A
16	Baqar Khan	Aamir Ali Khan	M.S	5-Feb-94	Dir Upper	20-Dec-17	20-Dec-17	03	20-Dec-17	do	F.A

14/11/17

[Handwritten Signature]

22

Syed Wazir Shah	1-Jul-94	Chitral	20-Dec-17	03	20-Dec-17	FA
Muhammad Munir	10-Jun-95	Abbottabad	28-Jan-18	03	28-Jan-18	FA
Qasim Zaman	16-Jun-92	Dera Lower	30-Jan-18	03	30-Jan-18	DAE
Taufiq Muhammad	26-Nov-90	Peshawar	31-Jan-18	03	31-Jan-18	FA
Sher Ali	10-Sep-86	D.I Khan	16-Mar-18	03	16-Mar-18	FA
Noor Ullah Khan	1-Jan-92	D.I Khan	20-Feb-19	03	20-Feb-19	BA
Nasrullah	14/12/1988	Kohat	4-Apr-19	03	4-Apr-19	Fsc
Muhammad Gul	18-Mar-99	Nowshera	9-Apr-19	03	9-Apr-19	BA
Muhammad Siraj Khan	3-Feb-87	Mardan	18-Apr-19	03	19-Apr-19	FA
Gullistan Khan	10-Apr-91	Peshawar	15-May-19	03	15-May-19	Misc
Mohammad Riaz		Karakoram	10-Jun-19	03	10-Jun-19	RA

---Certified that the seniority list was dictated to the concerned and final and undisputed---

DEPUTY DIRECTOR
Public Affairs

ok
52

ALL ISSUED



DIRECTORATE OF YOUTH AFFAIRS

KHYBER PAKHTUNKHWA

PANYALA HOUSE, OPPOSITE PESHAWAR PUBLIC SCHOOL & COLLEGE
WARSAK ROAD, PESHAWAR.

No:AD(ADM:)/2020/Farming/Service Rules/

Dated 16th March, 2020 No-1220

27

To

Secretary,
Sports, Tourism, Archaeology, Museums, Culture and Youth Affairs,
Department, Khyber Pakhtunkhwa, Peshawar.

Subject: - REQUEST FOR REVISION OF SERVICE RULES FOR PROMOTION OF NAIB QASID TO THE POST OF JUNIOR CLERK

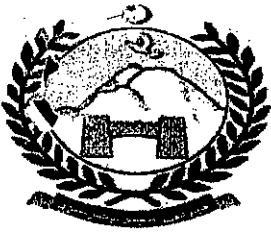
Respected Sir,

I am directed to refer to the Section Officer (Youth Affairs) letter No.SO(YA)/Y-9/2017/Sr/5302-04 dated 10th March, 2020 on the subject noted above and to request that before amendment in the service rules SSC qualification for the purpose of promotion to the post of junior Clerks was existed which were amended by the Provincial Government to FA/FSC due to upgradation of the post of Junior Clerk from BPS-07 to BPS-11 vide :SO E IV (E & AD)/1-35 /2014 dated 18.07.2019 subject to relaxation in the qualification that provided further that the condition of FA/FSC or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four (04) years from the date of commencement of this Notification for existing matriculation incumbents of the post of Daftaries, Gestetner Operator, Qasids & Naib Qasids including holding other equivalent posts for promotion to BPS-11 which were proposed by this Directorate vide letter NO:AD(Admn:)/2020 / Promotion/DYA/ServiceRules1168, dated 25.02.2020 due to the fact that most of the incumbents are experience hands, known job well, trustworthy having knowledge of office business and are most obedient servants but are matriculate.

In order to utilize their service of experience and provide justice to these poor qualified Government servants it is request that the competent authority may please be approached to restore matriculation for a period of four years from the date of commencement of Notification i.e. 18.07.2019 in the interest of public service and in order to proceed further into the matter.

Assessed
[Signature]

[Signature]
Deputy Director



DOYA-186114

FTS

28

**DIRECTORATE OF YOUTH AFFAIRS
KHYBER PAKHTUNKHWA**

Panyala House, Opp. Peshawar Public School & College
Warsak Road, Peshawar

NO.AD(Admn:)/2020 /Promotion/DYA/ServiceRules
Dated Peshawar, the 25th February, 2020 No 116

SECRETARY
Sports, Culture, Tourism Youth Affairs
Archaeology & Museums Department
Khyber Pakhtunkhwa
Dairy No: 9/13
Date: 26-02-20

To

The Secretary, Government of Khyber Pakhtunkhwa,
Tourism, Sports, Archaeology, Museums, Culture & Youth Affairs
Department, Khyber Pakhtunkhwa, Peshawar.

Subject: - **REQUEST FOR REVISION OF SERVICE RULES FOR PROMOTION OF
NAIB QASID TO THE POST OF JUNIOR CLERK.**

I am directed to refer to your letter No. SO(YA)/Y-9/SR/3933-35 dated 19.02.2020 on the subject noted above and to request that after detachment of this office from Directorate General of Sports, Khyber Pakhtunkhwa, Peshawar, it was necessary to frame new/ separate service rules for this newly established Directorate of Youth Affairs, Khyber Pakhtunkhwa, Peshawar. The existing rules have been framed on the basis of instructions contained in sub-rule (2) of Rule (3) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989.

It is pertinent to say here that this Directorate is of the view either to restore the old qualification (Matriculation) for the purpose of promotion to the post of Junior Clerk with fulfilment other terms and conditions or the Naib Qasids/ Class-IV having matric qualification, the conditions of F.A/F.Sc or its equivalent qualification from a recognized board as laid down shall not be applied for a period of 4 years from the date of issue of new notification i.e. 18.07.2019.

AS-11

12

Endst: _____

**ASSISTANT DIRECTOR (ADMN:)
YOUTH AFFAIRS**

Copy of the above is forwarded for information and necessary action to PS to Director Youth Affairs, Khyber Pakhtunkhwa, Peshawar.

26.2.2020

**ASSISTANT DIRECTOR (ADMN:)
YOUTH AFFAIRS**

Handwritten signature and initials.

Dated: 02/07/2020	
C.P.O	
DS-III	
SO(LIT)	
SO (S&YA)	<input checked="" type="checkbox"/>
SO (ARCHY & CUL)	

صداقت

SC
Peshawar

06/06/2020

صبا نزیب ملک بنام
سندری

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام لیسٹور کیلئے
موج الد حال اسد صہرن مسابہ اسد کریس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موضوع کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضعی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Handwritten signature and notes in the bottom left corner.

2020

ماہ نومبر

9

المرقوم

العہد گاہ العہد کے لئے منظور ہے۔
مقام

Handwritten notes in the right margin: صبا نزیب ملک بنام سندری