

30th Jan, 2023

Junior of learned counsel for the appellant present. Mr. Naseer-ud-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

SCANNED
KPST
Peshawar

14.09.2022

Junior to counsel for appellant present.

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

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



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

25.11.2022

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

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



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

28.12.2021

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



READER

25.04.2022

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 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.

[Handwritten signature]
Security & Process Fee

[Handwritten signature]
(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.

[Handwritten signature]
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.



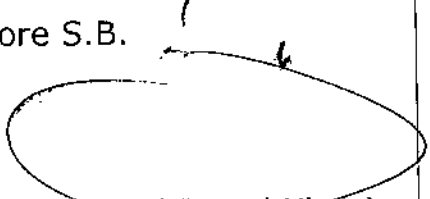
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(MIAN MUHAMMAD)
MEMBER (E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 9199 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/08/2020	<p>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.</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>2.11.2020</u></p> <p style="text-align: right;"> MEMBER(J)</p>
02.11.2020		<p>Nemo for appellant.</p> <p>Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 19.01.2021 on which date to come up for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Muhammad Jamal Khan) Member (Judicial)</p>

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247/2020.

Mr. Zahid Hussain.....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

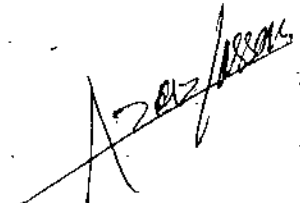
.....Respondents.

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Respondents

Through


Deponent

(2)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247/2020.

Mr. Zahid Hussain **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 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:-

- a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
- b. 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and re-designated as Junior Village Secretary having less than 10 years' service.

In addition to above,

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

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

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

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

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

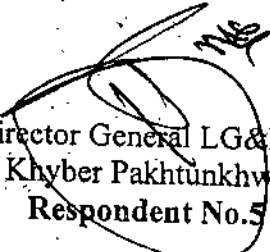
Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.


REPLY TO GROUNDS:


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

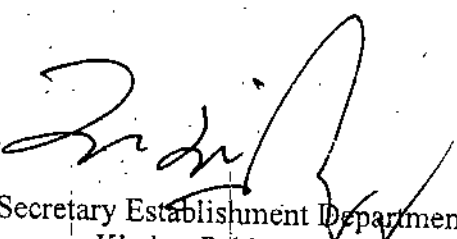
- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.
- C. Incorrect; Already explained above.
- D. Incorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director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

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


 Director General LG&RD,
 Khyber Pakhtunkhwa
 Respondent No.5


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


 Secretary Finance Department,
 Khyber Pakhtunkhwa
 Respondent No.4


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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247 /2020.

Mr. Zahid HussainAppellant

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

AFFIDAVIT

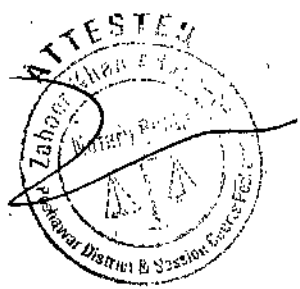
I, **Mr. Azaz-ul-Hassan** office Assistant (Litigation) in Directorate General Local Government & Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 9247 "Zahid Hussain" are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Court.

Azaz-ul-Hassan
Deponent

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

Identified By

Advocate General
Khyber Pakhtunkhwa



**Local Government, Elections & Rural
Development Department**

D. No.
DATED 6/4/18
DG LOCAL GOVERNMENT

NOTIFICATION

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

AMENDMENTS

In the Appendix.-

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

"10.	Supervisor	Atleast Second Class Bachelor's Degree from a recognized University.	21 to 30 years.	i) Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such; and ii) Twenty-five (25) per cent by initial recruitment."
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ADCA
9/4
ADCA
10/4/2018

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

"15A:	Senior Secretary Village / Neighborhood Council.	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such."; and
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P. P. U
10/4

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

"16.	Junior 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 Internet.	18 to 30 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
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7

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list
2

			ii) Eighty (80) per cent by initial recruitment; Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates from adjacent Village / Neighborhood Council: Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.
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SECRETARY TO GOVERNMENT OF KP
 LOCAL GOVT. ELECTIONS & RURAL
 DEVELOPMENT DEPARTMENT

No. SO(LG-D2-188/SSRC/2018-

Dated Peshawar, the 05th April, 2018

Copy forwarded to:-

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


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



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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

No. SOLG-D2-188/SSRC/2018.- In exercise of the power 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 Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

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

1.	2.	3.	4.	5.	6.
"1.	Director 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.
"1A.	Director.	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above. <u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

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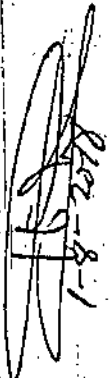
(c) after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

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

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

- (d) against Serial No. 2, in column No. 2, the slash and words “/Planning Officer” shall be deleted.
- (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 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 (ii) fifty (50) per cent by initial recruitment.”.



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

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

- (h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:
“Provided that if no suitable officer is available for promotion then by transfer.”;
- (i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
“9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;	-	18 to 30 years.	By initial recruitment.”;

		(b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and (c) at least two years' experience in relevant field.			
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(j) for Serial No. 11 the following shall be substituted, in the respective columns, namely:

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

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

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

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

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

(14)

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

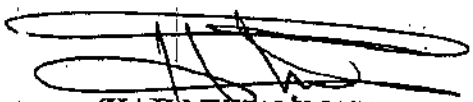
SECRETARY TO GOVERNMENT OF KP
LOCAL GOVT. ELECTIONS & RURAL
DEVELOPMENT DEPARTMENT

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 Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. All District and Session Judges in Khyber Pakhtunkhwa.
12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
14. The PS to Secretary LG,E&RDD Peshawar.
15. The Office Order file.


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



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

NOTIFICATION

Dated Peshawar, the 16th October, 2019

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

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

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

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

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

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

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

AMENDMENTS

In the Appendix:-

a) 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 per cent 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 substituted, namely:

- i) "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
- ii) Ten per cent by promotion, on the basis of seniority-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
- iii) Seventy per cent by initial recruitment.";

Director (H.R./Ad.)
circulate among field officers

18/10

Div/Ad/HK

17/10/2019

*

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

- e) 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
- f) against Serial No. 15, in column No.6 for the existing entry, the following shall be substituted, namely:
- i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
 - ii) Eighty (80) per cent by initial recruitment:

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

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

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

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

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

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


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

(14)

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

Better Copy

NOTIFICATION

Peshawar, dated the 26th January, 1978.

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

--sd-

(Atta Ur Rehman Khan)

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

Local Govt:, Cooperation,
Social Welfare, Tourism and
Rural Development Department

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

Copy of the above forwarded to the:-

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

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

16

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

17

8	Stenographer (Senior Scale)	a) Matriculation or equivalent qualification from recognized board and b) Speed 100 words per minutes in shorthand in English and 40 words per minute in typing.	Not less than 18 years and not more than 25 years	i) 25% by initial recruitment and ii) 75% by selection on merit with due regard to seniority from amongst holders of the post Stenographer (Junior Scale).
9	Overseer	Diploma in Engineering from a recognized institute	Not less than 21 years and not more than 25 years	By Initial Recruitment
10	Supervisor, Rural Dev:	Degree from recognized University	Not less than 21 years and not more than 25 years	i) 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.
11	Senior Auditor	Degree from recognized University Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts	Not less than 18 years and not more than 25 years	i) 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the post Junior Auditor/Snr. Clerks in the Department with a least three years service such.
12	Stenographer (Junior Scale)	a) Matriculation or equivalent qualification from recognized board and b) Speed 80 words per minutes in shorthand in English and 35	Not less than 18 years and not more than 25 years	i) 50% by initial recruitment and ii) 50% by selection on merit with due regard to seniority from amongst holders of the post of Steno-typists in the Deptt.

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



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Annex IV

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

Dated Peshawar, the 01-02-2018

To

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

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

Dear Sir,

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

Total Sanctioned Strength of Village / Neighbourhood Council Secretaries (BPS-07)	Number of Village/Neighbourhood Council Secretaries upgraded from BPS-07 to BPS-09 having less than 10 years of service.	Number of Posts upgraded from BPS-07 to BPS-11 and re-designated as Senior Secretaries Village/Neighbourhood/Council having at least 10 years or more service.
3501	2651	850

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

- The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.
- Audit copy may be prepared and sent to this department for authentication.

*SOE) + SOCP
Fr m
1/2*

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

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

SECTION OFFICER (FR)

VAKALATNAMA

Before the KP Service Tribunal, Peshawar

_____ OF 2020

Zahid Hussain

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt: of KP & Others

(RESPONDENT)
(DEFENDANT)

I/We

Zahid Hussain

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated: _____/_____/2020

Zahid Hussain

CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

&

MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391
Mobile No. **0345-9383141**

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247/2020.

Mr. Zahid Hussain.....Appellant

VERSUS

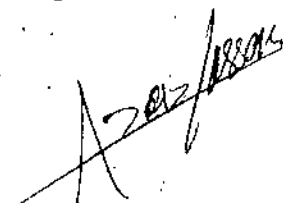
1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar
 4. The Secretary (Finance) Department, Khyber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

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5	Notification No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 alongwith 1978 Service Rules	Annex-III	12-18
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Respondents

Through


Deponent

(2)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247/2020.

Mr. Zahid Hussain.....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 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:-

- a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
- b. 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and re-designated as Junior Village Secretary having less than 10 years' service.

In addition to above,

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

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

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

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

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

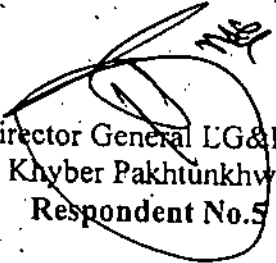
Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.

REPLY TO GROUNDS:


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

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


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



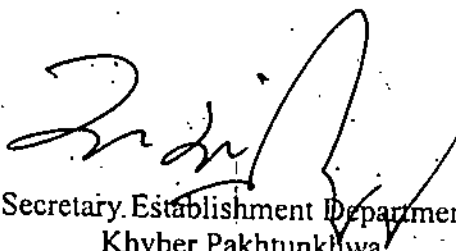
Director General LG&RD,
Khyber Pakhtunkhwa
Respondent No.5



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



Secretary Finance Department,
Khyber Pakhtunkhwa
Respondent No.4



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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9247 /2020.

Mr. Zahid HussainAppellant

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

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. 9247 'Zahid Hussain' are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Court.

Azaz-ul-Hassan

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

Identified By

Advocate General
Khyber Pakhtunkhwa



**Local Government, Elections & Rural
Development Department**

D. No. PTN
DATED 6/4/18
DG LOCAL GOVERNMENT

NOTIFICATION

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

AMENDMENTS

In the Appendix.-

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

*10.	Supervisor	Atleast Second Class Bachelor's Degree from a recognized University.	21 to 30 years.	i) Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such; and ii) Twenty-five (25) per cent by initial recruitment."
------	------------	--	-----------------	---

Handwritten notes:
D/O (A)
9/5
A.D.A.
10/4/2018

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

*15A:	Senior Secretary Village / Neighborhood Council.	-----	-----	By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Secretary Village / Neighborhood Council, with atleast ten (10) year service as such."; and
-------	--	-------	-------	--

Handwritten notes:
P.I. P.U.
10/4

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

*16:	Junior 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 Internet.	18 to 30 years.)) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Nalb 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
------	--	--	-----------------	---

7

2

			<p>ii) Eighty (80) per cent by Initial recruitment;</p> <p>Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates from adjacent Village / Neighborhood Council;</p> <p>Provided further that in case of non-availability of candidate from adjacent Village / Neighborhood Council then from any other Village / Neighborhood Council in that Tehsil Council.</p>
--	--	--	--


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

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

Dated Peshawar, the 05th April, 2018

Copy forwarded to:

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


HAJI MUHAMMAD
SECTION OFFICER (ESTAB)
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 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, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

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

1.	2.	3.	4.	5.	6.
"1.	Director 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.
"1A.	Director.	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above. <u>Note:</u> For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

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

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

[Handwritten signature]

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 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 (ii) fifty (50) per cent by initial recruitment.”.

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

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

- (h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:
“Provided that if no suitable officer is available for promotion then by transfer.”;
- (i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

1.	2.	3.	4.	5.	6.
“9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;	-	18 to 30 years.	By initial recruitment.”;

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		(b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and (c) at least two years' experience in relevant field.			
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(j) for Serial No. 11 the following shall be substituted, in the respective columns, namely:

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

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

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

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 [Handwritten signature/initials]

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

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

4

(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 Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. All District and Session Judges in Khyber Pakhtunkhwa.
12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
14. The PS to Secretary LG,E&RDD Peshawar.
15. The Office Order file.



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



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

NOTIFICATION

Dated Peshawar, the 16th October, 2019

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

AMENDMENTS

In the Appendix:-

a) 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 per cent 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 substituted, namely:

- i) "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
- ii) Ten per cent by promotion, on the basis of seniority-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
- iii) Seventy per cent by initial recruitment.";

Director (H.A./R.D.)
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Div (Adm) / H.A.
17/10/2019

*

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

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

i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
ii) Eighty (80) per cent by initial recruitment;

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

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

SECRETARY TO GOVERNMENT OF KHYBER
PAKHTUNKHWA LG&RD DEPARTMENT

Dated Peshawar, the 16th October, 2019

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

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&RD, Khyber Pakhtunkhwa Peshawar.
7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. All Head of Attached Departments in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. All District and Session Judges in Khyber Pakhtunkhwa.
12. All Assistant Directors, LG&RD in Khyber Pakhtunkhwa.
13. The Manager Government printing press, Peshawar for publication in the next Government Gazette Notification. 100 copies of the Notification may be sent to this Department.
14. The PS to Senior Minister for LG&RD Khyber Pakhtunkhwa.
15. The PS to Secretary LG&RD Peshawar.
16. The Office Order file.

(HAJI MUHAMMAD)
SECTION OFFICER (ESTAB)

Phone # 091-9213224

(14)

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

NOTIFICATION

Peshawar, dated the 26th January, 1978

Better Copy

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

--sd--

(Atta Ur Rehman Khan)

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

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

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

Copy of the above forwarded to the:-

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

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

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

8	Stenographer (Senior Scale)	<p>a) Matriculation or equivalent qualification from recognized board and</p> <p>b) Speed 100 words per minutes in shorthand in English and 40 words per minute in typing.</p>	17	Not less than 18 years and not more than 25 years	<p>i) 25% by initial recruitment and</p> <p>ii) 75% by selection on merit with due regard to seniority from amongst holders of the post Stenographer (Junior Scale).</p>
9	Overseer	Diploma in Engineering from a recognized institute		Not less than 21 years and not more than 25 years	By Initial Recruitment
10	Supervisor, Rural Dev:	Degree from recognized University		Not less than 21 years and not more than 25 years	<p>i) 25% by initial recruitment and</p> <p>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.</p>
11	Senior Auditor	<p>Degree from recognized University</p> <p>Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in Accounts</p>		Not less than 18 years and not more than 25 years	<p>i) 50% by initial recruitment and</p> <p>ii) 50% by selection on merit with due regard to seniority from amongst holders of the post Junior Auditor/Snr.Clerks in the Department with a least three years service such.</p>
12	Stenographer (Junior Scale)	<p>a) Matriculation or equivalent qualification from recognized board and</p> <p>b) Speed 80 words per minutes in shorthand in English and 35</p>		Not less than 18 years and not more than 25 years	<p>i) 50% by initial recruitment and</p> <p>ii) 50% by selection on merit with due regard to seniority from amongst holders of the post of Steno-typists in the Deptt.</p>

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



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Annex IV

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

Dated Peshawar, the 01-02-2018

To

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

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

Dear Sir,

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

Total Sanctioned Strength of Village / Neighbourhood Council Secretaries (BPS-07)	Number of Village/Neighbourhood Council Secretaries upgraded from BPS-07 to BPS-09 having less than 10-years of service.	Number of Posts upgraded from BPS-07 to BPS-11 and re-designated as Senior Secretaries Village/Neighbourhood/Council having at least 10 years or more service.
3501	2651	850

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

- The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.
- Audit copy may be prepared and sent to this department for authentication.

*SO(E)+SO(F)
FR M
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Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

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

SECTION OFFICER (FR)