30th Jan, 2023

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

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Last opportunity is granted to argue the case on the next date failing which the case will be decided on the available record without arguments. Adjourned. To come up for arguments on 28.02.2023.before D.B.

(Muhammad Akbar Khan) Member (E) (Kalim Arshad Khan) Chairman Junior to counsel for appellant present.

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

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

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

25.11.2022

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

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

(Fareena 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-Úd-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.

Appellant Deposited
Security Process Fee

(Røzina Rehman) Member (J)

19.05.2021 Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 01.09.2021 for the same as before.

Reader

O1.09.2021 Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Zain, AD for respondents present.

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

(MIAN MUHAMMAD) MEMBER (E)

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Form- A

FORM OF ORDER SHEET

ase No	9180 12020

Court of___

		Case No	4/80 /2020
	S.No.	Date of order proceedings	Order or other proceedings with signature of judge
	1	2	3
	1-	10/08/2020	The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the
	:		Learned Member for proper order please.
į	2-		REGISTRAM
			This case is entrusted to S. Bench for preliminary hearing to be put
			up there on 2.11. 2.20
	,		MEMBER(J)
02.1	1.2020		Nemo for appellant.
		-	Since the Members of the High Court as well as of the
		Distr	ict Bar Association, Peshawar, are observing strike
	į	toda	, therefore, learned counsel for appellant is not
		avai	able today. Adjourned to 19.01.2021 on which date to
		come	up for preliminary hearing before S.B.
			(Muhammad Jamal Khan) Member (Judicial)
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		-	

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 9259 /2020

WAQAS ILYAS

V/S

GOVT. OF KP & OTHERS

INDEX

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4	Old service rules	В	6- 8.
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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK, ADVOCATE

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

0345-9383141

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

APPEAL NO.

Mr. Wagas Ilyas, Village Secretary, Village Council Palam, U/C Palam, District Upper Dir.

VERSUS

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

..... RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES OF THE RESPONDENT **DEPARTMENT NOTIFIED ON 5.4.2018, 1.8.2018** 16.10.2019 WHEREBY THE PROSPECTS OF PROMOTION OF THE APPELLANT TO THE NEXT HIGHER SCALES HAS BEEN DONE AWAY AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STAUTTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal the impugned rules Notified on 5.04.2018, 1.8.2018 service Miledto-day 16.10.2019 may kindly be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and the respondents be directed to consider the appellant for promotion to the next higher scale/scales under the old rules notified on 26.01.1978. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH: **ON FACTS:**

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

- That according to the service rules Notified on 26.1.1978 the initial scale of the appellant was in BPS-6 which was later on upgraded to BPS-7. That under the said Rules the prospects of promotion was on up to the post of Deputy Director (BPS-18) but later on vide impugned Notifications dated 5.4.2018, 1.8.2018 and 16.10.2019 the channel of promotion has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Civil Servant Act, 1973 & APT Rules, 1989. Copies rules and impugned rules are attached as annexure B, C, D & E.
- That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.
- The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota. Copy of the impugned rules is already attached.
- 6- That appellant feeling aggrieved filed Departmental appeal but no reply has been received so for. Hence the present

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

GROUNDS:

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

THROUGH:

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

Dated: 10.8.2020

WAQAS ILYAS

NOOR MOHAMMAD KHATTAK

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

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

WAQAS ILYAS

13

VS

GOVT: OF KPK & OTHERS

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

R.SHEWETH:

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

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

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE,

High Court Peshawar



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT GOVERNMEN'T OF NORTH WEST FRONTIER PROVINCE

NOTIFICATION

Dated: 26th January, 1978.

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

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	,		b) Five year experience in Agriculture,		
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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 Stepographer (Junior Scale) and b) Speed 80 words per minute in typing per minute in typing	i) Not less than 50% by initial recruitment and	Not less than 18 years		ĺ	Stemo Typist	<u>.</u> .	
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Note: Preference will be given to persons holding Degree with Commerce as one of the subjects or equivalent qualification in		-		ACCOURTS			(
Note: Preference will be given to persons holding Degree with Commerce as one of years years	SCIVIC SUMI, WARE DAYS, IMPRIMINATION SERVICES FOR THE STATE OF THE SUMINATION OF TH			the subjects or equivalent qualification to		<u>.</u>	4
Note: Preference will be given to persons and not more than 25 ii)	considered the post surper Clears in the Experimental Clears in the Experim	years		holding Degree with Commerce as one of	-		7
Degree from recognized University	11) 30% by selection on their with a least three years	and not more than 25		Note: Preference will be given to persons		<u>/</u>	
Not bee than X vegre	_	Not less than 18 years		Degree from recognized University	Senior Auditor	Ξ)

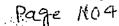
Sd/-xxx

ATTAUR REHMAN KHAN

Secretary to Gövt: of N.W.F.P.

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

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





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

. <u>NOTIFICATION</u>

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018. | 98 | In exercise of the power conferred by sub-rule (2) of the rule 3-of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules. 1989. the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is 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.		Atleast Second Class		Seventy-five (75), per cent-by
		Bachelor's Degree from a 13	ears	promotion, on the hasis of
		recognized University.	ı	seniority-cum-fitness. : from
				amongst the Senior Secretary
		l: · 5)7	/ 1	Village / Neighborhood Council.
				with atleast five (05) year service
<i>'</i>				as such; and
•	!	\ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	(jii)	Twenty-five (25) per cent by
	i ·	M X MA	į	initial recruitment."

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

F-154	A. Senior	:	By promotion on the basis of seniority-
1	Secretary	1	cum-litness, from amongst the Junior
	Village /	 ·	Secretary Village / Neighborhood
1	Neighborhood		Council, with atleast ten (10) year service as such and
	·Council:]	300000

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

٠. •				
16:	Junior	Atleast Second Class		i) Twenty (20) per cent by
	Village Neighborhood	intermediate or equivalent qualification from a recognized Bourd and atleast six (06) months Certificate in		promotion, on the basis of seniority cum fitness. from amongst the Naib Qasids; and Chowkidars in the Village / Neighborhood Council with
4	and an office of	Computer from a recognized Institute with experience in MS-	<u>.</u>	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

ATTESTED

(ii) Eighty (80) per cent by initial le recreament

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

Provided further that in case ! of non-availability of candidate adjacent Village 17 trom Neighborhood Council then from Village other any Neighborhood Council in that Tehsil Council

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

Dated Peshawar, the 05th April, 2018

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

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhrunkhwa
- 2. All Divisional Commissioners in Khyber Pakhtimkhwa
- 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 Pakhinkhwa.
- 10. The Registrar, Peshawar High Court, Peshawar
- 11. All District and Session Judges in Khyber Pakhrunkhwa
- 121All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification, 40 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LG.E&RD Khyber Pakhtunkhwa
- 15. The PS to Secretary LG.E&ROD Pesharola
- 16. The Office Order file.

(HANI MAHI) MAH) SECTION OFFICER (ESTAB) Phone # 091-9213224

ATTESTED

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P.III

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION

Peshawar, dated the 1st August 2018.

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

AMENDMENTS

In the Appendix,-

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

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

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

1		2.	3.	4.	5.	6.
	A	Director.	3.	- 1	5.	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. Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy
) ·					Directors and Assistant Directors (Senior).";

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

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

F = -					
"IB.	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.
IC.	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.
IE.	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.	<u> </u>	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. ATTESTED	(i)	Fifty (50) per cent by promotion, on the basis on the basis of seniority-cumfitness, from 'amongst the Accountants with at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by transfer.; and
ANIESIED	(ii)	fifty (50) per cent by initial recruitment.".

(12)

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

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

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

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

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

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

1.	2.	3.	4.	5.	6.
"9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;		18 to 30 years.	By initial recruitment.";
		(b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and		·	
,		(c) at least two years experience in relevant field.			

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

· 1.	2.	3.	4.	5.	6,
"11.	Accountant.	At least Second Class	-	21 to 30	By initial
- '		Bachelor's Degree in Business Administration		years.	recruitment:
a	TESTED	or its equivalent qualification, from a recognized University.	1		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:

(13)

1428 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE 2019

1.	2.	<u>(WHA GOVT: GAZETTE, EX</u>			th- JUNE, 2019
"14		3,	4.	5	6.
1 1 4		(a) At least Second		21 to 32	By initial
	Operator.	. Class Bachelor's		years.	recruitment.";
		Degree in			
		Computer		,	
		Science (BCS)/			·
· .	·	Information		,	
1		. Technology		'	,
		(BIT) (04-years)			
		or its equivalent		1 .	
		qualification			
		from a			•
		recognized	•		
		University; or			•
	ĺ	omversity, or		ľ	
	1	(b) At least Second			
		Class Bachelor's			
		Degree from	İ		
		_			
- [recognized		-	
.		University with	- 		
		one year			
		Diploma in	-		
		Information			
		Technology from			
		a recognized		-	,
ļ	· [•	Board of			
1		Technical			
	· _	Education.			
}	,				• .

(j) 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

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

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

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

ATTESTED

E - (14)

Page NOS



Government Of Khyber Pakhinnkhwa Lecal Government, Elections & Rurat Development Department



MOTIFICATION

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

AMENDMENTS

In the Appendix,

- Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - (1) "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Orlicers in Provincial Management Service.":
 - iii) Forty per cent by promotion, on the basis of seniority-cum-filmess, from amongst the Progress Officers with at least three years service as such, and
 - iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";
 - Mote: 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:
 - "Fitty (50) per cent by promotion, on the basis of seriority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - Fifty (50) per cent by initial recruitment.";
- against Serial No.5, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
 - ii) Ten per cent by promotion, on the basis of semonty-com-ritness, from amongst, and 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.";

STESTED

- against Serial No. 6, in column No.6, for the words, colon; and slash "Assistants/Accountants/Senior Seale Stenbarapher", the word "Accountants" shall
- against Serial No. 15A, in colema No.6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and
- against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:
 - i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib 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 Conneil. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

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

SECRETARY TO COVERNMENT OF KHYBER PAKH FUNKHWA LGJE&RD DEPARTMENT

No. SO(E) I.G/1-188/SSRC/2019.

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

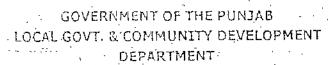
- 1. All Administrative Secretaries to Government of Klayber Pakhtunkhwa.
- All Divisional Commissioners in Ehyber Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhtunkiwa, Peshawas
- 4. The PSO to Chief Miniater, Khyber Pakhtonkhwa Peshawan,
- 5. The PSO to Clifel Secretary, Khyber Pakhtunkhwa Peshawar.
- 6. The Director General, LG,E&RDD, Knyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- 8. All Head of Attached Departments in Chyper Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhumkhwa.
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- -12. All-Assistant Directors: E@RDD to Khyber Pakhitinkhiva
- 13. The Manager Government printing press, Poshawar 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 L.G.E.&R.D.Khyber Pakhtunkhwa.
- 15. The PS to Secretary LG.E&RDD Peshawar.

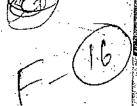
16. The Office Order file

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 001 9213224

d Edie L







Dated Lahore the 27th July, 2018

NOTIFICATION

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

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

2. The additional financial implication shall be met out of the budget of the respective Union Councils.

SECRETARY.
LOCAL GOVT. & COMMUNITY DEVELOPMENT
DEPARTMENT

NO & DATE EVEN

A copy is forwarded for information & necessary action to: -

1. The Secretary, Government of the Punjab, Finance Department

- 2. The Director General, LG&CD Punjab Lahore with the request to amend the service rules accordingly.
- 3. All the Directors, LG&CD in the Punjab.
- 4. All the District Accounts Officers in the Punjab.
- 5. All the Deputy Directors, LG&CD in the Punjab
- 6. All Chairmen of Union Councils, in the Punjab.
- 7. The Assistant Director (UC), at the PHQ, Lahore.

8. Master file.

(MALMOOD AHMAD).

DEPUTY SECRETARY (ADMN.)

Rana Mahboob Hussain, All Punjab Sccretaries UCs Association Punjab.

"A LOTED

THE SECRETARY,

Local Government, Elections & Rural Development Department,

Khyber Pakhtunkhwa, Peshawar.

-Subject:

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

Sir,

Most respectfully, it is stated that I am working as Village Secretary under your kind control. I am qualified and performing my duties with my full devotion. According to the service structure Notified on 26.01.1978, the prospects of promotion for Village Secretaries were in line. That according to the said rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. The same service structure dated 26.01.1978 was . amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (3PS-14) with 75%. quota.

· Astonishingly the old service structure was further amended through impugned notification dated 16-10-2019 whereby the channel of promotions has been limited to the post of Developmental Officer (8PS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Law & APT Rules, 1989.

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

Obediently Yours,

Wacy as 1 yas Kul Secretary (VS/NH Council)

uic___Palery

<u>VAKALATNAMA</u> Service Tribunal, Pedeauer

OF 2020 (APPELLANT) Magas / Mas (PLAINTIFF) (PETITIONER) **VERSUS** (RESPONDENT) Gort: of les & others (DEFENDANT) I/Ne / lagras //yas 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.____/__

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

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9 3 /2020

Mr. Wagyas	Ilyas	Appellan
	11	- -

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

Respondents

azhosan

Through

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9359 /2020.

Mr. Wagas Tilyas

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 redesignated as Junior Village Secretary having less than 10 years' service.

In addition to above,

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

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

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

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

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

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

REPLY TO GROUNDS:

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



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

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

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. 9259 /2020.
Mr. Wayas Ilyas Appellant
VERSUS
 The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar. The Secretary Local Government Development Department, Civil Secretariat, Peshawar. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.
<u>AFFIDAVIT</u>
I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government
& Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 9259 "100908 Thyas"
are true and correct to the best of my knowledge & belief and nothing has been intentionally
Deponent CNIC #. 17301-2416976-9
Identified By Cell #.0336-9170959
Advocate General Khyber Pakhtunkhwa

Local Government, Elections & Rural

Development Department

DATED OF LOCAL GOVERNME

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

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

Dated Peshawar, the 05th April, 2018

of the rule 3 of the Khyher Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyher 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.		Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness. from
		e e e e e e e e e e e e e e e e e e e	i	amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such: and Twenty-five (25) per cent by
<u></u>	<u> </u>	ļ.	, , ,	initial recruitment.":

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

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

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

Secretary /	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.	years, promotion, on the basi senjority-cum-fitness, amongst the Naib Qasids Chowkidars in the Ville	from and age / with aving ate in a stitute
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11) Eighty (80) pen 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. Village adjacent Neighborhood Council:

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

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

Dated Peshawar, the OSIA April, 2018

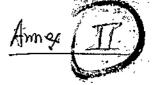
Copy forwarded to:-

- 1. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa,
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6) The Director General, LG E&RDD. Khyber Pakhtunkhwa Peshawar,
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8: All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa.
 - 10. The Registrar, Peshawar High Court, Poshawar,
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.
 - 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
 - 13. The Manager Government printing press. Peshawar for publication in the next Government Gazettee Notification, 40 sopies of the Notification may be sent to this Department.
 - 14: The PS:to Senior Minister for LO, E&RO Khyber Pakhtunkhwa.
 - 15. The PS to Secretary LG.E&RDD Peshawar.
 - io. The Office Order file.

SECTION OFFICER TESTAB

Phone # 091-9213224







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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

No. SO(LG-I)2-188/SSRC/2018.— In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, 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.	
"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.	
"IA.	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. Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

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

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



1D	Denuty Diment	Τ-			
* ,	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:

%At least E 1 Ch	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.	seniority-ourn-fitness, from amongst the Accountants with at least five (05) years' service
	(ii) fifty (50) per cent by initial recruitment.".

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

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

2.	6.
"Assistant.	 (i) Seventy-five per cent by promotion, on the basis of semiority-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:

<u>1.</u>	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.";



(f)

(g) .-

	(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 Bachetor'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	(a) At least Second Class		21 to 32	By initial
l .	Operator.	Bachelor's Degree in		years.	recruitment.";
] - 3	į	Computer Science			,
· ·		(BCS)/ Information		ļ	1
, `		Technology (BIT)			
-		(04-years) or its		1	
ļ.		equivalent			
Ì		qualification from a		,	1
. :		recognized		1	1
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		University; or		ļ	7
	1	(b) At least Second Class			
-		Bachelor's Degree			
ţ	· ·	from recognized		1	
1		University with one		-	\
1.	•	year Diploma in	Ì	1.5	
		Information	1		ļ
		Technology from a			
:	1	recognized Board of	1	1	
ŀ		Technical Education.			

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

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



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

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

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

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6. The Director General, LG,E&RDD, Khyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
- 14. The PS to Secretary LG, E&RDD Peshawar.

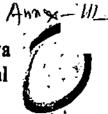
15. The Office Order file.

; :

(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/Z-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) y Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:

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

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

- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - i) "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - ii) Fifty (50) per cent by initial recruitment.";

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

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

Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and

"Seventy per cent by initial recruitment.";

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

- 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:
 - 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,-

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Dated Peshawar, the 16th October, 2019

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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, LO, 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 LO, E&RDD Peshawar.
 - 16. The Office Order file.

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



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

NOTIFICATION

Peshawar, dated the 26th January, 1978

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

-sd-

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

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

Copy of the above forwarded to the:-

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

	,				(%)	
	S.No.		വ	_	Age_Limit for	Method of appointment
	_	of post	initial recruitment	for promotion	initial	
	•	,			recruitments	
	-	2	ω	4	S.	
	_ _	Deputy	a) 2 nd Class Master's		Not less than	i) 25% by initial recruitment and 75% by
		Directors	Degree from a		30 years and	with due regard to seniority
	-		recognized		đ	st the holders of th
			University in		35 years	
			Economics,			(including the defunct basis Democracies
	_		Statistics, Social) Project Managers
			Works/ Sociology,			th at least years
			Animal Husbandry,			
			Agril: Political	•		
			Science, Public			
	_		Admn: Geography or			
			Social Psychology;			
			and			
			b) Five year			
		•	experience in			
			Agriculture, Animal			
			Husbandry Education,			
			- ⊢			
			a pa			
			Forest in Grade-16		_	
	,		or above.			
	Λ.	Assistant	a) 2" Class Master's		Not less than	i) 50% by initial recruitment and
		Director/	Degree from a		21 years and	ii) 50% by selection on merit with due
		Project	recognized		not more than	regard seniority from amongst holders of
		Manager	University in	_	30 years	the post Development Officers and Sub-
		/Progress	Economics,			_
		Officer	Statistics, Social		•	
			Works/ Sociology,			
			Animal Husbandry,			
			Agril: Political			
			Science, Public			
			Administration,			
			Geography or Social			
			У, Р			
، څ						
_			Mathematics.			

		1	<u> </u>	146>	
3	Accounts	2 nd class Master's		No. 1 and 1	
J	Officer			Not less than	-
	Ollicei	Degree in Commence /		21 years and	ii) 50% by selection on merit with due
		Business		not more than	
		Administration, or		30 years	of the post Superintendent the Departmen
	1	G.A.S qualified			with a least three years service such.
	•	persons of Pakistan			
	İ	Audit Department or			
		Provincial Local			
4	D1	Audit Department.			
4	Development	2 nd Class Master		Not less than	1
	Officer	Degree from a		21 years and	ii) 50% by selection on merit with due
	ĺ	recognized		not more than	
	}	University in	}	30 years	the post Supervisor, RD in the Departmen
		Economics,			with at least 10 years service.
	,	statistics, social			
	}	works/ sociology,		ļ	Note: Service in defunct Vill: Aid Department
		Animal Husbandry,			and the purpose of service under this
	i i	Agriculture, Public			clause be treated as service in the
		Admn: Political			deptt.
	<u> </u>	Science Geography			
5	Sub Divisional	or Social Psychology			
5	Officer	Degree in			i) 75% by initial recruitment and
		Engineering or		21 years and	ii) 25% by selection on merit with due
	/Assistant	equivalent		not more than	
	Director	qualification from a		30 years	of the post the Overseers.
	Engineer	recognized			
	1	University		<u> </u>	
6	Superintendent	-	;	•	By the selection on merit with due regard
				,	to seniority from amongst holders of the
	1	•	·	•	Assistant/Accountants/ Senior Stenographer
]		'		/Senior Auditors with least five years
-			'		experience as such.
7	Assistant /	Degree from		Not less than	i) 25% by initial recruitment and
	Accountant	recognized		21 years and	ii) 75% by selection on merit with due
	,	University	1	not more than	regard seniority from amongst holders of
		•		25 years	the post of Senior Clerks, Junior
					Auditors with atleast five years service

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-		•	-		12		.						11				10		(اه							(α
-	•	-	,	(Junior Scale)	മ				•				Senior Auditor	·	-	Rural Dev:	Supervisor,		() () () () () () () () () ()	Overseer							(Senior Scale)	Stenographer
₽	b) Speed 80 words per minutes in		recognized board	equivalent	a) Matriculation or		subjects or equivalent qualification in	as	Degi	n to perso	Note: Preference will	University	from			sity	Degree from recognized	_tu	from a recognized	- 1	В	English and 40	shorthand in	board and		qualification	equivalent	a) Matriculation or
	-	-				,				,				. •	-												(-	4
			25 years	ears						years	t more	18 vears and	٦٥٥	20 years	not more than	years	ा।	not more than 25 years	21 years and	1000	•				25 years	more	18 years and	2
		Deptt.	holders of the post of Steno-typists	y selection on merit wi	50% by initial recruitment an			years serv	/Snr.Clerks in the Depa	s of the post	regard to seniority from amon	ii) 50% by marit with due	SOR by initial reconstruct	noiders of the post village Secy: in Department with least years experience as such.	seniority from amongst	selection on merit v			פא דוודנופו אפכומדנוופוור	75.4.					pog	egard to seniority from amongst	ii) 75% by selection on merit with due	One by initial populitment

				- :	
recruitment	,	· .	•		
Qualification prescribed for initial	-		••••		<u>-</u> -
with a least three years service such.	-	-			
Daftaries and Peon in the Department					
m amongst ho	25 years	-	recognized board		
ii) Not more than 20% by selection on	not more than		qualification from		
	18 years and		equivalent	٠	
i) Not less than 80% by initial	Not less than		Matriculation or	Junior Clerk	17
	25 years	,			
	not more than				
	18 years and		recognized Board	Secretary	
By Initial Recruitment	Not less than	. 1	Intermediate from	Village	16
three years service such.					
Junior Clerk in the Department with a least			,		
seniority from amongst holders of the post	-				
By selection on merit with due regard to	ı			Senior Clerk	15
	25 years		recognized board		
	not more than		qualification from		
	18 years and		equivalent		
By Initial Recruitment	Not less than	*	Matriculation or	Junior Auditor	14
			typing		
			words per minute in		
			English and 35		
prescribed for initial recruitment.			shorthand in	_	
have the minimum qualification			minutes in		
least three years service such. Who			b) Speed 60 words per		-
Junior Clerk in the Department with a			and	,	
merit from amongst holders of the post	25 years		recognized board		
ii) Not more than 50% by selection on	not more than		qualification from		
recruitment and	18 years and		equivalent	-	
i) Not less than 50% by initial	Not less than		a) Matriculation or	Steno Typist	13
	-		typing		
		(V,I)	words per minute in		
		<u>a</u>			
)			



GOVERNMENT FINANCE DEPARTMENT (REGULATION WING) 47771 6

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:-

Council Secretaries B	ouncil Secretari	llage/Neibourhood es upgraded from 9 having less than e.	BPS-11 and re-designated as Senio
3501	26	51	850
Total Sanctioned Strength of Super-	visor (BPS-09)	Number of po- nomenclature of the	osts upgraded to BPS-14 with same be posts
89			89

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

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

Yours faithfull

SECTION OFFICER (FR)

Copy is forwarded to: -

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

SECTION OFFICER (FR)