230th 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

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

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

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

25.11.2022

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

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

(Fareeha Paul) Member (E) (Rozina Rehman) Member (J) Due to Winter Vacations, the case is adjourned to 25.04.2022 for the same as before.

₽ 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 Appeall 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
Seasity Process Fee

(Rozina Rehman)

19.05.2021

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

Reader

01.09.2021

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

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

(MIAN MUHAMMAD) MEMBER (E)

Form- A

FORM OF ORDER SHEET

Court of		
Court of		

ļ	S.No.	Date of order proceedings	Order or other proceedings with signature of judge
ĺ	1	2	3
	1-	04/09/2020	The appeal presented today by Mr. Noor Muhammad Khattal Advocate may be entered in the Institution Register and put up to the
	t t	4	Learned Member for proper order please.
-	2-	·	REGISTRAR
!	,		up there on
			MEMBER(J)
11	.2020		Nemo for appellant.
			Since the Members of the High Court as well as of the
		Distri	ct Bar Association, Peshawar, are observing strike
		today	, therefore, learned counsel for appellant is not
		availa	able today. Adjourned to 19.01.2021 on which date to
		come	up for preliminary hearing before S.B.
			(Muhammad Jamal Khan) Member (Judicial)
-			
			·

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

APPEAL NO. 10996 \2020

GOVT. OF KP

S/A

HAHSDAB SADAW

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APPELLANT

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тнвоиен:

NOOR MOHAMMAD KHATTAK,

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

1415856-5450

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 10226 /2020

Mr. Waqas Badshah, Village Secretary, Village Council Misri Banda, District Nowshera.

...... APPELLANT

VERSUS

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

 RESPONDENTS

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

PRAYER: That on acceptance of this appeal the impugned service rules Notified on 5.04.2018, 1.8.2018 & 16.10.2019 may kindly be set aside and the old service 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

and up to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure A.

- 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

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

GROUNDS:

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

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

WAQASBADSHAH

NPRÉLLANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

	C.M. NO	/2020
	APPEAL NO	/2020
WAQAS BADS	HAH 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



Office of the Assistant Director, Local Govt. & Rural Dev. Department, Nowshera.

No. 1071-80 IAD(LG&RDD)/NSR/2016
28/2 January, 2016

OFFICE ORDER

Having been cleared/recommended by the District Selection / Recruitment Committee in its meeting held on 21-1-2016, the competent authority has been pleased to appoint Mr. Waqas Badshah r/o Lal Badshah r/o Ayub Abad Mera Akora Khattak Tehsil Jehangira District Nowshera as Secretary BPS-07 (7490-415-19940) in Village Council Surya Khel Mera Akora Khattak District Nowshera purely on temporary basis with all usual allowances admissible under the rules with immediate effect on the following terms and conditions:-

- 1. Your services shall be governed under the Khyber Pakhtunkhwa Civil Servants Act 1973 and the laws/rules made there-under applicable to a Civil Servants.
- 2. You shall be on probation for a period of one year which shall be extendable for further period of one year and if no notification is issued at the end of extended period of probation, the probation period shall deem to be extended for another period of one year.
- 3. Your appointment is liable to be terminated at any time without assigning any reason before the expiry of the probation/extended period of probation if your performance during this period is not found satisfactory.
- Your retention in service shall be subject to verification of your domicile and other academic documents/testimonials from the concerned authorities / offices.
- 5. In case you wish to resign at any time, fourteen days notice shall be necessary or in lieu thereof fourteen days your pay shall be forfeited.

Assistant Director, Local Govt. & Rural Dev. Deptt. Nowshera.

Endst: No. & date even.

Copy forwarded for information to:-

- The Director General, LG&RDD, Govt. of Khyber Pakhtunkhwa, Peshawar.
- 2. The District Nazim, Nowshera.
- 3. The Deputy Commissioner, Nowshera.
- 4. The District Accounts Officer, Nowshera.
- 5. The Medical Superintendent, DHQ Hospital, Nowshera.
- 6. The Tehsil Municipal Officer, Nowshera.
- The Supervisor, AD LG&RDD Office, Nowshera for necessary action.
- 8. The Office Assistant, AD LG&RDD Office, Nowshera for necessary action.
- Mr. Waqas Badshah r/o Lal Badshah r/o Ayub Abad Mera Akora Khattak Tehsil Jehangira District Nowshera with direction that if the above term s and conditions are acceptable to you, you are directed to submit your medical fitness certificate from DHQ Hospital, Nowshera and arrival report to the office of undersigned within fifteen days positively after the issuance of this appointment order otherwise your appointment order will stand cancel / withdrawn.

10. Office copy.

Assistant Director, Local Govt. & Rural Dev. Depft. Nowshera.



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION

Dated: 26th January, 1978.

and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be 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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Project A	Assistant Director/ a) 2 nd Class Master Degree from a Not loss that The Class Master Degree from a Not loss that The EXTRAORDINARY, 12 th JUNE		and not more than 30	recognized University in Economics,	/Progress Officer	
	1430 KHYBER PAKHTUNKWHA GOVERNMENT GAZETTE EVERA COMMENT GAZETTE	NIRACKUINARY, 12" JUNE, 2019	Not loss than 21	2 nd Class Master Deg)

	——						(2)	
17	16	15					5 =	
Junior Clerk	Village Secretary	Schlor Clerk	Junior Auditor		Sieno Typist	(Junior Scale)	Senior Auditor	
Matriculation or equivalent qualification from recognized board	Intermediate from recognized Board		Matriculation or equivalent qualification from recognized board	shorthand in English and 35 words per-minute in typing		L	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	KHYBER PAKHTUNKWHA GOVERNMENT GAZE
Not le and no years	yours		and n		and n	and n		
Not less than 18 years and not more than 25 years	Not less than 18 years and not more than 25 years		Not less than 18 years and not more than 25 years		Not-less than 18 years and not more than 25 years	and not more than 25 years	Not less than 18 years and not more than 25 years	E EXTRAORDI
iii) Not less than 80% by initial recruitment and iv) Not more than 20% by selection on merit from amongst holders of the post Daffaries and Poen in the Deptt: with a least three years service such. Qualification prescribed for initial recruitment	By Initial Recruitment	by selection on merit with due regards seniority from annongst holders of the post Junior Clerk in the Deptt: with a least three years service such, who have minimum qualification prescribed for initial recruitment	By Initial Recruitment	service such.	 i) Not less than 50% by initial recruitment and ii) Not more than 50% by selection on merit from amongst holders of the post Junior Clerk /Senior Clerk in the Deptt; with a least three years 		d th due r rk in the num qua	TTE, EXTRAORDINARY, 12th JUNE, 2019 1431

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

Sd/-xxx

ATTAUR REHMAN KHAN

Secretary to Govt: of N.W.F.P.
Local Govt:, Cooperation, Social Welfare, T
Rural Development Department



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

<u>NOTIFICATION</u>

Dated Peshawar, the 05th April 2018

No. SO(LG-I)2-188/SSRC/2018.— ON In exercise of the power conferred by sub-rule (2) of the rule 3-of the Khyber Pakhtunkwhu 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, martiely:

AMENDMENTS

In the Appendix

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

			The second secon
I	-10.	Supervisor Atleast Second Class 21 to 30 it	Seventy-five 675), per (cents by-
		Bachelor's Degree from a j years.	promotion. on the basis of
		recognized University.	seniority-cum-filmess.
			amongst, the Senior Secretary
	_	Committee Disk I have	Village / Neighborhood Council:
١			with atleast five (05) year service-
	• • •		as such: and
	-	[16] () () () () () () () () () (Twenty-live (25) per cent by
		$i M \lor M \land I$	detetat esanti-esantive

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

•	Senior Secretary Village /		By promotions on the basis of seniority cum-fitness, from amongst the Junior Secretary Village Neighborhood
	Neighborhood Council:	•	Council, with atleast (ten (10) year service as such and

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

16:	Junior -	Atleast Second Class.	.18 to	i)	Twenty (20) per cent by
1	Secretary	Intermediate or.	30	, ·	promotion. on the basis of
	Villáge //	equivalent qualification	years.		semanty-cum-fitness.
	Neighborhood	from a recognized Board.			amongst the Naib Oasids and
	·Council.	and atleast six (06)			Chowkidars in the Village
		months Certificate in	,	١.	Neighborhood Council with
1.		Computer from a		ļ	seniority at tehsil level having
1		recognized Institute with	1		Secondary School Certificate in
		experience in MS-	1		second division from a
<u>.</u>	,	Office, Impage and			recognized Board or Institute
	la i	Internet.			with three (03) year service as
		}		1.	such: and
	1		• • •		

ATTEST

4



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

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

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

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

No. SO(LG-I)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 Pakhfunkhwa, 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, ...
- τ 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 Khyher Pakhtunkhwa.
- 121 Ail Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press. Peshawar for publication in the next. Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
 - 14. The PS to Senior Minister for LG.E&RD Khyber Pakhtunkhwa.
 - 15. The PS to Secretary LG E&RDD Peshawar.

16 The Chice distantile

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

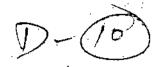
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GOVERNMENT



REGISTERED NO. PIII

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

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

NOTIFICATION

Peshawar, dated the Ist 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 General.		-	_	By transfer from amongst PAS, PCS and PMS officer in BPS-20.".

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

1 · 1 A T	n
a a a a a a a a a a a a a a a a a a a	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:

		 _	•			
ľ	"IB.	Director		 		
		(Technical).	-	-	-	By promotion, on the basis of
			1			seniority-cum-fitness, from
		į				10000000 TS
						(Technical) with at least seven
ļ			į .			(07) years service as such or
				•		twelve (12)
			i .		ļ	twelve (12) years service, as
		-	ľ			Assistant Engineer and Assistant
<u> </u>		<u> </u>				Director (Technical) and above.
	1C.	Deputy	- :		 -	Dy man
[.		Director/Assistant		ļ		By promotion, on the basis of
		Director (Senior).				seniority-cum-fitness, from
f			;		ļ	amongst Assistant Directors with
-						at least live (05) years-service as
Ĺ		<i>,</i> -	· .			such.
	1D:	Deputy Director			_	<u> </u>
		(Finance and		-	-	By promotion, on the basis of
	,	Accounts).	٠.			semonty-cum-fitness from
Ì	.	recounts).				amongst Accounts Officers with
						at least five years service as such.
-	! !E.	<u> </u>				y === service as such
- 1	LC.	Deputy Director	-	-		By promotion, on the basis of
١.	.	(Technical).	· j			seniority-cum-fitness, from
		'		! 		amongst Assistant E
	!	,	.			amongst Assistant Engineers and
1	.	`	İ			Assistant Directors (Technical)
						with five (05) years service as
	.]					such and having a Bachelor's
	.			-		Degree in Civil Engineering.";
	ļ		. !			AT (T
		:	-			Note: For the purpose of
	j			j		promotion to the post of
		·	ľ	ŀ		Deputy Director
			.			(Technical), there shall be
1				}	}	
		ļ	· , [maintained a joint seniority list of Assistant
				Ì	-]	Engineers and Assistant
٠.	į					Directors (Task-is par
L	_ · _	·			-	Directors (Technical).",
						

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

3.		6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	(i)	Fifty (50) per cent by promotion, on the basis on the basis of seniority-cumfitness, from amongst the Accountants with at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by transfer.; and
4	(ii)	fifty (50) per cent by initial recruitment."

- (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. "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:

<u>і.</u> "9В.	4.	3.	4.	5.	
71.).	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University;	. ,	18 to 30 years.	6. By initial recruitment."
-		(b) six months Diploma in Civil AutoCAD from a recognized Technical Institute; and	7	1	
		(c) at least two years experience in relevant field.	. -		

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

	467.7	<u> </u>	3.	4.	5.	
	*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
A ST		The state of the s				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.	Z.	WINA C	OVI: GAZETTE, EX			<u> </u>
	14	· · · · · · · · · · · · · · · · · · ·	1 2 >	3.	4.	5	6.
	14.	Computer	(a)	At least Second		21 to 32	By initial
		Operator.		Class Bachelor's	ļ	years.	recruitment.";
	 [Degree in			
	1		1	Computer			
		!		Science (BCS)/			-
			•	Information	·		
-		1		Technology	-		
	`			(BIT) (04-years)	ı		
	i -			or its equivalent	-		. !
		- '] .	qualification			
				from a			'
	1		1	recognized		-	
				_			
	,			University, or	['	Ė	_
			(L)	A + 1 C			
	•		(p)	At least Second			
-		•		Class Bachelor's	-		
	·			Degree from	1		
		-		recognized		1	
	i	·		University with		[.	
٠.		! •		one year		Í	
	.]	` .		Diploma in			
٠.			-	Information			
	1	:	į	Technology from		. [
٠			1	a recognized		!	
				Board of			
	ľ		-	Technical			
	ļ			Education.	,		
	.						'

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

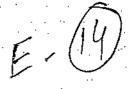
1	2.	3.	4.	5.	6.
19A.	Driver.	Preferably literate and holding a valid Driving License.	· -	18 to 40 years.	By initial recruitment."; and

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

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

Printed and published by the Manager, Staty, Ptz. Deptt., Klyber Pakhtumbwa, Pashawar

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Page NOS



Carried State Control of the State of the St

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



MOTIFICATION

Dated Feshawar, the 16th October, 2019

Not SO(E)LG/2-188/SSRC/2019.— In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtankhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government. Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department belieby directs that in this Department's Notification No. DG(RWP)7(2)/73, duted 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix:

- Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service,":
 - ii) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - iii) Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";

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

- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - "Fitty (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) 1 Fifty (50) per cent by initial recruitment.".
- against Serial No.5, in column No. 6, for the existing entries, the following small be's 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 seniority-cum-timess, from amongst --Sub-Engineers with at least five years service us such and who possess --Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and
 - (ii) Seventy per cent by initial recruitment.":

4

- against Serial No. 6, in column Nu.6, for the words, colon and slash "Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall
- against Serial No. 15A. in column No 6, for the word, figure and brackets "ten (10)", (file word, figure and brackets "five (05)" shall be substituted; and \cdot
- against Serial No. 16, in column No.6 for the existing entry, the following shall be
 - Twenty (20) per cent by promotion on the basis of seniority-cum-fitness, from amongst the Naib Oasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such; and
 - Eighty (80) per cent by initial reoruitment:

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

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

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

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

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

- All Administrative Secretaries to Government of Khyber Pakhtunkhwa
- 2. AR Divisional Commissioners in Ehyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,
- 4. The PSO to Chief Minister, Knyher Pakhtunkhwa Peshawar.
- The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawas,
- The Director General, LG,E&RDD, Khyher Pakhtunkhwa Poshawar.
- The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhjunkhwa.
- 10. The Registur, Peshawar High Court, Peshawar,
- H. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All-Assistant Directors. EG&RDD in Knyber Pakhrunkhwa.
- 13. The Managur Government printing press, Poshawar for publication in the next Government Gazettee Notification, 100 copies of the Notification may be sent to this Department.
- न. The PS to Senior Minister for LG, E&RD Khyber Pakhtenkinva.
- 15. The PS to Secretary LG.E&RDD Peshawar.
- 16. The Office Order file

(EAJI MUHAMMAD) SECTION OFFICER (ESTAB) (Fibone # 0°)-9213224



egen and and a state of the control
GOVERNMENT OF THE PUNJAB LOCAL GOVT. & COMMUNITY DEVELOPMENT: DEPARTMENT

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&R) Service Rules, 1981 and Punjab Government District Service (Town/Tehsil Municipal dadre) Rules 2095 w.e.f 01.07.2018:-

Sr#	Fost	Present Scale	Up gradation	}
1.	Union Secretary (Committee)	BS- 07	BS-11	 •
2.	Union Secretary (CD)	BS-11	BS-14	-

The additional financial implication shall be met out of the budget of the respective Unión 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.
 - 41] All the District Accounts Officers in the Punjab.
 - 5. All the Deputy Directors; LG&CD in the Punjab
 - 6. All Chairmen of Union Councils, in the Punjab.
 - The Assistant Director (UC), at the PHQ, Lahore.
 Master file

(DAMHA DODMHAM)

DEPUTY SECRETARY (ADMN.)

Rana Mahboob Hussain, All Puniab Secretaries UCs Association Punjab.

97

TO

THE SECRETARY,

Logal Government, Elections & Rural Development Department, Knyber Pakhtunkhwa, Pushikwar.

Surrecti

DEPARTMENTAL APPEAL AGAINST THE NOTIFICTIONS DATED 5.4.20.18 & 16.10.2019 AND FOR THE REVIVAL/RESTORATION THE OLD SERVICE STRUCTURE NOTIFIED ON 26.01.1978

Sir,

Nost respectfully, it is stated that I am working as Village Secretary under year kind control. I am qualified and performing my duties with my full devotion. According to the service structure Motified 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%, pronlotton quota to the post of Supervisor (SPS-14)'& Assistant Accountant (SPS-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 lin a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the bost of Assistant Director/Project Manager/Progress Officer, then, 75% quote was reserved from Assistant Director to the post Debuty Director (GPS-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 Maighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BFS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (SPS-14) with 75%

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

It is therefore, requested that the impugned Notifications deted. 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 25.01.1978.

Obediently Yours,

MAGAS BADSHAH
Secretary (VC/NH Council)
Wc TYIST BOTTO

Cell No. ONTO HUNLOS

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Before the MP Service Toi bund, Perhawar OF 2020

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Gout: of Up & others (RESPONDENT)

I/We INAGAS BADSHAH

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 of deposited on my/our account in the above noted matter.

Dated. 17 / 67 /2020

NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

MIR ZAMAN SAFI

&

AFRASIYAB KHAN ADVOCATES

OFFICE:

Flat No.3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar City.

Phone: 091-2211391 Mobile No.**0345-938314**1



BEFORE THE KHYBER PAKHTUNKHW'A SERVICE TRIBUNAL

Appeal No. 6226 /2020.

Mr. Wagias	Radshal			
m. wayas	Baasnar	<u>´_</u>	*************	Appellan

VEŔSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat
- 2. 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

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

Respondents

.....Respondents.

Through

Deponent

w. Assant

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10936 12020.

Mr. Wagas Badshah

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;

- 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.

- 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.3

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

Secretary Finance Department, Khyber Pakhtunkhwa Respondent No.4

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



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 10776 /2020.
Mr. Wagas Badshah Appellant
v ————
VERSUS
1. 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.
Respondents
<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. 10226 "Wagias Bodshah".
are true and correct to the best of my knowledge & belief and nothing beautiful
concealed from this Honorable Court.
Land.
Deponent CNIC #. <u>17301-2416976-9</u> Cell #. <u>0336-9170959</u>
Identified By
TESTED TO THE PARTY OF THE PART

Advocate General Khyber Pakhtunkhwa

Local Government, Elections & Rural Development Department

NOTIFICATION

DG LOCAL GOVERNMEN

Dated Peshawar, the 05th April, 2018

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

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

of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment: Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the 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 <u>.</u>	Supervisor	Atleast Second Class 21 to 30 i) Seventy-five (75) per cent by Bachelor's Degree from a years. promotion, on the basis of	11
		recognized University seniority-cum-fitness, from amongst the Senior. Secretary Village / Neighborhood Council.	LD)
	\	with atleast five (05) year service as such: and	۱ ۱
	,	ii) Twenty-five (25) per cent by initial recruitment.";	(s)

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

"15A,	Senior		h to average	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
<u>.</u>	Council.		<u> </u>	service as such."; and

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

Secretary Village /	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.	30 years.	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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Eighty (80) per cent by initial recruitment;

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

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

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

Dated Peshawar, the Q51x April, 2018

Copy forwarded to:-

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

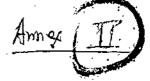
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- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6) The Director General, LG.E&RDD. Khyber Pakhtunkhwa Peshawar,
- 7. The Secretary, Khyber Rakhtunkhwa 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 Gazettes Notification, 40 copies of the Notification may be sent to this Department.
- 14. The PS to Senior Minister for LO, E&RD Khyber Pakhtunkhwa.
- 15. The PS to Secretary LG.E&ROD Peshawar.
- 16. The Office Order file.

SECTION OFFICER EST

Phone # 091-9213224







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

NOTIFICATION

Dated Peshawar, the 01st August, 2018

No. SO(LG-D2-188/SSRC/2018.— In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26,01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,

(a) for Serial No. 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 a PMS officers in BPS-20.".	лd

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

	<u> </u>				• •
. 1.	2.	3.	4,	5.	6
"1A.	Director.			3,	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).";
		<u> </u>	1	1	

(c) 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.	Danuta Dia	 -			
	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. "At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	Accountants with at least 5 (05)
--	----------------------------------

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:

(g)

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	•	18 to 30 vears.	By initial recruitment,";
<u> </u>	;	Degree from a		, rears.	·
]		recognized University;			
]	-			<u> </u>

	(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:

, I.	2,	3.	• 4.	5.	6.
"11.	Accountant.	At least Second Class Bachelor's Degree in Business Administration or ils 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)		21 to 32 years.	By initial recruitment.";
		(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.		•	

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

Ė						
- 1	<u>. 1. </u>	2.	3,	4.	5.	6
	"19A.	Driver.	Preferably literate and		18 to 40	
			holding a valid Driving License.	,	years.	recruitment."; and
- 1		<u></u>	<u></u> '	1		ļ .

(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 01" August, 2018

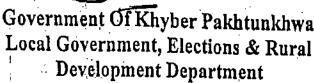
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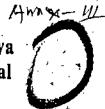
- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa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







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

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

- 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.";

Corrector Held

nized Ur ity per co 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.5, 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,E&RD DEPARTMENT

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

į.

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.
- 11 10. The Registrar, Peshawar High Court, Peshawar.
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.
 - 12. All Assistant Directors, LO&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



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

NOTIFICATION

Peshawar, dated the 26th January, 1978

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

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

of the above forwarded to the

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

	. :	• • •			3	
	S.No.	Nomenclature	Qualification for	Qualification	Age limit for	Method of appointment
	-	of post	initial recruitment	for promotion	initial	
	<u>-</u>	3	u)	4	5	6
- -	<u>-</u> - ►	Deputy	a) 2 nd Class Master's		Not less than	recruitment and 75%
		Directors	Degree from a		30 years and	ith due regard to seniorit
			recognized.		not more than	he holders of th
		-	University in		35 years .	trector gurat Development
· 			Economics,			the definic pasts be
		-	Statistics, Social			nt) Project Managers
		-	Works/ Sociology,			Officers With at least years experience .
			Animal Husbandry,	,	-	as sucn.
			Agril: Political	-	•	-
-			Science, Public		-	
			Admn: Geography or			
			social Psychology;			
	;		and			
					-	
			experience in			
	·.·		Husbandry Education,			
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:		-	or above.			700 511 151 1
· 1	2	Assistant	a) 2 nd Class Master's		t Less	tage of the color
		Director/	Degree from a		years	seniority from amongst hol
	•	Project			٦	nost Devalopment Officers and Sub-
		Manager	University in	-	30 Years	rs)
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GOVERNMENT FINANCE DEPARTMENT (REGULATION WING)

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

Dated Peshawar, the 01-02-2018

To

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

Subject: -

SERVICE STRUCTURE FOR THE POST OF SUPERVISOR 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 Sunctioned Strength of Village / Neibourhood Council Secretaries (BPS-07)	Council Secretari	llage/Neibourhood es upgraded from 9 having less than	Number of Pos BPS-11 and Secretaries V having at least 1	re-designate illage/Neibou	rom BPS-07 to d as Senior arhood/Council ore service.
3501	. 26	5[850	
Total Sanctioned Strongth of Su	pervisor (BPS-09)	Number of po	sts upgraded	to BPS-14	with same
89			89		

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

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

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

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

SECTION OFFICER (FR)